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

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA-482]

Schedules of Controlled Substances: Placement of *N*-Ethylpentylone in Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: The Drug Enforcement Administration places 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (known as *N*-ethylpentylone or ephylone) and its optical, positional, and geometric isomers, salts, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, in schedule I of the Controlled Substances Act. This action makes permanent the current imposition of the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis, or possess), or propose to handle *N*-ethylpentylone.

DATES: *Effective date:* June 14, 2021.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362-8207.

SUPPLEMENTARY INFORMATION:

Legal Authority

The Controlled Substances Act (CSA) provides that proceedings for the issuance, amendment, or repeal of the scheduling of any drug or other substance may be initiated by the Attorney General (1) on his own motion;

(2) at the request of the Secretary of the Department of Health and Human Services (HHS);¹ or (3) on the petition of any interested party. 21 U.S.C. 811(a). This action was initiated on the Attorney General's own motion, as delegated to the Administrator of the Drug Enforcement Administration (DEA), and it is supported by a recommendation from the Assistant Secretary for Health of HHS (Assistant Secretary) and an evaluation of all other relevant data by DEA. This action makes permanent the current, temporary imposition of regulatory controls and administrative, civil, and criminal sanctions for schedule I controlled substances on any person who handles or proposes to handle *N*-ethylpentylone.

Background

On August 31, 2018, DEA published an order in the **Federal Register** amending 21 CFR 1308.11(h) to temporarily place 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (known as *N*-ethylpentylone or ephylone) in schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(h). 83 FR 44474. That temporary scheduling order was effective on the date of publication, and was based on findings by the Acting Administrator of DEA that the temporary scheduling of this synthetic cathinone was necessary to avoid an imminent hazard to the public safety pursuant to section 811(h)(1). On August 27, 2020, DEA published an order to extend the temporary scheduling of *N*-ethylpentylone by one year, or until August 31, 2021, pursuant to section 811(h)(2). 85 FR 52915. Also, on that same date and in the same issue of the **Federal Register**, DEA simultaneously published a notice of proposed rulemaking (NPRM) to permanently control *N*-ethylpentylone in schedule I of the CSA. 85 FR 52935. Specifically, DEA proposed to add *N*-ethylpentylone to the hallucinogenic substances list under 21 CFR 1308.11(d).

¹ As discussed in a memorandum of understanding entered into by the Food and Drug Administration (FDA) and the National Institute on Drug Abuse (NIDA), FDA acts as the lead agency within HHS in carrying out the Secretary's scheduling responsibilities under the CSA, with the concurrence of NIDA. 50 FR 9518, Mar. 8, 1985. The Secretary of HHS has delegated to the Assistant Secretary for Health of HHS the authority to make domestic drug scheduling recommendations. 58 FR 35460, July 1, 1993.

DEA and HHS Eight Factor Analyses

On July 15, 2020, HHS provided DEA with a scientific and medical evaluation document prepared by the Food and Drug Administration (FDA) entitled "Basis for the Recommendation to Control *N*-ethylpentylone and Its Optical, Geometric, and Positional Isomers, Salts, and Salts of Isomers in Schedule I of the Controlled Substances Act." After considering the eight factors in 21 U.S.C. 811(c) pursuant to 21 U.S.C. 811(b), and *N*-ethylpentylone's abuse potential, lack of legitimate medical use in the United States, and lack of accepted safety for use under medical supervision pursuant to 21 U.S.C. 812(b), the Assistant Secretary recommended that *N*-ethylpentylone be controlled in schedule I of the CSA.

In response, DEA conducted its own eightfactor analysis of *N*-ethylpentylone under 21 U.S.C. 811(c), and concluded that this substance warrants control in schedule I of the CSA, as it meets the findings prescribed by 21 U.S.C. 812(b)(1). Both DEA and HHS eight-factor analyses are available in their entirety in the public docket for this rule (Docket Number DEA-482) at <http://www.regulations.gov> under "Supporting Documents."

Determination to Schedule *N*-Ethylpentylone

After a review of the available data, including the scientific and medical evaluation and the scheduling recommendation from HHS, DEA published an NPRM entitled "Schedules of Controlled Substances: Placement of *N*-ethylpentylone in Schedule I." This rule proposed to control *N*-ethylpentylone, and its optical, positional, and geometric isomers, salts, and salts of isomers in schedule I of the CSA. 85 FR 52935, August 27, 2020. The NPRM provided an opportunity for interested persons to file a request for hearing in accordance with DEA regulations on or before September 28, 2020. No requests for such a hearing were received by DEA. The NPRM also provided an opportunity for interested persons to submit comments on the proposed rule on or before September 28, 2020.

Comment Received

DEA received one anonymous comment on the proposed rule to control *N*-ethylpentylone in schedule I

of the CSA. However, this comment was not related to the rule; therefore, DEA does not respond to the comment.

Scheduling Conclusion

After consideration of the relevant matter presented through the scientific and medical evaluation and the accompanying scheduling recommendation of HHS, and after its own eight-factor evaluation, DEA finds that these facts and all other relevant data constitute substantial evidence of potential for abuse of *N*-ethylpentylone. Accordingly, DEA is permanently scheduling *N*-ethylpentylone as a controlled substance under the CSA.

Determination of Appropriate Schedule

The CSA establishes five schedules of controlled substances known as schedules I, II, III, IV, and V. The CSA also outlines the findings required to place a drug or other substance in any particular schedule. 21 U.S.C. 812(b). After consideration of the analysis and recommendation of the Assistant Secretary and review of all other available data, the Acting Administrator, pursuant to 21 U.S.C. 811(a) and 812(b)(1), finds that:

- (1) *N*-Ethylpentylone has a high potential for abuse;
- (2) *N*-Ethylpentylone has no currently accepted medical use in treatment in the United States;² and
- (3) There is a lack of accepted safety for use of *N*-ethylpentylone under medical supervision.

Based on these findings, the Acting Administrator concludes that 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (known as *N*-ethylpentylone or ephylone) and its optical, positional, and geometric isomers, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible, warrants continued control in schedule I of the CSA. 21 U.S.C. 812(b)(1).

² Although there is no evidence suggesting that *N*-ethylpentylone has a currently accepted medical use in treatment in the United States, it bears noting that a drug cannot be found to have such medical use unless DEA concludes that it satisfies a five-part test. Specifically, with respect to a drug that has not been approved by FDA, to have a currently accepted medical use in treatment in the United States, all of the following must be demonstrated:

- i. The drug's chemistry must be known and reproducible;
- ii. there must be adequate safety studies;
- iii. there must be adequate and well-controlled studies proving efficacy;
- iv. the drug must be accepted by qualified experts; and
- v. the scientific evidence must be widely available.

57 FR 10499 (1992), pet. for rev. denied, *Alliance for Cannabis Therapeutics v. DEA*, 15 F.3d 1131, 1135 (D.C. Cir. 1994).

Requirements for Handling *N*-Ethylpentylone

N-Ethylpentylone will continue³ to be subject to the CSA's schedule I regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, reverse distribution, importation, exportation, engagement in research, and conduct of instructional activities or chemical analysis with, and possession of schedule I controlled substances including the following:

1. *Registration.* Any person who handles (manufactures, distributes, reverse distributes, imports, exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses) *N*-ethylpentylone, or who desires to handle *N*-ethylpentylone, 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.

2. *Security.* *N*-Ethylpentylone is subject to schedule I security requirements and must be handled and stored pursuant to 21 U.S.C. 821, 823, 871(b), and in accordance with 21 CFR 1301.71–1301.76. Non-practitioners handling this substance must also comply with the employee screening requirements of 21 CFR 1301.90–1301.93.

3. *Labeling and Packaging.* All labels, labeling, and packaging for commercial containers of *N*-ethylpentylone must be in compliance with 21 U.S.C. 825 and 958(e), and be in accordance with 21 CFR part 1302.

4. *Quota.* Only registered manufacturers are permitted to manufacture *N*-ethylpentylone in accordance with a quota assigned pursuant to 21 U.S.C. 826 and in accordance with 21 CFR part 1303.

5. *Inventory.* Any person registered with DEA to handle *N*-ethylpentylone must have an initial inventory of all stocks of controlled substances (including *N*-ethylpentylone) on hand on the date the registrant first engages in the handling of the controlled substances pursuant to 21 U.S.C. 827 and 958, and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11. After the initial inventory, every DEA registrant must take a new inventory of all stocks of controlled substances (including *N*-ethylpentylone) on hand every two years pursuant to 21 U.S.C. 827 and 958,

³ *N*-Ethylpentylone has been subject to schedule I controls on a temporary basis, pursuant to 21 U.S.C. 811(h), by virtue of the August 31, 2018 temporary scheduling order (83 FR 44474) and the subsequent one-year extension of that order (August 27, 2020, 85 FR 52915).

and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

6. *Records and Reports.* Every DEA registrant must maintain records and submit reports with respect to *N*-ethylpentylone 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. *Order Forms.* Every DEA registrant who distributes *N*-ethylpentylone must continue to comply with the order form requirements, pursuant to 21 U.S.C. 828 and 21 CFR part 1305.

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

9. *Liability.* Any activity involving *N*-ethylpentylone 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

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

In accordance with 21 U.S.C. 811(a), this final 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 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 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 Acting Administrator, in accordance with the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–602, has reviewed this final rule and by approving it certifies that it will not have a significant economic impact on a substantial number of small entities. On August 31, 2018, DEA published an order to temporarily place *N*-ethylpentylone in schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(h). On August 27, 2020, DEA published a temporary scheduling order extending the temporary scheduling of *N*-ethylpentylone for up to one year pursuant to 21 U.S.C. 811(h)(2). Accordingly, all entities that currently handle or plan to handle *N*-ethylpentylone have already been required to establish and implement the systems and processes required to specifically handle *N*-ethylpentylone. There are currently 31 unique registrations authorized to handle *N*-ethylpentylone specifically, as well as a number of registered analytical labs that are authorized to handle schedule I controlled substances generally. Some of these entities are likely to be large entities. However, since DEA does not have information of registrant size and the majority of DEA registrants are small entities or are employed by small entities, DEA estimates a maximum of 26 entities are small entities. Therefore, DEA conservatively estimates as many as 26 small entities are affected by this rule.

A review of the 31 registrations indicates that all entities that currently

handle *N*-ethylpentylone also handle other schedule I controlled substances, and thus they have established and implemented (or maintain) the systems and processes required to handle *N*-ethylpentylone as a schedule I substance. Therefore, DEA anticipates that this rule will impose minimal or no economic impact on any affected entities, and, thus, will not have a significant economic impact on any of the 26 affected small entities. Therefore, DEA has concluded that this rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995 (UMRA)

In accordance with UMRA of 1995, 2 U.S.C. 1501 *et seq.*, DEA has determined and certifies 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 \$100,000,000 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.

Determination To Make Rule Effective Immediately

As indicated above, this rule finalizes the schedule I control status of *N*-ethylpentylone that has already been in effect since the publication of an order in the **Federal Register** amending 21 CFR 1308.11(h) to temporarily place *N*-ethylpentylone in schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(h). 83 FR 44474. The August 2018 order was effective on the date of publication, and was based on findings by the then-Acting Administrator that the temporary scheduling of *N*-ethylpentylone was necessary to avoid an imminent hazard to the public safety pursuant to 21 U.S.C. 811(h)(1). Because this rule finalizes the control status of *N*-ethylpentylone that has already been in effect for over two and half years, it does not alter the legal obligations of any person who handles this substance.

Rather, it merely makes permanent the current scheduling status and corresponding legal obligations. Therefore, DEA is making the rule effective on the date of publication in the **Federal Register**, as any delay in the effective date is unnecessary and would be contrary to the public interest.

Paperwork Reduction Act of 1995

This action does not impose a new collection of information 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 (CRA)

This rule is not a major rule as defined by the CRA, 5 U.S.C. 804. However, pursuant to the CRA, DEA is submitting a copy of this final rule to both Houses of Congress and to the Comptroller General.

List of Subjects in 21 CFR Part 1308

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

For the reasons set out above, 21 CFR part 1308 is amended as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

- 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

- 2. In § 1308.11:
 - a. Add paragraph (d)(86); and
 - b. Remove and reserve paragraph (h)(36).

The addition reads as follows:

§ 1308.11 Schedule I.
 * * * * *
 (d) * * *

(86) *N*-ethylpentylone (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one) 7543

* * * * *

D. Christopher Evans,
Acting Administrator.

[FR Doc. 2021–12261 Filed 6–11–21; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF DEFENSE**Office of the Secretary****32 CFR Part 310**

RIN 0790–AL16

[Docket ID: DoD–2021–OS–0030]

Privacy Act of 1974; Implementation**AGENCY:** Office of the Secretary of Defense, Department of Defense (DoD).**ACTION:** Direct final rule.

SUMMARY: The DoD is amending this part to remove the exemption rules associated with five systems of records established for the Defense Manpower Data Center (DMDC) under the Privacy Act of 1974, as amended. Elsewhere in today's issue of the **Federal Register**, the DoD is giving concurrent notice of the rescindment of these same five DMDC systems of records notices. The DoD is also amending this part to remove the exemption rules associated with eight Privacy Act system of records notices previously rescinded by the DoD. This rule is being published as a direct final rule as the Department does not expect to receive any adverse comments. If such comments are received, this direct final rule will be withdrawn and a proposed rule for comments will be published.

DATES: This rule is effective August 23, 2021 unless comments are received that would result in a contrary determination. Comments will be accepted on or before August 13, 2021.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods.

* *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

* *Mail:* The DoD cannot receive written comments at this time due to the COVID–19 pandemic. Comments should be sent electronically to the docket listed above.

Instructions: All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <https://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Lyn Kirby, OSD.DPCLTD@mail.mil; (703) 571–0070.

SUPPLEMENTARY INFORMATION: The Privacy Act permits Federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including the provisions providing individuals with a right to request access to and amendment of their own records and accountings of disclosures of such records. If an agency intends to exempt a particular system of records, it must first go through the rulemaking process to provide public notice and an opportunity to comment on the proposed exemption. The Office of the Secretary is modifying 32 CFR part 310. The rules explain why exemptions are being claimed for the associated system of records. During the rulemaking process, the public are invited to provide comments, which DoD will consider before the issuance of a final rule implementing those exemptions. The final rules implementing exemptions for DoD systems of records are codified in DoD's privacy regulation at 32 CFR part 310.

When a system of records is no longer required to be collected or maintained, the system of records may be discontinued. The notice for that system of record is rescinded in the **Federal Register**, and the records covered by the rescinded system of records are lawfully transferred or disposed of in accordance with requirements. At the time of rescindment or following rescindment of the system of records notice, Federal agencies will seek also to rescind the associated exemption rules within the Code of Federal Regulations.

This rule is being published as a direct final rule as the Department does not expect to receive any significant adverse comments. If such comments are received, this direct final rule will be cancelled and a proposed rule for comments will be published. If no such comments are received, this direct final rule will become effective ten days after the comment period expires.

For purposes of this rulemaking, a significant adverse comment is one that explains (1) why the rule is inappropriate, including challenges to the rule's underlying premise or approach; or (2) why the direct final rule will be ineffective or unacceptable without a change. In determining whether a significant adverse comment necessitates withdrawal of this direct final rule, the Department will consider whether the comment raises an issue serious enough to warrant a substantive response had it been submitted in a standard notice-and-comment process. A comment recommending an addition to the rule will not be considered significant and adverse unless the comment explains how this direct final

rule would be ineffective without the addition.

The DoD is modifying 32 CFR part 310 by rescinding the following regulation provisions in their entirety due to the underlying systems of records notices being rescinded (concurrently by associated public notice) or having been previously rescinded through public notice:

- 32 CFR 310.16(a)(12), *System identifier and name*. N05520–1, Personnel Security Eligibility Information System.
- 32 CFR 310.20(b)(5), *System identifier and name*. LDIA 10–0001, Equal Opportunity, Diversity and Alternate Dispute Resolution Records.
- 32 CFR 310.29(b)(2), *System identifier and name*. JS006.CND, Department of Defense Counternarcotics C4I System.
- 32 CFR 310.29(c)(1), *System identifier and name*. DGC 16, Political Appointment Vetting Files.
- 32 CFR 310.29(c)(4), *System identifier and name*. DWHS P32, Standards of Conduct Inquiry File.
- 32 CFR 310.29(c)(5), *System identifier and name*. DUSDP 02, Special Personnel Security Cases.
- 32 CFR 310.29(c)(7), *System identifier and name*. DGC 20, DoD Presidential Appointee Vetting File.
- 32 CFR 310.29(c)(15), *System identifier and name*. DCIFA 01, CIFA Operational and Analytical Records.
- 32 CFR 310.29(c)(17), *System identifier and name*. DMDC 11, Investigative Records Repository.
- 32 CFR 310.29(c)(18), *System identifier and name*. DMDC 12 DoD, Joint Personnel Adjudication System (JPAS).
- 32 CFR 310.29(c)(20), *System identifier and name*. DMDC 13 DoD, Defense Clearance and Investigations Index (referenced in today's concurrent notice as DMDC 13 DoD, Defense Central Index of Investigations (DCII)).
- 32 CFR 310.29(c)(23), *System identifier and name*. DMDC 17 DoD, Continuous Evaluation Records for Personnel Security.
- 32 CFR 310.29(c)(27), *System identifier and name*. DMDC 24 DoD, Defense Information System for Security (DISS).

Regulatory Analysis

Executive Order 12866, "Regulatory Planning and Review" and Executive Order 13563, "Improving Regulation and Regulatory Review"

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is

necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distribute impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. It has been determined that this rule is not a significant regulatory action.

Congressional Review Act

This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

Public Law 96–354, “Regulatory Flexibility Act” (5 U.S.C. Chapter 6)

It has been certified that Privacy Act rules for the DoD do not have significant economic impact on a substantial number of small entities because they are concerned only with the administration of Privacy Act systems of records within the DoD.

Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)

It has been determined that this rule does not impose additional information collection requirements on the public under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Section 202, Public Law 104–4, “Unfunded Mandates Reform Act”

It has been determined that this rule does not involve a Federal mandate that may result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more and that it will not significantly or uniquely affect small governments.

Executive Order 13132, “Federalism”

It has been determined that this rule does not have federalism implications.

This 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.

List of Subjects in 32 CFR Part 310

Privacy.

Accordingly, 32 CFR part 310 is amended as follows:

PART 310—[AMENDED]

■ 1. The authority citation for part 310 continues to read as follows:

Authority: 5 U.S.C. 552a.

§ 310.16 [Amended]

■ 2. Amend § 310.16 by removing and reserving paragraph (a)(12).

§ 310.20 [Amended]

■ 3. Amend § 310.20 by removing and reserving paragraph (b)(5).

§ 310.29 [Amended]

■ 4. Amend § 310.29 by removing and reserving paragraphs (b)(2) and (c)(1), (4), (5), (7), (15), (17), (18), (20), (23), and (27).

Dated: June 9, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021–12430 Filed 6–11–21; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0295]

Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie Zone for Events Beginning in July 2021

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce established safety zones for maritime events starting in July 2021 to provide for the safety of life on navigable waterways. Our regulation for safety zones within the Captain of the Port Sault Sainte Marie Zone identifies the regulated area for these safety zones. During the enforcement periods, vessels must stay out of the established safety zone and may only enter with permission from the designated representative of the Captain of the Port Sault Sainte Marie.

DATES: The regulations in 33 CFR 165.918 will be enforced for the safety zones identified in Table 1 of the **SUPPLEMENTARY INFORMATION** section below for the dates and times specified.

FOR FURTHER INFORMATION CONTACT: If you have questions about this publication, call or email LT Deaven Palenzuela, Waterways Management division chief, Coast Guard Sector Sault Sainte Marie, U.S. Coast Guard; telephone 906–635–3223, email ssmprevention@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones in 33 CFR 165.918 as per the time, dates, and locations in Table 1.

TABLE 1
[Datum NAD 1983]

Event	Location	Event date
(6) National Cherry Festival Finale Fireworks, Traverse City, MI.	All U.S. navigable waters of the West Arm of Grand Traverse Bay within the arc of a circle with an approximate 1,200-foot radius from the fireworks launch site located on a barge in position 46°46'12" N, 085°37'06" W.	On July 10, 2021 from 10 p.m. to 10:30 p.m.
(7) Canada Day Celebration Fireworks; Sault Sainte Marie, MI.	All U.S. navigable waters of the St. Marys River within an approximate 1,400-foot radius from the fireworks launch site, centered approximately 160 yards north of the U.S. Army Corp of Engineers Soo Locks North East Pier, at position 46°30'20.40" N, 084°20'17.64" W.	On July 1, 2021 from 10 p.m. to 11 p.m.
(8) Marquette Fourth of July Celebration Fireworks, Marquette, MI.	All U.S. navigable waters of Marquette Harbor within an approximate 1,200-foot radius of the fireworks launch site, centered in position 46°32'23.0" N, 087°23'13.1" W.	On July 4, 2021 from 10:30 p.m. to 11 p.m.

TABLE 1—Continued
[Datum NAD 1983]

Event	Location	Event date
(9) Munising Fourth of July Celebration Fireworks; Munising, MI.	All U.S. navigable waters of South Bay within an approximate 800-foot radius from the fireworks launch site at the end of the Munising City Dock, centered in position: 46°24'50.08" N, 086°39'08.52" W.	On July 4, 2021 from 7 p.m. to 12:30 a.m.
(10) Sault Sainte Marie Fourth of July Celebration Fireworks; Sault Sainte Marie, MI.	All U.S. navigable waters of the St. Marys River within an approximate 1,000-foot radius around the eastern portion of the U.S. Army Corp of Engineers Soo Locks North East Pier, centered in position: 46°30'19.66" N, 084°20'31.61" W.	On July 4, 2021 from 9:30 p.m. to 11 p.m. Rain date: July 5, 2021 from 9:30 p.m. to 11 p.m.
(11) Mackinac Island Fourth of July Celebration Fireworks; Mackinac Island, MI.	All U.S. navigable waters of Lake Huron within an approximate 750-foot radius of the fireworks launch site, centered approximately 1000 yards west of Round Island Passage Light, at position 45°50'30" N, 084°36'30" W.	On July 4, 2021 from 9:45 p.m. to 11 p.m.
(12) Harbor Springs Fourth of July Celebration Fireworks; Harbor Springs, MI.	All U.S. navigable waters of Lake Michigan and Harbor Springs Harbor within the arc of a circle with an approximate 1,200-foot radius from the fireworks launch site located on a barge in position 45°25'30" N, 084°59'06" W.	On July 4, 2021 from 10:15 p.m. to 10:45 p.m.
(13) Bay Harbor Yacht Club Fourth of July Celebration Fireworks; Petoskey, MI.	All U.S. navigable waters of Lake Michigan and Bay Harbor Lake within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located on a barge in position 45°21'50" N, 085°01'37" W.	On July 4, 2021 from 10:15 p.m. to 10:45 p.m.
(14) Petoskey Fourth of July Celebration Fireworks; Petoskey, MI.	All U.S. navigable waters of Lake Michigan and Petoskey Harbor, in the vicinity of Bay Front Park, within the arc of a circle with an approximate 1,200-foot radius from the fireworks launch site located in position 45°22'40" N, 084°57'30" W.	On July 4, 2021 from 10 p.m. to 11 p.m.
(15) Boyne City Fourth of July Celebration Fireworks; Boyne City, MI.	All U.S. navigable waters of Lake Charlevoix, in the vicinity of Veterans Park, within the arc of a circle with an approximate 1,400-foot radius from the fireworks launch site located in position 45°13'30" N, 085°01'40" W.	On July 4, 2021 from 6 p.m. to 11 p.m.
(16) Alpena Fourth of July Celebration Fireworks; Alpena, MI.	All U.S. navigable waters of Lake Huron within an approximate 1,000-foot radius of the fireworks launch site located near the end of Mason Street, South of State Avenue, at position 45°02'42" N, 083°26'48" W.	On July 4, 2021 from 9 p.m. to 11 p.m.
(17) Traverse City Fourth of July Celebration Fireworks; Traverse City, MI.	All U.S. navigable waters of the West Arm of Grand Traverse Bay within the arc of a circle with an approximate 1,200-foot radius from the fireworks launch site located on a barge in position 44°46'12" N, 085°37'06" W.	On July 4, 2021 from 10 p.m. to 10:30 p.m. Rain date: July 5, 2021 from 10 p.m. to 10:30 p.m.
(18) Charlevoix Venetian Festival Friday Night Fireworks; Charlevoix, MI.	All U.S. navigable waters of Lake Charlevoix, in the vicinity of Depot Beach, within the arc of a circle with an approximate 1,200-foot radius from the fireworks launch site located on a barge in position 45°19'08" N, 085°14'18" W.	On July 23, 2021 from 10 p.m. to 11 p.m.
(19) Charlevoix Venetian Saturday Night Fireworks; Charlevoix, MI.	All U.S. navigable waters of Round Lake within the arc of a circle with an approximate 500-foot radius from the fireworks launch site located on a barge in position 45°19'03" N, 085°15'18" W.	On July 24, 2021 from 10 p.m. to 11 p.m.

This action is being taken to provide for the safety of life on navigable waterways during the fireworks displays. The regulations for safety zones within the Captain of the Port Sault Sainte Marie Zone, § 165.918, apply for these fireworks displays.

This notice of enforcement is issued under authority of 33 CFR 165.918 and 5 U.S.C. 552(a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Sault Sainte Marie determines that the safety zone need not be enforced for the full duration stated in this notice he or she may use a Broadcast Notice to Mariners to grant

general permission to enter the respective safety zone.

Dated: June 8, 2021.

A.R. Jones,
Captain, U.S. Coast Guard, Captain of the Port Sault Sainte Marie.

[FR Doc. 2021-12410 Filed 6-11-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF EDUCATION

34 CFR Part 685

RIN 1840-AD60

Repeal of the William D. Ford Federal Direct Loan Program Subsidized Usage Limit Restriction

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary removes and amends regulations to conform with changes made by the Consolidated Appropriations Act, 2021. Specifically, the Secretary removes the subsidized usage loan limit restriction (SULA) for any borrower who receives a Federal Direct Stafford Subsidized Loan first disbursed on or after July 1, 2021, regardless of the award year associated with the loan. In addition, all subsidy benefits will be reinstated retroactively to the date on which the loss of subsidy was applied for all Federal Direct Stafford Subsidized Loans with an outstanding balance on July 1, 2021, and for all award years since the 2013-2014 award year. The Secretary also removes regulations related to the subsidized

usage loan limit restriction and makes other technical changes.

DATES: Effective date: August 13, 2021.

FOR FURTHER INFORMATION CONTACT:

Tamy Abernathy, 400 Maryland Avenue SW, Room 2C-129, Washington, DC 20202. Telephone: (202) 453-5970. Email: *Tamy.Abernathy@ed.gov*.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Background

Section 705(b) of the Consolidated Appropriations Act, 2021 authorizes the Secretary to implement the repeal of section 455(q) of the Higher Education Act of 1965, as amended, before, but not later than, July 1, 2023. The Act further provides that the Secretary shall specify on what date and for which award years the implementation of such repeal will be effective prior to July 1, 2023. The Secretary specifies that the implementation of the repeal will be effective as of July 1, 2021 and will apply beginning with the 2013-2014 award year.

Through this regulatory action, the Secretary removes 34 CFR 685.200(a)(2)(i)(A) and (B) and (f) and 685.304(a)(6)(xvi) and (b)(4)(xii) to reflect changes to section 455(q) of the Higher Education Act of 1965, as amended (HEA), which established the subsidized usage loan limit. The subsidized usage loan limit was repealed by section 705(a) of the Consolidated Appropriations Act, 2021.

Under these regulations, the subsidized usage loan limit will not apply to any borrower that receives a Federal Direct Stafford Subsidized Loan first disbursed on or after July 1, 2021, regardless of the award year associated with the loan. In addition, in the case of a borrower who has a Federal Direct Subsidized Stafford Loan which is outstanding as of July 1, 2021 and on which the borrower has been responsible for interest because the borrower exceeded the subsidized usage loan limit, the Department of Education (Department) will adjust the borrower's account to remove the interest that accrued and reapply the borrower's payments accordingly. Any borrower who has subsidized loan eligibility may receive additional subsidized loans and will not be subject to the subsidized usage limit.

Summary of the Major Provisions of This Regulatory Action

In these final regulations we remove 34 CFR 685.200(a)(2)(i)(A) and (B) and (f) and 685.304(a)(6)(xvi) and (b)(4)(xii) to reflect the repeal of section 455(q) of the HEA. In addition, we amend § 685.200(a)(2)(i) introductory text and redesignate § 685.304(b)(4)(xiii) and (xiv).

Borrower Eligibility (§ 685.200)

We remove a reference to eligibility requirements for first-time borrowers from § 685.200(a)(2)(i)(A) and (B). Provisions specifying the limitations on a borrower's eligibility for Direct Subsidized Loans and the borrower's responsibility for accruing interest in § 685.200(f) are removed.

Entrance Counseling (§ 685.304(a)(6)(xvi))

We remove the requirement that entrance counseling include information on the limitation on eligibility for Federal Direct Stafford Subsidized Loans based on the borrower's subsidized usage period.

Exit Counseling (§ 685.304(b)(4)(xii))

We remove the requirement that exit counseling include the following information on the limitation on eligibility for Federal Direct Subsidized Loans based on the borrower's subsidized period:

(a) How the borrower's maximum eligibility period, remaining eligibility period, and subsidized usage period are determined;

(b) The sum of the borrower's subsidized usage periods at the time of the exit counseling;

(c) The consequences of continued borrowing or enrollment;

(d) The impact of the borrower becoming responsible for accruing interest on total student debt;

(e) That the Secretary will inform the student borrower of whether he or she is responsible for accruing interest on his or her Direct Subsidized Loans; and

(f) That the borrower can access the National Student Loan Data System (NSLDS) to determine whether he or she is responsible for accruing interest on any Direct Subsidized Loans.

Waiver of Proposed Rulemaking

Under the Administrative Procedure Act (5 U.S.C. 553) (APA), the Department generally offers interested parties the opportunity to comment on proposed regulations. However, the APA provides that an agency is not required to conduct notice-and-comment rulemaking when the agency, for good cause, finds that the

requirement is impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)(B) and (d)(3)). There is good cause to waive rulemaking in this case because this final regulatory action removes regulations for which the statutory authority has been repealed. This regulatory action adopts no new regulations and does not establish or affect substantive policy. Furthermore, section 705(b) of the Consolidated Appropriations Act, 2021 authorizes the Secretary to implement the repeal of section 455(q) of the HEA before, but not later than, July 1, 2023. The statute further provides that the Secretary shall specify in a designation on what date and for which award years the implementation of such repeal will be effective prior to July 1, 2023. The repeal of section 455(q) of the HEA under section 705 of the Consolidated Appropriations Act, 2021 reverses the impact of SULA for affected borrowers and acknowledges that SULA was first authorized to be a temporary and cost-saving measure to the Federal Government. To fully implement the repeal, the Secretary has specified that the implementation of the repeal will be effective beginning with the 2013-2014 award year, which was the first year that SULA was implemented. Implementing otherwise would allow for the regulations to continue to apply to current students. Accordingly, we are rescinding regulations that are not valid because we no longer have statutory authority to implement and doing so in the manner that fully effectuates the repeal (*i.e.*, the repeal will be effective beginning with the 2013-2014 award year). Notice-and-comment rulemaking is unnecessary in that the Department does not have discretion to retain these regulatory provisions or implement in a different manner, regardless of public opinion and input.

While we do have discretion as to the effective date of the rule (as opposed to the award year)—as long as it is before July 1, 2023—there is no significant substantive impact of the effective date of the rule, as, regardless of the effective date provided, the rule would have to apply to all award years since SULA was implemented to fully effectuate the statute. Thus, with regard to all substantive aspects of the rule, we do not have discretion to implement in an alternative manner based on public input. Therefore, under 5 U.S.C. 553(b)(B), the Secretary has determined that proposed regulations are unnecessary, and, thus, waives notice-and-comment rulemaking.

In addition, under section 492 of the HEA (20 U.S.C. 1098a), all regulations

proposed by the Department for programs authorized under title IV of the HEA are subject to negotiated rulemaking requirements. Section 492(b)(2) of the HEA provides that negotiated rulemaking may be waived for good cause when its use would be “impracticable, unnecessary, or contrary to the public interest.” Section 492(b)(2) of the HEA also requires the Secretary to publish the basis for waiving negotiations in the **Federal Register** at the same time as the regulations in question are first published. There is good cause to waive the negotiated rulemaking requirement in this case, since, as explained above, notice and comment rulemaking is unnecessary in this case.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Office of Management and Budget (OMB) determines whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by OMB. Section 3(f) of Executive Order 12866 defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities in a material way (also referred to as an “economically significant” rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles stated in the Executive order.

OMB has determined that this rule is an economically significant action and would have an annual effect on the economy of more than \$100 million. This rule restores subsidy benefits for borrowers holding approximately \$2.4 billion in outstanding loans and allows current and future borrowers to borrow additional subsidized loans. Given the scale of Federal student aid amounts disbursed yearly, the addition of even small percentage changes could result in transfers between the Federal Government and students of more than \$100 million on an annualized basis.

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act) (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs (OIRA) designated this rule as a “major rule,” as defined by 5 U.S.C. 804(2).

We have also reviewed this regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” OIRA has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

As required by Executive Order 13563, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action, and we are issuing these regulations only on a reasoned determination that their benefits would justify their costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits. Based on the analysis that follows, the Department believes that the regulations are

consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, or Tribal governments in the exercise of their governmental functions.

In accordance with the Executive orders, the Department has assessed, both quantitatively and qualitatively, the potential costs and benefits of this regulatory action.

In this regulatory impact analysis, we discuss the need for regulatory action, the potential costs and benefits, net budget impacts, and regulatory alternatives we considered.

Elsewhere in this section, under *Paperwork Reduction Act of 1995*, we identify and explain burdens specifically associated with information collection requirements.

Need for Regulatory Action

As discussed in the preamble, the final regulations implement statutory changes made by section 705 of the Consolidated Appropriations Act, 2021. These regulations remove regulations that implemented section 455(q) of the HEA, which limited the amount of Federal Direct Stafford Loans a borrower could receive based on their subsidized usage. As allowed by section 705(b) of the Consolidated Appropriations Act, 2021 the Secretary is making this change effective for all Federal Direct Stafford Subsidized Loans first disbursed on or after July 1, 2021, regardless of the award year associated with the loan. In addition, in the case of a borrower who has a Federal Direct Subsidized Stafford Loan which is outstanding as of July 1, 2021, and on which the borrower has been responsible for interest because the borrower exceeded the subsidized usage loan limit, the Department will adjust the borrower’s account to remove the interest that accrued and reapply the borrower’s payments accordingly.

Since the subsidized loan limit based on the borrower’s subsidized usage have been repealed, the regulations requiring that the borrower be given information on those limits during entrance and exit counseling are also being removed.

Costs, Benefits, and Transfers

The primary beneficiaries of these regulations are affected borrowers who will either be eligible for subsidized loans without being subject to the subsidized usage limit when they obtain loans on or after July 1, 2021, or who will have their subsidized interest benefits restored for existing loans that previously lost the subsidy due to the subsidized usage limit. Affected

borrowers will face a reduced financial burden associated with their student loans as they will be able to obtain additional subsidized loans or have their interest benefits restored. This difference may allow students to afford

additional courses they need to complete an educational program. The Department estimates that approximately 354,000 loans with a total of \$1.2 billion in disbursements were subject to the subsidized usage

limitation, as shown in Table 1. Of these, approximately 316,350 loans with an outstanding balance of \$1.1 billion are eligible for reinstatement of subsidy benefits.

Table 1: Summary of Subsidized Loans Subject to Loss of Subsidy

Program Length	School Control	Balance Status	Loan Count	Total Disbursed	Total Balance
2-year	Public	No Balance	9,266	22,999,441	-
		Positive Balance	107,545	327,171,269	347,774,140
	Private, Non-profit	No Balance	1,145	2,406,114	-
		Positive Balance	6,924	19,569,896	20,717,606
	Proprietary	No Balance	5,849	12,254,723	-
		Positive Balance	37,602	102,503,049	108,210,763
2-year Total	No Balance	16,260	37,660,278	-	
	Positive Balance	152,071	449,244,214	476,702,509	
4-year	Foreign	*	189	707,948	704,415
		Public	No Balance	18,056	51,257,358
		Positive Balance	175,554	596,184,854	623,642,932
	Private, Non-profit	No Balance	11,025	31,910,596	-
		Positive Balance	83,184	286,680,366	299,756,647
	Proprietary	No Balance	7,999	16,309,764	-
Positive Balance		57,613	169,756,237	180,970,825	
4-year Total	No Balance	37,080	99,477,718	-	
	Positive Balance	316,351	1,052,621,457	1,104,370,404	
	Overall (includes Foreign)	353,620	1,152,807,123	1,105,074,819	

Note: Asterisk refers to split by balance status being suppressed due to small cell sizes.

The benefit of restoring subsidized loan interest benefits to individual students will depend on the outstanding balances and interest rates on the affected loans. For example, on a \$5,500 Direct Subsidized Loan with a 2.75% interest rate, the amount of interest that accrues per day is \$0.41. If a borrower is in a deferment for 1 year and does not pay off the interest as it accrues, the loan would accrue interest totaling \$149.64. At the end of the deferment period, the interest would capitalize and then the amount of interest that accrues per day would be \$0.42. Across multiple loans and years, the amount can be significant.

Future students will also benefit from not having to consider the potential loss of subsidized interest benefits when making decisions about course choices or the timing for completing their programs, simplifying their decision making. Restoring the interest rate

subsidy may help with completion, which is a key factor in achieving the economic benefits associated with postsecondary education. As noted in the *Paperwork Reduction Act* section of this preamble, these students will also have a reduced burden from the elimination of entrance and exit counseling material associated with the subsidized loan usage limit. This is estimated to save students 175,175 hours annually for a savings of \$3.5 million at an assumed wage rate of \$20.17¹ for students' time.

Institutions will also be affected by the removal of the subsidized loan usage limitation. The ability of some borrowers to obtain additional subsidized loans may lead them to enroll in extra courses or to complete programs, which may provide some

¹ Students' hourly rate estimated using national median hourly wage for all occupations. Bureau of Labor Statistics, May 2020 Occupational Employment Statistics Data. Available at www.bls.gov/oes/current/oes_nat.htm#00-0000. Last accessed March 31, 2021.

additional revenue to institutions. As indicated in the *Paperwork Reduction Act* section of this preamble, institutions will no longer have to include information about subsidized loan limits in entrance and exit counseling for affected borrowers. This is estimated to reduce paperwork burden by 12,904 hours for estimated savings of \$1.2 million at a wage rate of \$93.74, representing the \$46.87 median hourly wage for postsecondary administrators doubled to capture benefits and overhead.²

The Federal Government will be making increased transfers to subsidized loan borrowers as noted in the *Net Budget Impact* section. This change will also require the Department to pay for system changes to implement the repeal

² Bureau of Labor Statistics, Occupational Employment and Wage Statistics, May 2020 National Occupational Employment and Wage Estimates Management Occupations—Postsecondary Administrators, 2020 median hourly wage. Available at www.bls.gov/oes/current/oes_nat.htm#11-0000.

of the subsidized usage limit. The Department estimates that the SULA Repeal Phases 1 and 2 will cost \$454,025. Phase 1 consists of modifying existing triggers in the reporting of origination and disbursement data to the Common Origination and Disbursement (COD) system and the reporting of enrollment data to the National Student Loan Data System (NSLDS) with an estimated cost of \$279,025. Phase 2 involves evaluating and implementing the impacts of SULA repeal to the Office of Partner Participation and Oversight (PPO)/FSA Partner Connect, DCC/Digital Platform (*StudentAid.gov*, *myStudentAid* app), Customer Care Platform, Marketing and Communications Platform as well as other interfaces and reports that include SULA data and is expected to cost approximately \$175,000.

Net Budget Impact

The total net budget impact of the regulations is \$1,888 million in outlays over 10 years. We estimate that these regulations will have a net Federal budget impact for Federal student loan cohorts between 2021–2030 of \$635 million as well as an effect on past cohorts of \$180.1 million for the restoration of interest benefits. We also estimate a potential shift from unsubsidized loans to subsidized loans after July 1, 2021, with a two percent shift costing approximately \$1,073 million in additional outlays for the Federal student loan cohorts between 2021–2030. A cohort reflects all loans originated in a given fiscal year. Consistent with the requirements of the

Credit Reform Act of 1990, budget cost estimates for the student loan programs reflect the estimated net present value of all future non-administrative Federal costs associated with a cohort of loans. The Net Budget Impact is compared to a modified version of the 2020 President’s Budget baseline (PB2021) that adjusts for the Coronavirus Aid, Relief, and Economic Security (CARES) Act and extension of coronavirus-related student loan provisions and other recent regulations.

The net budget impact of the increased transfers associated with the removal of the subsidized loan usage limitation come from the restoration of subsidized loan interest benefits to existing borrowers and additional subsidized loan volume, as future borrowers are no longer subject to the limitation. The loss of subsidized loan benefits was previously modeled by applying interest to subsidized loans assumed to be affected by the limitation. Reversing this added interest for existing cohorts is estimated to cost \$180 million and \$635 million for cohorts from 2021 to 2030.

The potential increase in subsidized loan volume, either from those who did not borrow because of the limit or who took out unsubsidized loans instead, is challenging to predict. While borrowers with \$1.6 billion in disbursements were affected by the limit, it is likely that others managed their subsidized loan usage, with the help of their institutions, to not trigger the loss of subsidized benefits. Future borrowers will not face the same constraint, so some borrowers who would not be

identified as being affected by the subsidized loan usage limit will also take additional subsidized loans. The peak year for disbursements affected by the subsidized usage limitation was 2016, with approximately \$356.5 million in subsidized loans. This represents around 2 percent of the \$22.95 billion in subsidized loans disbursed in AY 2015–2016. Table 2 demonstrates the cost of shifting loan volume from unsubsidized to subsidized with the 2 percent shift within the range evaluated.

TABLE 2—COST OF SHIFTING FROM UNSUBSIDIZED TO SUBSIDIZED LOANS FOR COHORTS 2021–2030

[Millions]	
Volume shift	Estimated cost
1 percent	\$852
2 percent	1,073
5 percent	1,739

Accounting Statement

As required by OMB Circular A–4 (available at www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a004/a-4.pdf), in the following table we have prepared an accounting statement showing the classification of the expenditures associated with the provisions of these final regulations. This table provides our best estimate of the changes in annual monetized transfers as a result of this rule. Expenditures are classified as transfers from the Federal Government to affected student loan borrowers.

TABLE 3—ACCOUNTING STATEMENT: CLASSIFICATION OF ESTIMATED EXPENDITURES
[In millions]

Category	Benefits	
	7%	3%
Reduction in paperwork burden on students and institutions from elimination of subsidized usage limit information in entrance and exit counseling requirements	4.8	4.8
Category	Costs	
	7%	3%
Costs to modify Government systems for administering student loans to implement repeal of SULA	\$.06	\$.05
Category	Transfers	
	7%	3%
Increased transfers of subsidized loans to eligible students	\$96.2	\$98.7
Restoration of subsidized loan benefits to affected borrowers	\$85.4	\$82.7

Alternatives Considered

While the statute could have been implemented prospectively without

consideration to borrowers with outstanding balances on unsubsidized loans because of SULA, the Department

interprets this repeal by Congress to reverse the impact of SULA, which was instituted initially as a cost-saving

measure to the Department. The Department views section 705 of the Consolidated Appropriations Act, 2021, as it does other provisions in the Act, to streamline the student aid process and to provide additional support for students. Solely lifting the restriction for borrowers on a going-forward basis would not provide relief for those borrowers who have been subject to SULA to date, most notably during a time of unprecedented financial strain due to COVID-19. The Department believes that the only equitable approach to implementing this repeal is to apply it to the 2013-2014 award year, or the first year SULA was implemented, as permitted by the statute. Therefore, no other alternatives were considered for the revisions to the regulations included in this document because these changes implement changes to the HEA enacted by Congress, and the Department did not exercise discretion in developing these amendments which remove the SULA restriction as mandated by the statute.

Regulatory Flexibility Act Certification

The Regulatory Flexibility Act does not apply to this rulemaking because there is good cause to waive notice and comment under 5 U.S.C. 553.

Paperwork Reduction Act of 1995

As part of its continuing effort to reduce paperwork and respondent burden, the Department provides the general public and Federal agencies with an opportunity to comment on the discontinuance of collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This helps ensure that: The public understands the Department's collection instructions, respondents can provide the requested data in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the Department can properly assess the impact of collection requirements on respondents. Respondents also have the opportunity to comment on the Department's burden reduction estimates. A Federal agency may not conduct or sponsor a collection of information unless OMB approves the collection under the PRA and the corresponding information collection instrument displays a currently valid OMB control number. Notwithstanding any other provision of law, no person is required to comply with, or is subject to penalty for failure to comply with, a collection of information if the collection instrument does not display a currently valid OMB control number.

These final regulations do not create any new information collection

requirements. The final regulations remove requirements related to the subsidized loan usage limit that was repealed by section 705(a) of the Consolidated Appropriations Act, 2021. That action will eliminate the burden assessed to the applicable regulations in the following previously approved information collection. The appropriate information collection filings will be made to coincide with the effective date of these regulations to discontinue a portion of the currently approved information collection, as noted below, and to transfer part of this collection to another approved information collection. We are removing OMB control number 1845-0116 from the regulations because the collection is no longer necessary.

We are removing §§ 685.200(a)(2)(i)(A) and (B) and (f) and 685.304(a)(6)(xvi) and (b)(4)(xii) from the regulations as discussed above. With this action, the burden assessed for the regulations in § 685.304 under OMB Control Number 1845-0116, "William D. Ford Federal Direct Loan Program—150% Limitation" is being discontinued. Other reporting or recordkeeping requirements in these regulatory sections are not affected by this discontinuation and burden continues to be assessed under 1845-0021.

1845-0116 BURDEN TO BE DISCONTINUED FROM COUNSELING REQUIREMENTS

Respondent type	Responses	Hours	Cost ³
Individual	- 4,950,095	- 175,175	\$ - 3,533,280
Public Institution	- 3,630	- 4,538	- 425,392
Private Institution	- 3,262	- 4,078	- 382,272
Proprietary Institution	- 3,430	- 4,288	- 401,957
Total discontinued for 1845-0116	- 4,960,417	- 188,079	- 4,742,901

However, the specific reporting and recordkeeping requirements in §§ 685.301(c) and 685.309(b) of these

regulatory sections are not affected by this discontinuation and burden in this collection related to those sections will

be transferred from 1845-0116 to 1845-0021.

Respondent type	Responses	Hours
Public Institution	1,241,812	28,570
Private Institution	532,524	13,736
Proprietary Institution	367,979	10,439
Subtotal	2,142,315	52,745
New Total for 1845-0021	11,184,455	792,491

³ Individual costs, \$20.17, are based on Students' hourly rate estimated using national median hourly wage for all occupations. Bureau of Labor Statistics, May 2020 Occupational Employment Statistics Data. Available at www.bls.gov/oes/current/oes_nat.htm#00-0000. Last accessed on March 31, 2021.

Institutional costs are based on the Bureau of Labor Statistics, Occupational Employment and Wage Statistics, as listed in the May 2020 National Occupational Employment and Wage Estimates Management Occupations—Postsecondary Administrators, 2020 median hourly wage which is

available at www.bls.gov/oes/current/oes_nat.htm#11-0000. The institutional rate, \$93.74, is representing the \$46.87 median hourly wage for postsecondary administrators doubled to capture benefits and overhead.

Intergovernmental Review

The William D. Ford Federal Direct Loan Program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Assessment of Educational Impact

Based on our own review, we have determined that the final regulations do not require transmission of information that any other agency or authority of the United States gathers or makes available.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

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You may also view this document in text or PDF at the following site: www.ifap.ed.gov/.

(Assistance Listing Number: 84.268 Federal Direct Student Loans.)

List of Subjects in 34 CFR Part 685

Administrative practice and procedure, Colleges and universities, Loan programs—Education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Michelle Asha Cooper,

Acting Assistant Secretary for Postsecondary Education.

For the reasons discussed in the preamble, the Secretary amends part 685 of title 34 of the Code of Federal Regulations as follows:

PART 685—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

■ 1. The authority citation for part 685 continues to read in part as follows:

Authority: 20 U.S.C. 1070g, 1087a, *et seq.*, unless otherwise noted.

* * * * *

§ 685.200 [Amended]

■ 2. Section 685.200 is amended by:

■ a. In paragraph (a)(2)(i) introductory text, removing “must—” and adding in its place “must demonstrate financial need in accordance with title IV, part F of the Act.”

■ b. Removing paragraphs (a)(2)(i)(A) and (B) and (f).

■ c. Removing the parenthetical authority citation at the end of the section.

§ 685.304 [Amended]

■ 3. Section 685.304 is amended by:

■ a. In paragraph (a)(6)(xiv), adding “and” after the semicolon.

■ b. In paragraph (a)(6)(xv), removing “; and” and adding a period in its place.

■ c. Removing paragraphs (a)(6)(xvi) and (b)(4)(xii).

■ d. Redesignating paragraphs (b)(4)(xiii) and (xiv) as paragraphs (b)(4)(xii) and (xiii), respectively.

[FR Doc. 2021-12384 Filed 6-11-21; 8:45 am]

BILLING CODE 4000-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA-HQ-OAR-2017-0548; FRL-10019-90-OAR]

RIN 2060-AV06

Revised Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This final action revises or affirms the initial air quality designations for 14 counties associated with seven nonattainment areas for the 2015 primary and secondary National Ambient Air Quality Standards (NAAQS) for ozone. In a July 10, 2020, decision, the District of Columbia Circuit Court remanded to the Environmental Protection Agency (EPA or Agency), but did not vacate, the April 30, 2018, designations for 16 counties associated with nine nonattainment areas located in seven states. In response, the EPA has re-evaluated the

designations for the remanded counties by applying a uniform, nationwide analytical approach and interpretation of the designation provisions of the Clean Air Act (CAA) in considering the specific facts and circumstances of the areas using only data and information available at the time of the original designations. In this final action, the EPA is revising the designations and/or boundaries of 13 counties associated with six nonattainment areas in four states (Illinois, Indiana, Missouri, and Wisconsin) and is affirming the April 30, 2018, designation of one county associated with a nonattainment area in Michigan. The EPA is addressing the two additional remanded counties associated with two nonattainment areas in a separate **Federal Register** document.

DATES: The effective date of this rule is July 14, 2021.

ADDRESSES: The EPA has established a public docket for these ozone designations at <https://www.regulations.gov> under Docket ID No. EPA-HQ-OAR-2017-0548.¹ Although listed in the docket index, some information is not publicly available, *e.g.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form.

Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are currently closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. The Docket Center staff will continue to provide remote customer service via email, phone, and webform. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

In addition, the EPA has established a website for the designations for the 2015 ozone NAAQS at <https://www.epa.gov/ozone-designations>. The website includes the EPA’s final revised designations action, technical support documents, revised responses to comments and other related information.

FOR FURTHER INFORMATION CONTACT: For general questions concerning this action, contact Carla Oldham, Office of Air Quality Planning and Standards,

¹ The <https://www.regulations.gov> platform is in the process of being upgraded. Users may be automatically redirected to <https://beta.regulations.gov>. Both website addresses contain the same information.

U.S. Environmental Protection Agency, Mail Code C539-01, Research Triangle Park, N.C. 27711, phone number (919) 541-3347 or by email at: oldham.carla@epa.gov. The following EPA contacts can answer questions regarding areas

affiliated with a particular EPA Regional office:

Region 5—Eric Svingen, telephone (312) 353-4489, email at svingen.eric@epa.gov.

Region 6—Carrie Paige, telephone (214) 665-6521, email at paige.carrie@epa.gov.

Region 7—Ashley Keas, telephone (913) 551-7629, email at keas.ashley@epa.gov.

Region 8—Abby Fulton, telephone (303) 312-6563, email at fulton.abby@epa.gov.

Regional offices	Affected state(s)
EPA Region 5—Air Programs Branch, Air & Radiation Division (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604.	Illinois, Indiana, Michigan, and Wisconsin.
EPA Region 6—State Planning & Implementation Branch, 1201 Elm Street, Dallas, Texas 75270.	Texas.
EPA Region 7—Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.	Missouri.
EPA Region 8—Air Quality Planning Branch, 1595 Wynkoop Street, Denver, Colorado 80202.	Colorado.

Most of the EPA's offices are closed to reduce the risk of transmitting COVID-19, but staff remain available via telephone and email. The EPA encourages the public to review information related to the EPA's final action responding to the July 10, 2020, Court Decision online at <https://www.epa.gov/ozone-designations> and also in the public docket at <https://www.regulations.gov> under Docket ID No. EPA-HQ-OAR-2017-0548.

SUPPLEMENTARY INFORMATION:

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- III. What is ozone and how is it formed?
- IV. What are the 2015 ozone NAAQS and the health and welfare concerns they address?
- V. What are the CAA requirements for air quality designations?
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- VII. What air quality data have the EPA used to designate the remanded areas for the 2015 ozone NAAQS?
- VIII. What are the ozone air quality classifications and implementation dates?
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H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

I. National Technology Transfer and Advancement Act (NTTAA)

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

K. Congressional Review Act (CRA)

L. Judicial Review

I. Preamble Glossary of Terms and Acronyms

The following are abbreviations of terms used in the preamble.

APA	Administrative Procedure Act
CAA	Clean Air Act
CFR	Code of Federal Regulations
CRA	Congressional Review Act
D.C.	District of Columbia
EPA	Environmental Protection Agency
FR	Federal Register
NAAQS	National Ambient Air Quality Standards
NTTAA	National Technology Transfer and Advancement Act
ppm	Parts per million
PRA	Paperwork Reduction Act
RFA	Regulatory Flexibility Act
RTA	Rural Transport Area
SIP	State Implementation Plan
TAR	Tribal Authority Rule
TSD	Technical Support Document
UMRA	Unfunded Mandate Reform Act
U.S.	United States
VOC	Volatile Organic Compound

II. What is the purpose of this action?

The purpose of this final action is to announce and promulgate revised 2015 ozone NAAQS designations for 13 counties in response to the July 10, 2020, decision by the District of Columbia Circuit Court that remanded the counties to the EPA for further consideration. The affected counties were initially designated on April 30, 2018. This action also modifies and

expands the rationale supporting the designation for one county that was remanded to the EPA by the court but remains identical to the initial April 30, 2018, designation. The EPA is addressing the two additional remanded counties that require a different process in a document published elsewhere in this issue of the **Federal Register**.

On October 1, 2015, the EPA promulgated revised primary and secondary NAAQS for ozone (80 FR 6592; October 26, 2015). In that action, the EPA strengthened both standards to a level of 0.070 parts per million (ppm), while retaining their indicators, averaging times, and forms. The EPA revised the ozone standards based on an integrated assessment of an extensive body of new scientific evidence, which substantially strengthens our knowledge regarding ozone-related health and welfare effects, the results of exposure and risk analyses, the advice of the Clean Air Scientific Advisory Committee and consideration of public comments.

The process for designating areas following promulgation of a new or revised NAAQS is contained in the CAA section 107(d) (42 U.S.C. 7407(d)). After promulgation of a new or revised NAAQS, the CAA requires the EPA to determine if areas in the country meet the new standards. Accordingly, the EPA designated all areas of the country as to whether they met, or did not meet, the NAAQS in three rounds.²

² The EPA designated areas for the 2015 Ozone NAAQS in three rounds, resulting in 52 nonattainment areas. In Round 1 (82 FR 54232; November 6, 2017), the EPA designated 2,646 counties, two separate tribal areas and five territories as attainment/unclassifiable, and one area as unclassifiable. In Round 2 (83 FR 25776; April 30, 2018), the EPA designated 51 nonattainment areas, one unclassifiable area, and all remaining areas as attainment/unclassifiable, except for the eight counties in the San Antonio,

Several environmental and public health advocacy groups, three local government agencies, and the State of Illinois filed a total of six petitions for review challenging the EPA’s 2015 ozone NAAQS designations promulgated on April 30, 2018. The District of Columbia Circuit Court consolidated the petitions into a single case, *Clean Wisconsin v. EPA*, 964 F.3d 1145 (D.C. Cir. 2020). Collectively, the petitioners challenged aspects of the EPA’s final designations for 17 counties associated with nine nonattainment areas. The petitioners primarily argued that the EPA improperly designated counties (in whole or part) as attainment that should have been designated as nonattainment because of contribution to nearby counties with violating monitors. In its response brief, the EPA requested voluntary remand of the final designation decisions for 10 counties

associated with four nonattainment areas to further review those designations.

On July 10, 2020, the District of Columbia Circuit Court granted the EPA’s requests for voluntary remand and also remanded several other counties (*see Clean Wisconsin*, 964 F.3d 1145). In total, the Court remanded back to the EPA, 16 counties associated with nine nonattainment areas. The Court did not vacate the initial April 30, 2018, designations, but required the EPA to “issue revised designations as expeditiously as practicable.” In response to the Court decision, the EPA re-evaluated the existing technical record, including data and information, that was used for the initial April 2018 designations under a uniform, nationwide analytical approach, to support either revising or affirming the designations for these remanded

counties. Table 1 summarizes the EPA’s revised or affirmed 2015 ozone NAAQS designations for the 14 counties that are addressed in this **Federal Register** document. The EPA is affirming the designation for one county (Ottawa, Michigan) and revising the designations for 13 counties. The technical support documents (TSDs) that describe the re-evaluation of these counties are included in the public docket. The amended 40 CFR part 81 tables for the revised designations, which appear in the regulatory tables included at the end of this final rule, identify the revised designation for each remanded county and the classification for each associated nonattainment area. Because the designation for Ottawa County, Michigan is being affirmed, no amendment is needed for the Michigan 40 CFR part 81 table.

TABLE 1—REMAND DESIGNATIONS FOR THE 2015 OZONE NAAQS

Nonattainment area name	Remanded county	April 2018 designation	Remand designation
Chicago, IL-IN-WI	Kenosha, WI (partial)	Partial county nonattainment	Expanded partial county nonattainment.
	McHenry, IL	Full county attainment	Full county nonattainment.
Northern Milwaukee/Ozaukee Shoreline, WI.	Porter, IN	Full county attainment	Partial county nonattainment.
	Milwaukee, WI (partial)	Partial county nonattainment	Full county nonattainment.
	Ozaukee, WI (partial)	Partial county nonattainment	Full county nonattainment.
	Racine, WI	Full county attainment	Partial county nonattainment.
	Waukesha, WI	Full county attainment	Partial county nonattainment.
	Washington, WI	Full county attainment	Partial county nonattainment.
Sheboygan, WI	Sheboygan, WI (partial)	Partial county nonattainment	Expanded partial county nonattainment.
Manitowoc, WI	Manitowoc, WI (partial)	Partial county nonattainment	Expanded partial county nonattainment.
Door, WI	Door, WI (partial)	Partial county nonattainment	Expanded partial county nonattainment.
Allegan, MI	Ottawa, MI	Full county attainment	Full county attainment.
St. Louis, MO-IL	Monroe, IL	Full county attainment	Full county nonattainment.
	Jefferson, MO	Full county attainment	Full county nonattainment.

For the 14 counties that appear in Table 1, as is discussed further in Sections V and VI of this notice, the EPA is exercising its authority to take final action under section 107(d) of the CAA. For the remaining two remanded counties (El Paso County, Texas and Weld County, Colorado), a different process is required, and the EPA is addressing those two counties in a separate **Federal Register** document. As discussed in Section V of this document, CAA section 107(d) specifies that whenever the EPA Administrator intends to make a modification to a state’s designation recommendation, the EPA must notify the state and provide the state with the opportunity to submit

additional information to demonstrate why the EPA’s intended modification is inappropriate. The EPA is required to give the notification no later than 120 days before promulgating the final designation, including any modification thereto.

For the 14 counties that appear in Table 1, the EPA sent letters to the relevant states on December 20, 2017, notifying each state that the Agency intended to modify the state’s designation recommendation, and providing the states with 120 days to submit additional information regarding each county’s designation. However, both at the intended designations stage and in the final designations issued in April 2018, the EPA agreed with the

state recommendations for El Paso County, Texas and Weld County, Colorado. Now, in response to the court remand, the EPA intends to make modifications to the state recommendations for those two counties. Therefore, the EPA must conduct a 120-day notification process related to the counties. Concurrent with this **Federal Register** document governing 14 of the remanded counties, the EPA is sending letters to Texas and Colorado to notify them of the intended modifications. The EPA is also issuing a notice of availability for these letters and offering a public comment period.

Texas area. In Round 3 (83 FR 35136; July 17, 2018), the EPA designated one county in the San Antonio

area as nonattainment and the other seven counties as attainment/unclassifiable.

III. What is ozone and how is it formed?

Ground-level ozone is a gas that is formed by the reaction of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) in the atmosphere in the presence of sunlight. These precursor emissions are emitted by many types of pollution sources, including power plants and industrial emissions sources, on-road and off-road motor vehicles and engines, and smaller sources, collectively referred to as area sources. Ozone is predominately a summertime air pollutant. However, high ozone concentrations have also been observed in cold months, where a few areas in the Western United States (U.S.) have experienced high levels of local VOC and NO_x emissions that have formed ozone when snow is on the ground and temperatures are near or below freezing. Ozone and ozone precursors can be transported to an area from sources in nearby areas or from sources located hundreds of miles away. For purposes of determining ozone nonattainment area boundaries, the CAA requires the EPA to include areas that contribute to nearby violations of the NAAQS.

IV. What are the 2015 ozone NAAQS and the health and welfare concerns they address?

On October 1, 2015, the EPA revised both the primary and secondary NAAQS for ozone to a level of 0.070 ppm (annual fourth-highest daily maximum 8-hour average concentration, averaged over 3 years).³ The level of the ozone NAAQS previously set in 2008 is 0.75 ppm. The 2015 ozone NAAQS retain the same general form and averaging time as the 2008 ozone NAAQS.

The primary ozone standards provide protection for children, older adults, and people with asthma or other lung diseases, and other at-risk populations against an array of adverse health effects that include reduced lung function, increased respiratory symptoms and pulmonary inflammation; effects that contribute to emergency department visits or hospital admissions; and mortality. The secondary ozone standards protect against adverse effects to the public welfare, including those related to impacts on sensitive vegetation and forested ecosystems.

V. What are the CAA requirements for air quality designations?

After the EPA promulgates a new or revised NAAQS, the EPA is required to designate all areas in the country as

nonattainment, attainment, or unclassifiable, for that NAAQS pursuant to section 107(d)(1)–(2) of the CAA. Section 107(d)(1)(A)(i) of the CAA defines a *nonattainment* area as an area that does not meet the NAAQS or that contributes to a nearby area that does not meet the NAAQS. An *attainment* area is defined by the CAA as any area that meets the NAAQS and does not contribute to any nearby areas that do not meet the NAAQS. *Unclassifiable* areas are defined by the CAA as those that cannot be classified on the basis of available information as meeting or not meeting the NAAQS.

Historically for ozone, the EPA has designated most areas that do not meet the definition of nonattainment as unclassifiable/attainment. This category includes areas that have air quality monitoring data meeting the NAAQS and areas that do not have monitors but for which the EPA has no evidence that the areas may be violating the NAAQS or contributing to a nearby violation. In the designations for the 2015 ozone NAAQS, the EPA has reversed the order of the label to be attainment/ unclassifiable to better convey the definition of the designation category and so that the category is more easily distinguished from the separate unclassifiable category. In a few instances, based on circumstances where some monitoring data are available but are not sufficient for a determination that an area is or is not attaining the NAAQS, the EPA has designated an area as unclassifiable.

The EPA notes that CAA section 107(d) provides the Agency with discretion to determine how best to interpret the terms in the definition of a nonattainment area (e.g., “contributes to” and “nearby”) for a new or revised NAAQS, given considerations such as the nature of a specific pollutant, the types of sources that may contribute to violations, the form of the standards for the pollutant, and other relevant information. In particular, the EPA’s position is that the statute does not require the Agency to establish bright line tests or thresholds for what constitutes “contribution” or “nearby” for purposes of designations.⁴

Similarly, the EPA’s position is that the statute permits the EPA to evaluate the appropriate application of the term “area” to include geographic areas based upon full or partial county boundaries, as may be appropriate for a particular NAAQS. For example, CAA section 107(d)(1)(B)(ii) explicitly provides that the EPA can make

modifications to designation recommendations for an area “or portions thereof,” and under CAA section 107(d)(1)(B)(iv) a designation remains in effect for an area “or portion thereof” until the EPA redesignates it.

Section 107(d)(1)(B) of the CAA requires the EPA to issue initial area designations within 2 years of promulgating a new or revised NAAQS. However, if the Administrator has insufficient information to make these designations within that time frame, the EPA has the authority to extend the deadline for designation decisions by up to 1 additional year.

By no later than 1 year after the promulgation of a new or revised NAAQS, CAA section 107(d)(1)(A) provides that each state governor shall recommend air quality designations, including the appropriate boundaries for areas, to the EPA. The EPA reviews those state recommendations and is authorized to make any modifications the Administrator deems necessary. The statute does not define the term “necessary,” but the EPA interprets this to authorize the Administrator to modify designation recommendations that are inconsistent with the statutory language, including modification of recommended boundaries for nonattainment areas that are not supported by the facts or analysis. If the EPA intends to modify a state’s recommendation, section 107(d)(1)(B) of the CAA requires the EPA to notify the state of any such intended modifications not less than 120 days prior to the EPA’s promulgation of the final designation. These notifications are commonly known as the “120-day letters.” During this period, if the state does not agree with the EPA’s proposed modification, it has an opportunity to respond to the EPA and to demonstrate why it believes the modification proposed by the EPA is inappropriate. If a state fails to provide any recommendation for an area, in whole or in part, the EPA must promulgate a designation that the Administrator deems appropriate, pursuant to CAA section 107(d)(1)(B)(ii).

Section 301(d) of the CAA authorizes the EPA to approve eligible Indian tribes to implement provisions of the CAA on Indian reservations and other areas within the tribes’ jurisdiction. The Tribal Authority Rule (TAR) (40 CFR part 49), which implements section 301(d) of the CAA, sets forth the criteria and process for tribes to apply to the EPA for eligibility to administer CAA programs. The designations process contained in section 107(d) of the CAA is included among those provisions determined to be appropriate by the

³ See 80 FR 65296; October 26, 2015, for a detailed explanation of the calculation of the 3-year, 8-hour average and 40 CFR part 50, appendix U.

⁴ This view was confirmed in *Catawba County v. EPA*, 571 F.3d 20 (D.C. Cir. 2009).

EPA for treatment of tribes in the same manner as states. Under the TAR, tribes generally are not subject to the same submission schedules imposed by the CAA on states. As authorized by the TAR, tribes may seek eligibility to submit designation recommendations to the EPA.

VI. What is the chronology for this designations action and what guidance did the EPA provide?

On February 25, 2016, the EPA issued guidance for states and tribal agencies to use for purposes of making designation recommendations as required by CAA section 107(d)(1)(A). (See February 25, 2016, memorandum from Janet G. McCabe, Acting Assistant Administrator, to Regional Administrators, Regions 1–10, titled, “Area Designations for the 2015 Ozone National Ambient Air Quality Standards” (Designations Guidance)). The Designations Guidance provided the anticipated timeline for designations and identified important factors that the EPA recommended states and tribes consider in making their recommendations and that EPA intended to consider in promulgating designations. These factors include air quality data, emissions and emissions-related data, meteorological data, geography/topography, and jurisdictional boundaries. In the Designations Guidance, the EPA asked that states and tribes submit their designation recommendations, including appropriate area boundaries, to the EPA by October 1, 2016. The EPA had previously issued two guidance memoranda related to designating areas of Indian country that also apply for designations for the 2015 ozone NAAQS. (See December 20, 2011, memorandum from Stephen D. Page, Director, Office of Air Quality Planning and Standards, to Regional Air Directors, Regions I–X, titled, “Policy for Establishing Separate Air Quality Designations for Areas of Indian Country,” (Tribal Designations Guidance) and December 20, 2011, memorandum from Stephen D. Page, Director, Office of Air Quality Planning and Standards, to Regional Air Directors, Regions I–X, titled, “Guidance to Regions for Working with Tribes during the National Ambient Air Quality Standards (NAAQS) Designations Process.”) In the Designation Guidance, the EPA indicated the Agency expected to complete the initial designations for the 2015 ozone NAAQS on a 2-year schedule, by October 1, 2017, consistent with CAA 107(d)(1)(B)(i).

On November 6, 2017, the EPA designated as attainment/unclassifiable 2,646 counties,⁵ including tribal lands within those counties, for which the states recommended a designation of attainment or attainment/unclassifiable. This represents approximately 85 percent of the counties in the U.S. The EPA also designated a three-county area in Washington as unclassifiable as recommended by the state. Consistent with the EPA’s Tribal Designation Guidance, the EPA designated two areas of Indian country (Fond du Lac Band of Lake Superior Chippewa Indians and Forest County Potawatomi Community) as separate attainment/unclassifiable areas.

On or about December 22, 2017, the EPA sent 120-day letters to Governors and tribal leaders notifying them of the EPA’s preliminary response to their designation recommendations for all areas of the country not designated in the November 2017 action, with the exception of eight counties in the San Antonio metropolitan area. For the areas addressed in the 120-day letters, the EPA requested that states and tribes submit any additional information that they wanted the EPA to consider in making final designation decisions by February 28, 2018, including any certified 2017 air quality monitoring data.

Although not required by section 107(d)(2)(B) of the CAA, the EPA also provided a 30-day public comment period on the designation recommendations from states and tribes and the EPA’s intended designations addressed in the 120-day letters to states and tribes. The EPA announced the public comment period in the **Federal Register** on January 5, 2018 (83 FR 651).

On April 30, 2018, the EPA finalized designations for the areas addressed in the 120-day letter responses to states and tribes. In response to the *Clean Wisconsin* court decision relating to that April 30, 2018, action, the EPA has again applied a uniform, nationwide analytical approach and interpretation of CAA section 107(d)(1) to these areas across the country and reviewed the state and tribal responses and public comments, as well as reviewed the court decision itself, in the Agency’s decision

to revise certain designations remanded by the court. Comments from the states, tribes and the public, and EPA’s updated responses to significant comments, are also available in the docket along with the individual TSDs for areas with associated remanded counties.

In the *Clean Wisconsin* decision, the D.C. Circuit directed the EPA to complete a process to revise, as appropriate, its April 2018 designations for the remanded counties “as expeditiously as practicable.” The CAA does not require the EPA to follow a specific process when final designations are remanded to the Agency. The EPA’s final action reflects a reasonable interpretation of the CAA section 107(d) requirements, particularly given the court’s direction and the process already provided to states, tribes, and the public.

The EPA is finalizing the designations addressed in this action without providing additional opportunity for public comment or another 120-day period for states to respond. Under CAA section 107(d)(2)(B), the EPA is not required to provide a public comment period for designations actions. CAA section 107(d)(1)(B)(ii) lays out a particular process when the EPA disagrees with a state’s recommended designations. For the 14 counties addressed in this **Federal Register** document, the EPA is either (1) agreeing with the state recommendation, which does not require any further process, or (2) disagreeing with the state recommendation. For the latter category, the EPA has already expressed such disagreement and provided the relevant states (Wisconsin, Indiana, and Missouri) with the statutorily-mandated opportunity to demonstrate why EPA’s intended designations were inappropriate.⁶ Each of those states took advantage of that opportunity and responded to the EPA with additional information.⁷ In the designations addressed in this **Federal Register** document, the EPA considered those responses, in addition to the rest of the data and information in the record.

Proceeding straight to finalization for these 14 areas also aligns with the

⁵ Any reference to “counties” in this action also includes non-county administrative or statistical areas that are comparable to counties. Louisiana parishes; the organized boroughs of Alaska; the District of Columbia; and the independent cities of the States of Virginia, Maryland, Missouri, and Nevada are equivalent to counties for administrative purposes. Alaska’s Unorganized Borough is divided into 10 census areas that are statistically equivalent to counties. As of 2017, there are currently 3,142 counties and county-equivalents in the United States.

⁶ See 83 FR 651 (2018) for the notification of availability of EPA’s 120-day letters to the relevant states.

⁷ Comment submitted by Daniel L. Meyer, Secretary, Wisconsin Department of Natural Resources, EPA–HQ–OAR–2017–0548–0300; Comment submitted by Bruno L. Pigott, Commissioner, Indiana Department of Natural Resources, EPA–HQ–OAR–2017–0548–0292; Comment submitted by Darcy A. Bybee, Director, Air Pollution Control Program, Missouri Department of Natural Resources, EPA–HQ–OAR–2017–0548–0303.

direction provided by the D.C. Circuit to “issue revised designations as expeditiously as practicable.”⁸ While the EPA does sometimes provide opportunities for outside input even when it is not required by the CAA, it is not appropriate to do so here given the court’s direction, and the process that the EPA has already undertaken for these areas.

This approach is consistent with the EPA’s treatment of the two remaining remanded counties addressed in the Agency’s separate notification of availability published elsewhere in this issue of the **Federal Register**. The EPA’s December 2017 initial designations and April 2018 final designations aligned with Texas’s and Colorado’s recommendations for El Paso and Weld Counties, respectively, and so at that time, the EPA had no need to, and did not, notify the states that the Agency planned to modify the states’ recommendations. However, the EPA’s revised intended designations for those areas in response to the court’s remand would modify the states’ recommendations. As such, the EPA is acting consistently with the CAA requirement that the EPA notify the relevant states and allow them to “demonstrate why any proposed modification is inappropriate,” and undertaking a 120-day process.

VII. What air quality data have the EPA used to designate the remanded areas for the 2015 ozone NAAQS?

For the remanded counties and associated nonattainment areas addressed in this action, the EPA has re-evaluated the designations under a uniform, nationwide analytical approach in considering the specific facts and circumstances of the areas using data and information available in the existing record.⁹ The EPA has primarily based the revised final ozone designations in this action on air quality monitoring data from the years 2014–2016, which were the most recent data that states were required to certify at the time the EPA notified the states of its intended modifications to their recommendations in December 2017. Under 40 CFR 58.16, states are required to report all monitored ozone air quality data and associated quality assurance

data within 90 days after the end of each quarterly reporting period, and under 40 CFR 58.15(a)(2) states are required to submit annual summary reports and a data certification letter to the EPA by May 1 for ozone air quality data collected in the previous calendar year. Thus, at the time of the 120-day letters, the most recent certification obligation was for air quality data from 2016. In the 120-day notification letters to states, the EPA indicated that for the EPA to consider air quality data for the period 2015–2017 in the final designation decisions for any area, a state must submit certified, quality assured 2015–2017 air quality monitoring data for the area to the EPA by February 28, 2018. Several states, including Missouri and Illinois, chose to submit early certified air quality data for areas within their states. Accordingly, for the St. Louis, Missouri-Illinois area, the EPA based its original final designations decisions on air quality data from 2015–2017 and is also basing the revised final designation decisions on air quality data from 2015–2017. For the three states that comprise a portion of the Chicago-Naperville, Illinois-Indiana-Wisconsin CSA, only Illinois chose to early certify 2017 data before the May 1, 2018, deadline. The 2015–2017 design values for counties in the Illinois portion of the Chicago-Naperville, Illinois-Indiana-Wisconsin CSA show violations of the NAAQS in Cook County and Lake County in Illinois, and no violations in other counties in the Illinois portion of the CSA; this is not a change from the 2014–2016 data for Illinois, which also showed violations in only these two counties within the Illinois portion of the CSA. Therefore, the early certified 2017 data would not result in a change to the designations for those counties. Thus, for the Chicago, Illinois-Indiana-Wisconsin area, the EPA based its original final designations decisions on air quality data from 2014–2016 and is also basing the revised final designation decisions on air quality data from 2014–2016, with additional consideration of 2015–2017 data for Illinois.

The EPA’s reliance on the existing record to support the designations in this **Federal Register** document is reasonable in light of the circumstances. The CAA does not specify what data the Agency must rely on in re-promulgating designations upon remand from a court. As such, the EPA’s reasonable reliance on the existing record reflects the EPA’s dedication to national consistency and the specific direction of the court in *Clean Wisconsin*: “to issue revised designations as expeditiously as

practicable” in responding to the remand.¹⁰

Section 107(d) of the CAA lays out a particular timeline for designations decisions to be made, triggered from the promulgation date of a NAAQS. For the 2015 ozone NAAQS, the designation of every area of the country, apart from those remanded to the Agency, relied on the existing record.¹¹ As the D.C. Circuit stated in previous cases reviewing the EPA’s designations decisions, “inconsistency is the hallmark of arbitrary agency action.”¹² Relying on the data available to the Agency at the time of the April 2018 designations action would prevent inconsistent treatment between the remanded counties and every other area of the country.

In addition, this action expands the boundaries of existing nonattainment areas but does not create any new nonattainment areas. If it is important to treat areas across the country consistently, it is that much more important that the EPA treat *different portions of the same nonattainment area* consistently. For example, in this action, the EPA is expanding the boundary of the Sheboygan, Wisconsin nonattainment area by approximately 0.9 miles. It would be illogical in this type of situation for the Agency to use one set of data (e.g., 2014–2016 design values) for the previously-designated portion and a different set (e.g., 2017–2019 or 2018–2020 design values) for the new 0.9-mile wide portion of the county.

The D.C. Circuit’s direction to act “as expeditiously as practicable” also weighs in favor of using the existing record. Gathering and analyzing new data would necessarily have taken longer, because much of the data the EPA generally relies upon in its designations decision-making process is obtained outside the Agency, including from states.

VIII. What are the ozone air quality classifications and implementation dates?

In accordance with CAA section 181(a)(1), each area designated as nonattainment for the ozone NAAQS is classified by operation of law at the same time as the area is designated by the EPA. Under Subpart 2 of part D of

⁸ *Clean Wisconsin*, 964 F.2d at 1176.

⁹ The existing record consists of data and other information provided by the EPA, state air agencies and the public in the time leading up to the April 30, 2018, signature date of the original action, and which the EPA considered or relied upon in its original final decisions published in June 2018. This information is contained in the public rulemaking docket, available at <https://www.regulations.gov> under docket number EPA-HQ-OAR-2017-0548.

¹⁰ *Clean Wisconsin*, 964 F.2d at 1176.

¹¹ As is discussed earlier in this section, almost every designation relied on monitored 2014–2016 design values. The few exceptions were for states that early-certified 2015–2017 data in accordance with the Designation Guidance.

¹² *Catawba County v. EPA*, 571 F.3d 20, 51 (D.C. Cir. 2009); see also *Mississippi Comm’n v. EPA*, 790 F.3d 138, 160 (D.C. Cir. 2015).

title I of the CAA, state planning and emissions control requirements for ozone are determined, in part, by a nonattainment area's classification. The ozone nonattainment areas are classified based on the severity of their ozone levels (as determined based on the area's "design value," which represents air quality in the area for the most recent 3 years).¹³ The possible classifications are Marginal, Moderate, Serious, Severe, and Extreme. Nonattainment areas with a "lower" classification have ozone levels that are closer to the standard than areas with a "higher" classification. Areas in the lower classification levels have fewer and/or less stringent mandatory air quality planning and control requirements than those in higher classifications. On March 9, 2018 (83 FR 10376), the EPA published the Classifications Rule that establishes how the statutory classifications will apply for the 2015 ozone NAAQS, including the air quality thresholds for each classification category. Each nonattainment area's design value, based on the then-most recent 3 years of certified air quality monitoring data, is used to establish the classification for the area.

The regulatory tables included at the end of this action provide the classification for each designated nonattainment area for the 2015 ozone NAAQS based on the design value for the area and the classification thresholds established in the Classification Rule. All areas addressed in this **Federal Register** document are Marginal areas.

As established in the final implementing regulations for the 2015 ozone NAAQS, nonattainment areas (including the areas subject to this final action) shall attain the 2015 standards as expeditiously as practicable but not later than the dates provided in Table 1 of 40 CFR 51.1303(a) expressed in years after the effective date of area designations, which was August 3, 2018 (83 FR 25776; June 4, 2018). The resulting attainment date for Marginal areas is not later than 3 years from the designation effective date, or August 3, 2021. Further, states with Marginal nonattainment areas have 2 years from the effective date of designation to submit state implementation plan (SIP) revisions addressing emissions inventories (required by CAA section 182(a)(1)) and emissions statement regulations (CAA section 182(a)(3)(B))

(83 FR 62998, 63000; December 6, 2018). See also 40 CFR 51.1315. The resulting emissions inventory and emissions statement SIP revisions were due August 3, 2020. The August 3, 2021, Marginal area attainment date and the August 3, 2020, SIP submission requirements still apply for the areas subject to this final action, inclusive of the revised nonattainment boundaries. The EPA expects states with areas subject to this final action to work with their respective EPA Regional office to submit any necessary supplements or revisions to fulfill the Marginal area SIP revision requirements associated with the nonattainment boundaries in this final action as expeditiously as practicable.

IX. Rural Transport Area Determination for the Revised Door County, Wisconsin Designation

CAA section 182(h) sets out general criteria for determining whether an area qualifies as a Rural Transport Area (RTA). The statute defines an RTA as an area that is designated nonattainment and neither includes nor is adjacent to any part of a metropolitan statistical area or consolidated metropolitan statistical area as defined at the time of the 1990 CAA amendments. In such cases, the Administrator has discretion to treat the area as an RTA based on a finding that the emissions within the area do not make a significant contribution to the ozone concentrations measured in the area or in other areas. The EPA provided guidance on requesting RTA treatment in the February 25, 2016, memorandum titled, "Area Designations for the 2015 Ozone National Ambient Air Quality Standards." An RTA, regardless of its nonattainment classification, is treated as meeting the applicable requirements of CAA section 182 (generally relating to submissions required for ozone nonattainment areas) if the area meets the submission requirements of a Marginal area.

In a letter dated April 20, 2017, Wisconsin requested that the EPA make an RTA determination for the Door County nonattainment area that was designated in Round 2 of the ozone designations for the 2015 ozone NAAQS. The EPA determined that the final Door County, Wisconsin nonattainment area met the criteria for treatment as an RTA under CAA section 182(h). In response to the July 10, 2020, Court remand regarding the Door County nonattainment area, the EPA is revising the boundaries of the Door County area designated nonattainment on April 30, 2018. The EPA has determined that this nonattainment area

meets the criteria for treatment as an RTA under CAA section 182(h) and will be treated as meeting the requirements of CAA section 182 if the area meets the submission requirements of Marginal areas explained previously in this section. Documentation supporting this determination is contained in the final TSD for Wisconsin, which is available in the public docket for this final action. This determination is reflected in the regulatory table for Wisconsin in 40 CFR part 81.

X. Environmental Justice Concerns

When the EPA establishes a new or revised NAAQS, the CAA requires the EPA to designate all areas of the U.S. as either nonattainment, attainment, or unclassifiable. This action revises certain designation determinations for the 2015 ozone NAAQS that were identified in the July 10, 2020, Court remand. Area designations address environmental justice concerns by ensuring that the public is properly informed about the air quality in an area. In locations where air quality does not meet the NAAQS, the CAA requires relevant state authorities to initiate appropriate air quality management actions to ensure that all those residing, working, attending school, or otherwise present in those areas are protected, regardless of minority and economic status.

XI. Statutory and Executive Order Reviews

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

This action is exempt from review by the Office of Management and Budget because it responds to the CAA requirement to promulgate air quality designations after promulgation of a new or revised NAAQS.

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA. This action fulfills the non-discretionary duty for the EPA to promulgate air quality designations after promulgation of a new or revised NAAQS and does not contain any information collection activities.

C. Regulatory Flexibility Act (RFA)

This designation action under CAA section 107(d) is not subject to the RFA. The RFA applies only to rules subject to notice-and-comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. Section 107(d)(2)(B) of the CAA explicitly provides that

¹³ The air quality design value for the 8-hour ozone NAAQS is the 3-year average of the annual 4th highest daily maximum 8-hour average ozone concentration. See 40 CFR part 50, appendix U.

designations are exempt from the notice-and-comment provisions of the APA. In addition, designations under CAA section 107(d) are not among the list of actions that are subject to the notice-and-comment rulemaking requirements of CAA section 307(d).

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538 and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local, or tribal governments or the private sector.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government. The division of responsibility between the Federal Government and the states for purposes of implementing the NAAQS is established under the CAA.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications. It will neither impose substantial direct compliance costs on federally recognized tribal governments, nor preempt tribal law. There are no tribes affected by this action.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). The documentation for this determination is contained in Section X of this preamble, “Environmental Justice Concerns.”

K. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the U.S. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

L. Judicial Review

Section 307(b)(1) of the CAA governs judicial review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) When the Agency action consists of “nationally applicable regulations promulgated, or final action taken, by the Administrator,” or (ii) when such action is locally or regionally applicable, “if such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.” For locally or regionally applicable final actions, the CAA reserves the EPA complete discretion whether to invoke the exception in (ii).

This final action designating areas for the 2015 ozone NAAQS is “nationally applicable” within the meaning of CAA section 307(b)(1). In the alternative, to the extent a court finds this action to be locally or regionally applicable, the Administrator is exercising the complete discretion afforded to him under the CAA to make and publish a finding that this action is based on a determination of “nationwide scope or effect” within the meaning of CAA section 307(b)(1).¹⁴ This final action

¹⁴ In deciding whether to invoke the exception by making and publishing a finding that this final action is based on a determination of nationwide scope or effect, the Administrator has also taken into account a number of policy considerations, including his judgment balancing the benefit of obtaining the D.C. Circuit’s authoritative centralized

establishes designations for areas across the U.S. for the 2015 ozone NAAQS, located in five states, in two EPA regions, and in three different federal judicial circuits.¹⁵ This final action applies a uniform, nationwide analytical method and interpretation of CAA section 107(d)(1) to these areas across the country in a single final action, and the final action is based on this common core of determinations. More specifically, for example, this final action is based on a determination by the EPA to evaluate areas nationwide under a common five factor analysis in determining whether areas were in violation of or contributing to an area in violation of the 2015 Ozone NAAQS at the time of the April 2018 designations final action.

For these reasons, this final action is nationally applicable or, alternatively, the Administrator is exercising the complete discretion afforded to him by the CAA and hereby finds that this final action is based on a determination of nationwide scope or effect for purposes of CAA section 307(b)(1) and is hereby publishing that finding in the **Federal Register**. Under section 307(b)(1) of the CAA, any petitions for review of this final action must be filed in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days from the date this final action is published in the **Federal Register**. Filing a petition for reconsideration by the Administrator of these final actions does not affect the finality of the actions for the purposes of judicial review, nor does it extend the time within which a petition for judicial review must be filed and shall not postpone the effectiveness of such actions.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Michael S. Regan,
Administrator.

For the reasons set forth in the preamble, 40 CFR part 81 is amended as follows:

review versus allowing development of the issue in other contexts and the best use of Agency resources.

¹⁵ In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that the “nationwide scope or effect” exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. See H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.A.N. 1402–03.

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

■ 2. In § 81.314, the table titled “Illinois—2015 8-Hour Ozone NAAQS [Primary and Secondary]” is amended by:

■ a. Revising the entries under “Chicago, IL-IN-WI” and “St. Louis, MO-IL”;

■ b. Removing the entries “McHenry County” after the entry “McDonough County” and “Monroe County” after the entry “Mercer County”; and
■ c. Adding footnote 3 to the table.

The revisions and addition read as follows:

§ 81.314 Illinois.

* * * * *

ILLINOIS—2015 8-HOUR OZONE NAAQS
[Primary and Secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Chicago, IL-IN-WI		Nonattainment		Marginal.
Cook County.				
DuPage County.				
Grundy County (part)				
Aux Sable Township and Goose Lake Township.				
Kane County.				
Kendall County (part)				
Oswego Township.				
Lake County.				
McHenry County	July 14, 2021 ³ .			
Will County.				
St. Louis, MO-IL		Nonattainment		Marginal.
Madison County.				
Monroe County	July 14, 2021 ³ .			
St. Clair County.				
* * * * *				

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is August 3, 2018, unless otherwise noted.

³ EPA revised the nonattainment boundary in response to a court decision, which did not vacate any designations for the 2015 ozone NAAQS, but which remanded the designation for the identified county. Because this additional area is part of a previously designated nonattainment area, the implementation dates for the overall nonattainment area (e.g., the August 3, 2021 attainment date) remain unchanged regardless of this later designation date.

* * * * *

■ 3. In § 81.315, the table titled “Indiana—2015 8-Hour Ozone NAAQS [Primary and Secondary]” is amended by:

■ a. Revising the entries under “Chicago, IL-IN-WI”;
■ b. Removing the entry “Porter County” after the entry “Pike County” and adding the entry “Porter County (part) remainder” in its place; and

■ c. Adding footnote 3 to the table.
The revisions and additions read as follows:

§ 81.315 Indiana.

* * * * *

INDIANA—2015 8-HOUR OZONE NAAQS
[Primary and Secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Chicago, IL-IN-WI:		Nonattainment		Marginal.
Lake County (part)				
Calumet Township, Hobart Township, North Township, Ross Township, and St. John Township.				
Porter County (part)	July 14, 2021 ³ .			
Center Township, Jackson Township, Liberty Township, Pine Township, Portage Township, Union Township, Washington Township, and Westchester Township.				
* * * * *				
Porter County (part) remainder		Attainment/ Unclassifiable.		
* * * * *				

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is August 3, 2018, unless otherwise noted.

³ EPA revised the nonattainment boundary in response to a court decision, which did not vacate any designations for the 2015 ozone NAAQS, but which remanded the designation for the identified county. Because this additional area is part of a previously designated nonattainment area, the implementation dates for the overall nonattainment area (e.g., the August 3, 2021 attainment date) remain unchanged regardless of this later designation date.

* * * * *

■ 4. In § 81.326, the table titled “Missouri—2015 8-Hour Ozone NAAQS [Primary and Secondary]” is amended by:

- a. Revising the entries under “St. Louis, MO-IL”;
- b. Removing the entry “Jefferson County” after the entry “Jasper County”; and
- c. Adding footnote 3 to the table.

The revisions and addition read as follows:

§ 81.326 Missouri.

* * * * *

MISSOURI—2015 8-HOUR OZONE NAAQS
[Primary and Secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
St. Louis, MO-IL:		Nonattainment		Marginal.
Franklin County (part) Boles Township.				
Jefferson County	July 14, 2021 ³ .			
St. Charles County.				
St. Louis County.				
City of St. Louis.				

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is August 3, 2018, unless otherwise noted.

³ EPA revised the nonattainment boundary in response to a court decision, which did not vacate any designations for the 2015 ozone NAAQS, but which remanded the designation for the identified county. Because this additional area is part of a previously designated nonattainment area, the implementation dates for the overall nonattainment area (e.g., the August 3, 2021 attainment date) remain unchanged regardless of this later designation date.

* * * * *

■ 5. In § 81.350 the table titled “Wisconsin—2015 8-Hour Ozone NAAQS [Primary and Secondary]” is amended by:

- a. Revising the entries under “Chicago, IL-IN-WI”;
- b. Revising the entry for “Door County, WI” and the entries under “Door County, WI”;
- c. Revising the entries under “Manitowoc County, WI”;
- d. Removing the entry for “Northern Milwaukee/Ozaukee Shoreline, WI” and adding in its place the entry

- “Milwaukee, WI” and revising the entries under “Milwaukee, WI”;
- e. Removing the entry for “Ozaukee County (part)”;
- f. Revising the entries under “Sheboygan County, WI”;
- g. Removing the entries “Milwaukee County (part) remainder” after the entry “Menominee County” and “Ozaukee County (part) remainder” after the entry “Outagamie County”;
- h. Removing the entry “Racine County” after the entry “Price County” and adding the entry “Racine County (part) remainder” in its place.

- i. Removing the entries “Washington County” and “Waukesha County” after the entry “Washburn County” and adding the entries “Washington County (part) remainder” and “Waukesha County (part) remainder” in their places, respectively; and
- j. Adding footnotes 4 and 5 to the table.

The revisions and additions read as follows:

§ 81.350 Wisconsin.

* * * * *

WISCONSIN—2015 8-HOUR OZONE NAAQS
[Primary and Secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Chicago, IL-IN-WI		Nonattainment		Marginal.
Kenosha County (part) The portion of Kenosha County bounded by the Lake Michigan shoreline on the East, the Kenosha County boundary on the North, the Kenosha County boundary on the South, and the I-94 corridor (including the entire corridor) on the West.	July 14, 2021 ⁵ .			
Door County, WI				
Door County (part): Newport State Park Boundary.	6/10/2020	Attainment		Marginal (Rural Transport).
Door County-Revised (part): The portion of Door County north of Sturgeon Bay Canal excluding Newport State Park.	July 14, 2021 ⁴	Nonattainment		Marginal (Rural Transport).
Manitowoc County, WI		Nonattainment		Marginal.
Manitowoc County (part): Inclusive and east of the following roadways with the boundary starting from north to south: County Road B which turns into South State Street to County Road V which turns into Forest Home Drive to South Packer Drive to West Hillcrest Road to Highway 43 to West Custer Street to Dufek Drive which turns into Highway 42.	July 14, 2021 ⁵ .			
Milwaukee, WI		Nonattainment		Marginal.
Milwaukee County	July 14, 2021 ⁵ .			
Ozaukee County	July 14, 2021 ⁵ .			
Racine County (part):	July 14, 2021 ⁵ .			

WISCONSIN—2015 8-HOUR OZONE NAAQS—Continued
[Primary and Secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Inclusive and east of the following roadways going from the northern county boundary to the southern county boundary: Highway 45 to Washington Ave. to South Beaumont Ave.				
Washington County (part):	July 14, 2021 ⁵ .			
Inclusive and east of the following roadways going from the northern county boundary to the southern county boundary: County H to N Main St/Old US Hwy 45 to WI-60 Trunk E to WI-164 S.				
Waukesha County (part):	July 14, 2021 ⁵ .			
Going from the western county boundary to the southern county boundary: Inclusive and north of I-94 and inclusive and east of Highway 67.				
Sheboygan County, WI		Nonattainment		Marginal.
Sheboygan County (part):	July 14, 2021 ⁵ .			
Inclusive and east of the following roadways with the boundary starting from north to south: Union Road which turns into County Road Y which turns into Highland Drive, to Lower Road which turns into Monroe Street, to Broadway/Main Street to Highway 32 which turns into Giddings Avenue to County Road W to County Road KW.				
Racine County (part) remainder		Attainment/ Unclassifiable.		
Washington County (part) remainder		Attainment/ Unclassifiable.		
Waukesha County (part) remainder		Attainment/ Unclassifiable.		

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is August 3, 2018, unless otherwise noted.

³ Includes Indian country of the tribe listed in this table located in Forest County, Wisconsin. Information pertaining to areas of Indian country in this table is intended for Clean Air Act planning purposes only and is not an EPA determination of Indian country status or any Indian country boundary. EPA lacks the authority to establish Indian country land status, and is making no determination of Indian country boundaries, in this table.

⁴ EPA revised the nonattainment boundaries of the Door County area that was designated as nonattainment on April 30, 2018, in response to a court decision, which did not vacate any designations for the 2015 ozone NAAQS, but which remanded the designation for the identified county. Because this additional portion of Door County is associated with a previously designated nonattainment area, the associated implementation dates (e.g., the August 3, 2021 attainment date) remain unchanged regardless of this later designation date.

⁵ EPA revised the nonattainment boundary in response to a court decision, which did not vacate any designations for the 2015 ozone NAAQS, but which remanded the designation for the identified county. Because this additional area is part of a previously designated nonattainment area, the associated implementation dates for the overall nonattainment area (e.g., the August 3, 2021 attainment date) remain unchanged regardless of this later designation date.

* * * * *
[FR Doc. 2021-11454 Filed 6-11-21; 8:45 am]
BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency

44 CFR Part 328
[Docket ID FEMA-2020-0018]

Prioritization and Allocation of Certain Scarce and Critical Health and Medical Resources for Domestic Use; Additional Exemptions

AGENCY: Federal Emergency Management Agency, Department of Homeland Security (DHS).

ACTION: Notification of additional exemptions.

SUMMARY: The Federal Emergency Management Agency (FEMA)

announces additional exemptions from a temporary final rule that FEMA published in the **Federal Register** on December 31, 2020.

DATES: *Applicability date:* This notification applies beginning on June 11, 2021.

ADDRESSES: You may review the docket by searching for Docket ID FEMA-2020-0018, via the Federal eRulemaking Portal: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Daniel McMasters, Program Analyst, Office of Policy and Program Analysis, 202-212-2900, FEMA-DPA@fema.dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2020, the Federal Emergency Management Agency (FEMA) published a temporary final rule (the “rule”) to allocate certain health and medical resources for domestic use, so that these resources may not be exported from the United

States without explicit approval by FEMA.¹ The rule aids the response of the United States to the spread of COVID-19 by ensuring that certain health and medical resources are appropriately allocated for domestic use. The rule was modified and extended on August 10, 2020 and December 31, 2020, respectively.²

FEMA issued the rule under the authority of the Defense Production Act of 1950, as amended (DPA),³ and related Executive orders and delegations.⁴ Most prominently, on April 3, 2020, the President signed a Memorandum on Allocating Certain Scarce or Threatened Health and Medical Resources to

¹ 85 FR 20195 (Apr. 10, 2020) (codified at 44 CFR part 328). *See also* 85 FR 22622 (Apr. 23, 2020) (correcting the date filed from “4-8-20” to “4-7-20”).

² 85 FR 48113 (Aug. 10, 2020) and 85 FR 86835 (Dec. 31, 2020) (codified at 44 CFR part 328).

³ 50 U.S.C. 4501 *et seq.*

⁴ *See* 85 FR 20195 at 20196-20197.

Domestic Use (Memorandum).⁵ In the Memorandum, the President directed the Secretary of Homeland Security, through the FEMA Administrator, and in consultation with the Secretary of Health and Human Services (HHS), to use any and all authority available under section 101 of the DPA to allocate to domestic use, as appropriate, the five types of personal protective equipment (PPE) materials identified in the Memorandum. FEMA executed this direction by publishing an allocation order on April 10, 2020, as a temporary final rule pursuant to the Memorandum. On April 21, 2020, FEMA published notification of 10 exemptions in addition to the exemption listed in the original temporary final rule.⁶ The temporary final rule was modified and extended on August 10, 2020, and again on December 31, 2020, to ensure certain health and medical resources were appropriately allocated for domestic use.⁷

Consistent with the Memorandum, the December 31, 2020 rule provides that until June 30, 2021, and subject to certain exemptions, no shipments of covered materials may leave the United States without explicit approval by FEMA.⁸ The rule requires U.S. Customs and Border Protection (CBP), in coordination with such other officials as may be appropriate, to notify FEMA of an intended export of covered materials.⁹ CBP must temporarily detain any shipment of such covered materials pending the Administrator's determination whether to return for domestic use, issue a rated order for, or allow the export of part or all of the shipment.¹⁰ In making such determination, the Administrator may consult other agencies and will consider the totality of the circumstances, including: (1) The need to ensure that scarce or critical items are appropriately allocated for domestic use; (2) minimization of disruption to the supply chain, both domestically and abroad; (3) the circumstances surrounding the distribution of the materials and potential hoarding or

price-gouging concerns; (4) the quantity and quality of the materials; (5) humanitarian considerations; and (6) international relations and diplomatic considerations.¹¹

In addition to providing for the determination described above, the rule includes eleven exemptions to the requirement that covered materials not leave the United States without explicit approval by FEMA. In the interest of promoting the national defense, the Administrator determined that FEMA will not purchase covered materials from shipments made by or on behalf of U.S. manufacturers with continuous export agreements with customers in other countries since at least January 1, 2020, so long as at least 80 percent of such manufacturer's domestic production of such covered materials, on a per item basis, was distributed in the United States in the preceding 12 months.¹² If FEMA determines that a shipment of covered materials falls within this exemption, such materials may be exported without further review by FEMA, provided that the Administrator may waive this exemption and fully review shipments of covered materials, if the Administrator determines that doing so is necessary or appropriate to promote the national defense.¹³ Additionally, the Administrator determined that it is necessary and appropriate to promote the national defense to continue the 10 additional exemptions to the original temporary final rule that were published on April 21, 2020.¹⁴

Pertinent to this notification, the rule also provides that the Administrator may establish, in his or her discretion, additional exemptions that he or she determines necessary or appropriate to promote the national defense and will announce any such exemptions by notice in the **Federal Register**. This notification announces additional exemptions.

Notice of Additional Exemptions

Pursuant to 44 CFR 328.102(d)(2), section 101 of the DPA, and related authorities, the Administrator has determined that it is necessary and appropriate in order to promote the national defense to exempt certain categories of covered materials from the requirements of 44 CFR 328.102(a) and (b). The Administrator may waive any of these exemptions at any time and fully review shipments of covered materials under 44 CFR 328.102(b) if the

Administrator determines that doing so is necessary or appropriate to promote the national defense. In addition, if CBP believes that any manufacturer, broker, distributor, exporter, or shipper of any covered materials is intentionally modifying its shipments in a way to take advantage of one or more of these exemptions, diverting materials from the United States market, or otherwise trying to circumvent the FEMA review requirements in 44 CFR 328.102(b) through application of any of the exemptions, CBP may detain a shipment and forward information about that shipment (including the basis for CBP's belief) to FEMA for determination.

The additional exemptions are as follows:

(1) *Exports of Industrial N95 Respirators*. The Administrator issues this exemption to narrow the scope of the allocation order to exempt shipments of industrial N-95 respirators from the allocation order. The Administrator believes that this exemption is necessary to narrow the scope of the allocation order to be limited to surgical N95 filtering facepiece respirators that are single-use, disposable respiratory protective devices used in a healthcare setting that are worn by healthcare personnel during procedures to protect both the patient and healthcare personnel from the transfer of microorganisms, body fluids, and particulate material at an N95 filtration efficiency level per 42 CFR 84.171. A surgical N95 respirator is a class II device, regulated by the U.S. Food and Drug Administration under 21 CFR 878.4040. Narrowing the scope of the covered materials ensures that only those items that are scarce or critical items in the domestic supply chain are affected by the allocation order. The Administrator believes that industrial N95 respirators are in sufficient domestic supply¹⁵ and that worldwide demand for these items remains high. As such, it is necessary and appropriate to promote the national defense and consistent with the purposes of the Presidential Memorandum and the subsequent allocation order to exempt these items from the list of covered materials.

(2) *Exports of PPE Surgical Masks*. The Administrator believes it is necessary and appropriate to promote the national defense to exempt these items from the list of covered materials to support the efforts of domestic

¹⁵ FEMA fills requests from state, local, tribal, and territorial partners for respirators through the standard Resource Request Form process. The agency does not have any open requests for industrial N95 respirators and is equipped to fill requests as they are received.

⁵ See Memorandum on Allocating Certain Scarce or Threatened Health and Medical Resources to Domestic Use for the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Administrator of the Federal Emergency Management Agency (Apr. 3, 2020), <https://trumpwhitehouse.archives.gov/presidential-actions/memorandum-allocating-certain-scarce-threatened-health-medical-resources-domestic-use/> (last accessed May 12, 2021).

⁶ 85 FR 22021 (Apr. 21, 2020).

⁷ See 85 FR 48113 (Aug. 10, 2020); 85 FR 86835 (Dec. 31, 2020).

⁸ 44 CFR 328.102(a).

⁹ 44 CFR 328.102(b).

¹⁰ *Id.*

¹¹ 44 CFR 328.102(c).

¹² 44 CFR 328.102(d)(1).

¹³ *Id.*

¹⁴ See 85 FR 86835, 86838 (Dec. 31, 2020).

manufacturing to combat COVID-19 around the world and consistent with the position of the United States as a world leader. A key element of national defense is the ability of the United States to convey international leadership during times of crisis, including the COVID-19 pandemic. This includes our ability to assist in meeting the global demand for items where domestic supply needs have been met, help those in need, and to remain stalwarts of the international community. The Administrator also recognizes the international nature of many U.S. companies, and believes that allowing these companies to continue to produce at a high level is crucial to promoting the U.S. economy. One of the factors specifically identified in the allocation order that the Administrator considers in determining whether to return for domestic use, issue rated order for, or allow the export of a shipment is minimization of disruption of the supply chain, both domestically and abroad. The Administrator believes that this exemption would not disrupt the domestic supply chain,¹⁶ nor cause

¹⁶ FEMA fills requests from state, local, tribal, and territorial partners for respirators through the

a detrimental shortage of covered materials to Americans.

(3) *Exports of Specific Syringes and Needles.* The Administrator believes it is necessary and appropriate to promote the national defense to exempt the specific syringes and needles covered under the current rule given the worldwide efforts to provide COVID-19 vaccinations. Similar to PPE surgical masks above, the Administrator believes these items should be exempted from the list of covered materials to support the efforts to combat COVID-19 around the world and consistent with the position of the United States as a world leader. A key element of national defense is the ability of the United States to convey international leadership during times of crisis, including the COVID-19 pandemic. This includes our ability to assist in meeting the global demand for items where domestic supply needs have been met, help those in need, and to remain stalwarts of the international community. The Administrator also recognizes the international nature of

standard Resource Request Form process. The agency does not have any open requests for PPE surgical masks.

many U.S. companies, and believes that allowing these companies to continue to produce at a high level is crucial to promoting the U.S. economy. One of the factors specifically identified in the allocation order that the Administrator considers in determining whether to return for domestic use, issue rated order for, or allow the export of a shipment is minimization of disruption of the supply chain, both domestically and abroad. The Administrator believes that this exemption would not disrupt the domestic supply chain, nor cause a detrimental shortage to Americans given the current state of vaccination rates in the United States.¹⁷

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2021-12484 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-19-P

¹⁷ As of May 11, 2021, approximately 35.1 percent of the U.S. population has been fully vaccinated, while 46.2 percent of the U.S. population has received at least one dose of a vaccine. Over 71 percent of the U.S. population 65 years of age or older (one of the highest at-risk segments of the U.S. population) have now been fully vaccinated. See www.covid.cdc.gov/covid-data-tracker/#vaccinations (last accessed May 12, 2021 at 1:30 p.m.).

Proposed Rules

Federal Register

Vol. 86, No. 112

Monday, June 14, 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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0461; Project Identifier MCAI-2021-00156-R]

RIN 2120-AA64

Airworthiness Directives; Leonardo S.p.a. Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Leonardo S.p.a. Model AB139 and AW139 helicopters. This proposed AD was prompted by a report of a short circuit caused by chafing of the electrical wiring in the overhead panel. This proposed AD would require an initial detailed inspection inside the overhead panel for certain helicopters, repetitive detailed inspections inside the overhead panel for all helicopters, and corrective actions if necessary, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by July 29, 2021.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5

p.m., Monday through Friday, except Federal holidays.

For material that is proposed for IBR in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; internet: www.easa.europa.eu. You may find this material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110. This material is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0461.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0461; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the EASA AD, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Jacob Fitch, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: (817) 222-4130; email: jacob.fitch@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0461; Project Identifier MCAI-2021-00156-R" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this proposal.

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 NPRM 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 NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Jacob Fitch, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: (817) 222-4130; email: jacob.fitch@faa.gov. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0044, dated February 5, 2021 (EASA AD 2021-0044), to correct an unsafe condition for all Leonardo S.p.a. Model AB139 and AW139 helicopters.

This proposed AD was prompted by a report of a short circuit caused by chafing of the electrical wiring in the overhead panel. The FAA is proposing this AD to address a short circuit caused by chafing of the electrical wiring in the overhead panel, which could cause damaged electrical wiring, possible fire in the overhead panel, and loss of control of the helicopter. See EASA AD

2021-0044 for additional background information.

Related Service Information Under 1 CFR Part 51

EASA AD 2021-0044 requires an initial detailed inspection (for certain helicopters) inside the overhead panel for chafing of the cable harnesses and for correct clearance between the anchor nuts/screws and the cable harnesses, of the screws for correct length, and of the supports for sound bonding, and corrective actions if necessary; repetitive detailed inspections (for all helicopters) inside the overhead panel for the condition of the white protective tape on the anchor nuts, and for chafing of the cable harnesses and for correct clearance between the anchor nuts/screws and the cable harnesses, and corrective actions if necessary. Corrective actions include applying a white protective tape on the anchor nuts, replacement of incorrect length screws, replacement of damaged cables and fuses, rerouting of cable harnesses, replacement of supports, and removal and replacement of the white protective tape.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA's Determination

These helicopters have been approved by the aviation authority of another country, and are approved for operation in the United States. Pursuant to the bilateral agreement with the European

Union, EASA, its technical representative, has notified the FAA of the unsafe condition described in its AD. The FAA is proposing this AD after evaluating all the relevant information and determining the unsafe condition described previously is likely to exist or develop on other helicopters of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in EASA AD 2021-0044, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD and except as discussed under "Differences Between this Proposed AD and the EASA AD."

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use certain civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating with other manufacturers and CAAs. As a result, EASA AD 2021-0044 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2021-0044 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed

AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in the EASA AD. Service information specified in EASA AD 2021-0044 that is required for compliance with EASA AD 2021-0044 will be available on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0461 after the FAA final rule is published.

Differences Between This Proposed AD and the EASA AD

Although EASA AD 2021-0044 and the service information referenced in EASA AD 2021-0044 specify to submit certain information to the manufacturer, this AD does not include that requirement.

Interim Action

The FAA considers this proposed AD interim action. If final action is later identified, the FAA might consider further rulemaking then.

Costs of Compliance

The FAA estimates that this that this AD, if adopted as proposed, would affect 128 helicopters of U.S. Registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for chafing, clearance, screw length, and bonding.	1 work-hour × \$85 per hour = \$85.	\$0	\$85	\$10,880.
Repetitive inspections for chafing, clearance, and tape condition.	1 work-hour × \$85 per hour = \$85 per inspection cycle.	\$0 per inspection cycle	\$85 per inspection cycle.	\$10,880 per inspection cycle.

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on

the results of any required actions. The FAA has no way of determining the

number of helicopters that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Action	Labor cost	Parts cost	Cost per product
Replace screws, cables, fuses, supports, and protective tape; reroute harnesses.	5 work-hours × \$85 per hour = \$425	\$600	\$1.025
Apply protective tape	1 work-hour × \$85 per hour = \$85	50	135
Replace cables, fuses and protective tape	1 work-hour × \$85 per hour = \$85	600	685

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

Leonardo S.p.a.: Docket No. FAA-2021-0461; Project Identifier MCAI-2021-00156-R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 29, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Leonardo S.p.a. Model AB139 and AW139 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2400, Electrical Power System.

(e) Unsafe Condition

This AD was prompted by a report of a short circuit caused by chafing of the electrical wiring in the overhead panel. The FAA is issuing this AD to address a short circuit caused by chafing of the electrical wiring in the overhead panel, which could cause damaged electrical wiring, possible fire in the overhead panel, and loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2021-0044, dated February 5, 2021 (EASA AD 2021-0044).

(h) Exceptions to EASA AD 2021-0044

(1) Where EASA AD 2021-0044 refers to its effective date, this AD requires using the effective date of this AD.

(2) The "Remarks" section of EASA AD 2021-0044 does not apply to this AD.

(3) Where EASA AD 2021-0044 refers to flight hours (FH), this AD requires using hours time-in-service.

(4) Where paragraphs (3) and (5) of EASA AD 2021-0044 refer to "any discrepancy," for this AD, discrepancies include chafing of the cable harnesses or incorrect clearance between the anchor nuts/screws and the cable harnesses, incorrect length of the screws, inadequately bonded supports, and poor condition of the white protective tape.

(i) No Reporting Requirement

Although EASA AD 2021-0044 and the service information referenced in EASA AD 2021-0044 specify to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Special Flight Permit

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199

to operate the helicopter to a location where the helicopter can be modified (if the operator elects to do so), provided the flight is straight, level, and avoids areas of known turbulence.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Related Information

(1) For EASA AD 2021-0044, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu; internet: www.easa.europa.eu. You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0461.

(2) For more information about this AD, contact Jacob Fitch, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: (817) 222-4130; email: jacob.fitch@faa.gov.

Issued on June 7, 2021.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-12359 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0462; Project Identifier MCAI-2020-01714-T]

RIN 2120-AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Bombardier, Inc., CL-600-2B16 (604 Variant) airplanes. This proposed AD was prompted by multiple reports of cracking of the main landing gear (MLG) shock strut lower pin. This proposed AD would require repetitive lubrication and repetitive detailed visual inspections (DVI) and non-destructive test (NDT) inspections of the MLG shock strut lower pins, and replacement if necessary. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by July 29, 2021.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Bombardier, Inc., 200 Côte-Vertu Road West, Dorval, Québec H4S 2A3, Canada; North America toll-free telephone 1-866-538-1247 or direct-dial telephone 1-514-855-2999; email ac.yul@aero.bombardier.com; internet <https://www.bombardier.com>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0462; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: Chirayu Gupta, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO

Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531; email 9-avs-nyaco-cos@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA-2021-0462; Project Identifier MCAI-2020-01714-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

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 NPRM 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 NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Chirayu Gupta, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531; email 9-avs-nyaco-cos@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF-2020-54R1, dated December 23, 2020 (TCCA AD CF-2020-54R1) (also referred to after this as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for certain Bombardier, Inc., CL-600-2B16 (604 Variant) airplanes. You may examine the MCAI in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0462.

This proposed AD was prompted by multiple reports of cracking of the MLG shock strut lower pin part number (P/N) 19146-3. The subsequent investigation concluded that the friction torque when the shock strut is under compression loading, causes the pin anti-rotation tangs to become loaded beyond their load carrying capability. This overload condition can result in pin fracture originating at the base of the pin anti-rotation tang. Inadequate lubrication aggravates the condition. The FAA is proposing this AD to address cracking of the MLG shock strut lower pin. If not addressed, this condition could result in structural failure of one or both MLG. See the MCAI for additional background information.

Related Service Information Under 14 CFR Part 51

Bombardier, Inc., has issued the following service information:

- Service Bulletin 604-32-030, dated June 30, 2020.
- Service Bulletin 605-32-007, dated June 30, 2020.
- Service Bulletin 650-32-004, dated June 30, 2020.

This service information describes procedures for lubricating, inspecting (DVI and NDT inspections for cracking and damage, including fracture of the MLG shock strut lower pin at the pin rotation tang location), and replacing the MLG shock strut lower pin. These documents are distinct since they apply to different airplane configurations. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition

described in the MCAI and service information referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the service information already described.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 433 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
7 work-hours × \$85 per hour = \$595	\$0	\$595	\$257,635

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on

the results of any required actions. The FAA has no way of determining the

number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
6 work-hours × \$85 per hour = \$510	\$2,435	\$2,945

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or

on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

Bombardier, Inc.: Docket No. FAA–2021–0462; Project Identifier MCAI–2020–01714–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 29, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc., Model CL–600–2B16 (604 Variant) airplanes, serial numbers (S/N) 5301 through 5665 inclusive, 5701 through 5988 inclusive, and 6050 through 6999 inclusive, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

(e) Unsafe Condition

This AD was prompted by multiple reports of cracking of the main landing gear (MLG) shock strut lower pin. The FAA is issuing this AD to address cracking of the MLG shock strut lower pin. If not addressed, this condition could result in structural failure of one or both MLG.

(f) Compliance

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

(g) Repetitive Lubrication

Within 200 flight hours (FH) or 12 months after the effective date of this AD, whichever occurs first, lubricate the left-hand (LH) and right-hand (RH) MLG shock strut lower pins having part number (P/N) 19146–3, in accordance with paragraph 2.B., “Part A,” of the Accomplishment Instructions of the applicable service bulletin, as specified in paragraphs (g)(1) through (3) of this AD. Repeat thereafter at intervals not to exceed 200 FH or 12 months, whichever occurs first.

(1) For airplanes having S/N 5301 through 5665 inclusive: Bombardier Service Bulletin 604–32–030, dated June 30, 2020.

(2) For airplanes having S/N 5701 through 5988 inclusive: Bombardier Service Bulletin 605–32–007, dated June 30, 2020.

(3) For airplanes having S/N 6050 through 6999 inclusive: Bombardier Service Bulletin 650–32–004, dated June 30, 2020.

(h) Repetitive Detailed Visual Inspections (DVI)

At the applicable compliance time specified in paragraphs (h)(1) through (3) of this AD, perform the DVI for cracking and damage of the LH and RH MLG shock strut lower pins having part number (P/N) 19146–3, in accordance with paragraph 2.C., “Part B,” of the Accomplishment Instructions of the applicable service bulletin, as specified in paragraphs (g)(1) through (3) of this AD. Repeat thereafter at intervals not to exceed 400 FH or 24 months, whichever occurs first. If the DVI coincides with a non-destructive testing (NDT) inspection required by paragraph (i) of this AD, the NDT inspection supersedes the DVI for that interval only. If the accumulated flight cycles (FC) of the MLG shock strut lower pin are not known, use the related MLG assembly accumulated FC to determine when to accomplish the actions required by this paragraph.

(1) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before the effective date of this AD and on which an MLG shock strut lower pin has accumulated fewer than 600 total FC on the pin as of the effective date of this AD: Before the accumulation of 750 total FC on the pin.

(2) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before the effective date of this AD and on which an MLG shock strut lower pin has accumulated 600 total FC or more on the pin as of the effective date of this AD: Within 150 FC after the effective date of this AD.

(3) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after the effective date of this AD: Before the accumulation of 750 total FC.

(i) Repetitive NDT Inspection

At the applicable compliance time specified in paragraphs (i)(1) through (4) of this AD: Perform the NDT for cracking and damage of the LH and RH MLG shock strut lower pins having P/N 19146–3, in accordance with paragraph 2.D., “Part C,” of the Accomplishment Instructions of the applicable service bulletin, as specified in paragraphs (g)(1) through (3) of this AD. Repeat thereafter at intervals not to exceed 900 FC. If the accumulated FC of the MLG shock strut lower pin is not known, use the related MLG assembly accumulated FC to determine when to accomplish the actions required by this paragraph.

(1) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before the effective date of this AD and on which an MLG shock strut lower pin has accumulated fewer than 1,200 total FC on the

pin as of the effective date of this AD: Before the accumulation of 1,500 total FC on the pin.

(2) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before the effective date of this AD and on which an MLG shock strut lower pin has accumulated 1,200 total FC or more but fewer than 2,000 total FC on the pin as of the effective date of this AD: Within 300 FC after the effective date of this AD, or before the accumulation of 2,200 total FC on the pin, whichever occurs first.

(3) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before the effective date of this AD and on which an MLG shock strut lower pin that has accumulated 2,000 total FC or more on the pin as of the effective date of this AD: Within 200 FC after the effective date of this AD.

(4) For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after the effective date of this AD: Before the accumulation of 1,500 total FC.

(j) Replacement

If, during any inspection required by this AD, any crack or damage of the MLG shock strut lower pin is detected, before further flight, replace the affected MLG shock strut lower pin with a new part in accordance with paragraph 2.E., “Part D,” of the Accomplishment Instructions of the applicable service bulletin, as specified in paragraphs (g)(1) through (3) of this AD.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.’s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(l) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) TCCA AD CF–2020–54R1, dated December 23, 2020, for related information. This MCAI may be

found in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0462.

(2) For more information about this AD, contact Chirayu Gupta, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531; email 9-avs-nyacos@faa.gov.

(3) For service information identified in this AD, contact Bombardier, Inc., 200 Côte-Vertu Road West, Dorval, Québec H4S 2A3, Canada; North America toll-free telephone 1–866–538–1247 or direct-dial telephone 1–514–855–2999; email ac.yul@aero.bombardier.com; internet <https://www.bombardier.com>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued on June 8, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–12351 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2021–0135]

RIN 1625–AA00

Safety Zones; Fireworks Displays, Air Shows and Swim Events in Captain of the Port Long Island Sound Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to add one safety zone for the Dolan Family Labor Day Fireworks event on Oyster Bay, NY, and remove six other annual recurring marine events in Coast Guard Sector Long Island Sound’s Captain of the Port Zone. This proposed rule is intended to expedite public information and to ensure the protection of the maritime public and event participants from the hazards associated with certain marine events. When enforced, the safety zones would restrict vessels from transiting the regulated area during annually recurring events. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before July 14, 2021.

ADDRESSES: You may submit comments identified by docket number USCG–2021–0135 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Marine Science Technician 1st Class Chris Gibson, Waterways Management Division, Sector Long Island Sound; Tel: (203) 468–4565; Email: chris.a.gibson@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

Marine events are held on an annual recurring basis on the navigable waters within the Coast Guard Sector Long Island Sound Captain of the Port (COTP) Zone. The Coast Guard has established safety zones for some of these annually recurring events on a case by case basis to ensure the protection of the maritime public and event participants from potential hazards.

Regulations establishing safety zones to restrict vessel traffic are located in part 165 of Title 33 of the Code of Federal Regulations. Section 165.151 in part 165 establishes safety zones to ensure the safety and security of marine related events, participants, and spectators in Sector Long Island Sound’s area of responsibility. The COTP of Long Island Sound proposes to amend Table 1 and 2 of 33 CFR 165.151 Safety Zones; Fireworks Displays, Air Shows, and Swim Events in the COTP Long Island Zone because updating the recurring events will considerably reduce administrative overhead and provide the public with notice through publication in the **Federal Register** of the upcoming recurring safety zone.

The Secretary of Homeland Security has delegated to the Coast Guard authority under section 70041 of Title 46 of the U.S. Code (46 U.S.C. 70041) to issue these regulations.

III. Discussion of Proposed Rule

The Coast Guard proposes to establish a safety zone for the annual Dolan

Family Labor Day Fireworks event by adding this event to Table 1 to CFR 165.151. The event would occur on a single day in September at a time to be determined. The regulated area would encompass waters of Long Island Sound off of Oyster Bay, NY. When enforced on the single day in September each year, this safety zone would restrict vessels from transiting the regulated area. The specific proposed description of this proposed regulation appears at the end of this document.

Additionally, this rulemaking proposes to update Table 1 and 2 to CFR 165.151 by removing six events that no longer take place. The Coast Guard proposes to remove event 5.1 Jones Beach Air Show safety zone from Table 1 and remove five events from Table 2: (1) 1.1 Swim Across the Sound; (2) 1.3 Maggie Fischer Memorial Great South Bay Cross Bay Swim; (3) 1.4 Waves of Hope Swim; (4) 1.5 Stonewall Swim; and (5) 1.6 Swim Across America Greenwich safety zones.

IV. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration, and time-of-day of the established safety zones. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners vis VHF–FM marine channel 16 about the safety zone and the rule would allow vessels to seek permission to enter the area. Vessel traffic would also be able to request permission from the COTP or a designated representative to enter the restricted area.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small

businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

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

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not

have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves adding and removing an annually recurring marine event in Table 1 in 33 CFR 165.151 and removing five recurring marine events from Table 2 in 33 CFR 165.151. Normally such actions are categorically excluded from further review under

paragraph L60(a) and L60(b) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

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

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any

personal information you have provided. For more about privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

Documents mentioned in this NPRM as being available in the docket, and public comments, will be in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive. If you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1

- 2. Amend Table 1 in § 165.151 by inserting item 9.7, in numerical order, to read as follows:

§ 165.151 Safety Zones; Fireworks Displays, Air Shows and Swim Events in the Captain of the Port Long Island Sound Zone.

* * * * *

TABLE 1 TO § 165.151

*	*	*	*	*	*	*	*	
9	* * *						September	*
9.7	Dolan Family Labor Day Fireworks	<ul style="list-style-type: none"> • Date: A single day event in September. • Location: Waters of Oyster Bay Harbor in Long Island Sound off Oyster Bay, NY in approximate position 40°53'43.50" N, 073°30'06.85" W. 					*	*
*	*	*	*	*	*	*	*	

§ 165.151 [Amended]

- 3. Amend § 165.151 by:

■ a. Removing in Table 1 item 5.1 Jones Beach Air Show;

■ b. Removing in Table 2 items 1.1 Swim Across the Sound, 1.3 Maggie Fischer Memorial Great South Bay Cross

Bay Swim, 1.4 Waves of Hope Swim, 1.5 Stonewall Swim and 1.6 Swim Across America Greenwich.

Dated: April 29, 2021.

E.J. Van Camp,

Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.

[FR Doc. 2021-12401 Filed 6-11-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2021-0120]

RIN 1625-AA87

Security Zones; Sabine Pass Channel, Cameron, LA

AGENCY: Coast Guard, DHS.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing to establish a permanent security zone within a new mooring basin at the Sabine Pass LNG facility in Cameron, LA. This proposed rule would prohibit persons and vessels from entering the security zone unless authorized by the Captain of the Port, Port Arthur or a designated representative. Additionally, the Coast Guard proposes to improve the language describing the area and to correct a geographical error. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before July 14, 2021.

ADDRESSES: You may submit comments identified by docket number USCG-2021-0120 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Mr. Scott Whalen, Marine Safety Unit Port Arthur, U.S. Coast Guard; telephone 409-719-5080, email scott.k.whelen@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Port Arthur
DHS Department of Homeland Security
FR Federal Register
LNG Liquefied Natural Gas

NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On May 26, 2010 the Coast Guard published a Notice of Proposed Rulemaking (NPRM) proposing to, among other things, establish a security zone for the Sabine Pass LNG mooring basin located in Cameron Parish, LA while LNG carriers are moored at the facility. On October 22, 2010 the Coast Guard issued an interim rule for the proposed security zone and on January 11, 2011 the Coast Guard published a final rule for the security zone.

Sabine Pass LNG is constructing a second mooring basin adjacent to the first and the COTP has determined that enhanced security measures are necessary and requires extending the existing security zone to include the new mooring basin.

III. Discussion of Proposed Rule

The COTP is proposing to establish a permanent security zone in a new mooring basin at Sabine Pass LNG located in Cameron, LA. The security zone regulations would be the same as those in effect for the existing mooring basin, that is, it would exclude certain vessels from entering the basin whenever an LNG carrier is moored at the facility. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. Additionally, the Coast Guard proposes to improve the language describing the area and to correct a geographical error in the CFR. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This NPRM has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the limited size and that the affected area does not hinder or delay regular vessel traffic. Certain vessels with business in the mooring basin will be authorized to enter.

B. Impact on Small Entities

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

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

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the

relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves regulations establishing a security zone that would prohibit entry whenever an LNG carrier is moored at the facility. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket.

For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

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

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

Documents mentioned in this NPRM as being available in the docket, and public comments, will be in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive. If you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 165.819(a)(1)(ii) to read as follows:

§ 165.819 Security Zone; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX.

(a) * * *
(1) * * *

(ii) Sabine Pass LNG, Cameron Parish, LA: (A) All mooring basin waters horeward of a line connecting the following points—beginning at the shoreline in position 29°44'34.7" N, 093°52'29" W; then to a point at 29°44'31.4" N, 093°52'26.4" W; then to a point at 29°44'25.2" N, 093°52'14.6" W; then to the shoreline at 29°44'24.4" N, 093°52'11.4" W.

(B) All mooring basin waters shoreward of a line connecting the following points—beginning at the shoreline in position 29°44'23.4" N, 093°52'10.3" W; then to a point at 29°44'22.3" N, 093°52'9.8" W; then to a point at 29°44'18" N, 093°52'3.6" W; then to the shoreline at 29°44'17.4" N, 093°52'2.3" W.

* * * * *

Dated: May 25, 2021.

Molly A. Wike,

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

[FR Doc. 2021–11650 Filed 6–11–21; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–HQ–OAR–2017–0548; FRL–10023–49–OAR]

Intended Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards; Response to the July 10, 2020, Court Decision Addressing El Paso, Texas and Weld County, Colorado: Notification of Availability and Public Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification of availability and public comment period.

SUMMARY: This notification is hereby given that the Environmental Protection Agency (EPA or Agency) has posted on our public electronic docket and internet website revised responses to certain state designation recommendations for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) (2015 Ozone NAAQS). These responses include our intended designations for El Paso County, Texas (associated with the previously designated Doña Ana County, New Mexico nonattainment area) and Weld County, Colorado (associated with the Denver Metro/North Front Range, Colorado nonattainment area). The EPA invites the public to review and provide input on our intended designations during the comment period specified in the **DATES** section. The EPA sent its revised responses directly to the states of Texas and Colorado on or about May 24, 2021. The EPA intends to make final designation determinations for the counties addressed by these responses no earlier than 120 days from the date the EPA notified the states of the Agency’s intended designations.

DATES: Comments must be received on or before July 14, 2021. Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the comment period.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2017–0548, at [https://](https://www.regulations.gov)

www.regulations.gov. Follow the online instructions for submitting comments. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID–19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via <https://www.regulations.gov>, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

Once submitted, comments cannot be edited or removed from [regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to our public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, comments hosted on the Web, Cloud, or other file sharing system). For additional submission

methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: For general questions concerning this action, please contact Carla Oldham, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Policy Division, C541A, Research Triangle Park, NC 27709, telephone (919) 541–3347, email at oldham.carla@epa.gov or Andrew Leith, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Policy Division, C541A, Research Triangle Park, NC 27709, telephone (919) 541–1069, email at leith.andrew@epa.gov. The following EPA contacts can answer questions regarding areas in a particular EPA Regional office:

Regional Office Contacts:

Region VI—Carrie Paige (214) 665–6521, email at paige.carrie@epa.gov.

Region VIII—Abby Fulton, (303) 312–6563, email at fulton.abby@epa.gov.

The public may inspect the recommendations from the states and tribes, our recent letters notifying the affected states and tribes of our intended designations, and area-specific technical support information at the following locations:

Regional offices	Affected state(s)
EPA Region 6, 1201 Elm Street, Dallas, Texas 75270 EPA Region 8, Air Quality Planning Branch, 1595 Wynkoop Street, Denver, Colorado 80202.	New Mexico and Texas. Colorado.

Most of the EPA offices are closed to reduce the risk of transmitting COVID–19, but staff remain available via telephone and email. The EPA encourages the public to review designation recommendations from states, our recent letters notifying the affected states of our intended designations, and area-specific technical support information online at <https://www.epa.gov/ozone-designations> and in the public docket for these ozone designations at <https://www.regulations.gov> under Docket ID No. EPA–HQ–OAR–2017–0548.

SUPPLEMENTARY INFORMATION:

I. What is the purpose of this action?

The purpose of this notification of availability is to solicit input from interested parties other than states on

the EPA’s recent revised responses to the state designation recommendations for the 2015 Ozone NAAQS. These responses, and their supporting technical analyses, can be found at <https://www.epa.gov/ozone-designations> and in the public docket for these ozone designations at <https://www.regulations.gov> under Docket ID No. EPA–HQ–OAR–2017–0548.

On October 1, 2015, the EPA Administrator signed a notification of final rulemaking that revised the primary and secondary ozone NAAQS (80 FR 65292; October 26, 2015). The EPA established the revised primary and secondary ozone NAAQS at 0.070 parts per million (ppm). The 2015 Ozone NAAQS are met at an ambient air quality monitoring site when the 3-year average of the annual fourth highest

daily maximum 8-hour average ozone concentration (*i.e.*, the design value) is less than or equal to 0.070 ppm. The revised standards will improve public health protection, particularly for at-risk groups including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors, especially outdoor workers. They also will improve the health of trees, plants and ecosystems.

After the EPA promulgates a new or revised NAAQS, the Clean Air Act (CAA) requires the EPA to designate all areas of the country as either “Nonattainment,” “Attainment,” or “Unclassifiable,” for that NAAQS. The process for these initial designations is contained in CAA section 107(d)(1) (42 U.S.C. 7407). After promulgation of a

new or revised NAAQS, each governor or tribal leader has an opportunity to recommend air quality designations, including the appropriate boundaries for nonattainment areas, to the EPA. The EPA considers these recommendations as part of its duty to promulgate the formal area designations and boundaries for the new or revised NAAQS. By no later than 120 days prior to promulgating designations, the EPA is required to notify states, territories, and tribes, as appropriate, of any intended modifications to an area designation or boundary recommendation that the EPA deems necessary. Accordingly, the EPA designated all areas of the country as to whether they met, or did not meet, the NAAQS in three rounds, resulting in 52 nonattainment areas.

In Round 1 (82 FR 54232; November 6, 2017), the EPA designated 2,646 counties, two separate tribal areas and five territories as attainment/unclassifiable, and one area as unclassifiable. In Round 2 (83 FR 25776; April 30, 2018), the EPA designated 51 nonattainment areas, one unclassifiable area, and all remaining areas as attainment/unclassifiable, except for the eight counties in the San Antonio, Texas area. In Round 3 (83 FR 35136; July 17, 2018), the EPA designated one county in the San Antonio area as nonattainment and the other seven counties as attainment/unclassifiable.

Several environmental and public health advocacy groups, three local government agencies, and the state of Illinois filed a total of six petitions for review challenging the EPA's 2015 ozone NAAQS designations promulgated on April 30, 2018. The District of Columbia Circuit Court consolidated the petitions into a single case, *Clean Wisconsin v. EPA*, 964 F.3d 1145 (D.C. Cir. 2020). Collectively, the petitioners challenged aspects of the EPA's final designations associated with nine nonattainment areas. The petitioners primarily argued that the EPA improperly designated counties (in whole or part) as attainment that should have been designated as nonattainment because of contribution to nearby counties with violating monitors. In its response brief, the EPA requested voluntary remand of the final designation decisions for ten counties associated with four nonattainment areas to further review those designations.

On July 10, 2020, the District of Columbia Circuit Court granted the EPA's requests for voluntary remand and remanded several other counties. In total, the Court remanded 16 counties associated with nine nonattainment areas back to the EPA, including nearby

counties that EPA designated as attainment. The Court did not vacate the initial April 30, 2018 designations, but required the EPA to "issue revised designations as expeditiously as practicable." In light of the Court decision, the EPA re-evaluated the existing technical record that was used for the initial April 2018 designations, to support either revising or reaffirming the designations for these areas.

The EPA is responding to this remand through two separate **Federal Register** documents. The first document, signed on May 24, 2021, finalizes designation decisions for 14 counties. EPA's December 2017 initial designations and April 2018 final designations aligned with Texas' and Colorado's recommendations for El Paso and Weld Counties, respectively, and so, at that time, the EPA had no need to, and did not, notify the two states that the Agency planned to modify the states' recommendations. However, the EPA's intended designations for those areas in response to the court's remand would modify the states' recommendations. As such, the EPA is acting consistently with the CAA requirement that the EPA notify the relevant states and allow them to "demonstrate why any proposed modification is inappropriate," and is undertaking a 120-day process.

In the EPA's April 2018 final designations, the intended boundary for the El Paso-Las Cruces nonattainment area only contained the southeastern portion of Doña Ana County, New Mexico, and so was called the "Doña Ana County, New Mexico" nonattainment area in that final action. The EPA's intended modification of Texas's attainment recommendation would expand the boundary of the nonattainment area to include multiple counties and thus, become a multi-state nonattainment area. As such, in keeping with the EPA practices, the Agency intends to name the nonattainment area based on the Combined Statistical Area that comprised its area of analysis.

II. Instructions for Submitting Public Comments and Internet Website for Rulemaking Information

A. Invitation to Comment

The purpose of this document is to solicit input from interested parties, other than the states to which we have sent notification letters, on the EPA's recent responses to the designation recommendations for the 2015 Ozone NAAQS. These responses, and their supporting technical analyses, can be found at <https://www.epa.gov/ozone-designations> and in the public docket

for these ozone designations at Docket ID No. EPA-HQ-OAR-2017-0548. The EPA Docket Office can be contacted at (202) 566-1744, and is located at EPA Docket Center Reading Room, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. However, as noted earlier, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via <https://www.regulations.gov>, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

CAA section 107(d)(1) provides a process for air quality designations that involves recommendations by states, territories, and tribes to the EPA and responses from the EPA to those parties, prior to the EPA promulgating final area designations and boundaries. The EPA is not required under the CAA section 107(d)(1) to seek public comment during the designation process, but we are electing to do so for these areas with respect to the 2015 Ozone NAAQS to gather additional information for the EPA to consider before making final designations for the specific areas addressed in the EPA's recent letters to states and tribes. The EPA is basing its final designations decisions on data and information contained in the existing designations record. As such, the EPA will not consider new information submitted by states or during the public comment process that is not a part of the existing record, although EPA will consider new analysis based on the existing record. The EPA's reliance on the existing record to support the designations is reasonable in light of the circumstances. The CAA does not specify what data the Agency must rely on in re-promulgating designations upon remand from a court. As such, the EPA's reasonable reliance on the existing record reflects the EPA's dedication to national consistency and the specific direction of the court in *Clean Wisconsin*: "to issue revised designations as expeditiously as practicable" in responding to the remand.

Section 107(d) of the CAA lays out a particular timeline for designations decisions to be made, triggered from the date a NAAQS is promulgated. For the 2015 ozone NAAQS, the designation of

every area of the country apart from those remanded to the Agency relied on the existing record. As the D.C. Circuit stated in previous cases reviewing EPA's designations decisions, "inconsistency is the hallmark of arbitrary agency action."¹ Relying on the data available to the Agency at the time of the April 2018 designations action would prevent inconsistent treatment between the remanded counties and every other area of the country. In addition, this action proposes to expand the boundaries of existing nonattainment areas but does not create any new nonattainment areas. Understanding that it is important to treat areas across the country consistently, it is that much more important that EPA treat different portions of the same nonattainment area consistently. For example, in this action the EPA is proposing to expand the boundary of the Denver Metro/North Front Range, Colorado nonattainment area to include the entirety of Weld County, rather than excluding the northern portion of the county. It would be illogical in this type of situation for the Agency to use one set of data (e.g., 2014–2016 design values) for the previously-designated portion of the nonattainment area, which includes seven full and two partial counties, and a different set (e.g., 2017–2019 or 2018–2020 design values) for the new portion of Weld County.

The D.C. Circuit's direction to act "as expeditiously as practicable" also weighs in favor of using the existing record. Gathering and analyzing new data would necessarily have taken much longer, especially because a large portion of the data the EPA generally relies upon in its designations decision-making process is obtained outside the Agency, including from states.

Treating different portions of the same nonattainment area consistently also applies to the attainment date for the Denver Metro/North Front Range, Colorado and El Paso-Las Cruces nonattainment areas.

The EPA invites public input on our responses to states regarding these areas during the 30-day comment period provided in this notification. To receive full consideration, input from the public must be submitted to the docket by July 14, 2021. This notification and opportunity for public comment does not affect any rights or obligations of any state, or tribe, or of the EPA, which might otherwise exist pursuant to the CAA section 107(d).

Please refer to the **FOR FURTHER INFORMATION CONTACT** section in this document for specific instructions on submitting comments and locating relevant public documents.

In establishing nonattainment area boundaries for a particular area, CAA section 107(d)(1)(A) requires the EPA to include within the boundaries both the area that does not meet the standard and any nearby area contributing to ambient air quality in the area that does not meet the NAAQS. We are particularly interested in receiving comments using data in the existing record that support a position that a specific geographic area should not be categorized as full county nonattainment. The EPA encourages commenters to support their feedback using relevant information addressing the CAA section 107(d)(1)(A) criteria.

- Describe any assumptions and provide any technical information and/or data that you used.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible.
- Provide your input by the comment period deadline identified.

The EPA intends to make final designation determinations for the counties addressed by these responses as expeditiously as practicable, but no earlier than 120 days from the date the EPA notified the states of the Agency's intended designations. This would complete the designation process for the 2015 Ozone NAAQS.

B. What should I consider as I prepare my comments for the EPA?

1. *Submitting CBI.* Do not submit CBI information to the EPA through <https://www.regulations.gov> or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI in a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2. Send or deliver information identified as CBI only to the following address: Tiffany Purifoy, OAQPS CBI Officer, U.S. EPA, Office of Air Quality Planning and Standards, Mail Code C404–02, Research Triangle Park, NC

27711, telephone (919) 541–0878, email at purifoy.tiffany@epa.gov, Attention Docket ID No. EPA–HQ–OAR–2017–0548. There will be a delay in confirming receipt of CBI packages, because the EPA–RTP office is closed to reduce the risk of transmitting COVID–19. Due to the office closure, EPA is also requesting that parties notify the OAQPS Document Control Officer via telephone, (919) 541–0878, or email at purifoy.tiffany@epa.gov when mailing information identified as CBI.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

C. Where can I find additional information for this rulemaking?

The EPA has also established a website for this rulemaking at <https://www.epa.gov/ozone-designations>. The website includes the state, territorial and tribal recommendations, the EPA's intended area designations, information supporting the EPA's preliminary designation decisions, the EPA's designation guidance for the 2015 Ozone NAAQS, as well as the rulemaking actions and other related information that the public may find useful.

D. Clean Air Act Section 307(b)

Section 307(b)(1) of the CAA governs judicial review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) When the Agency action consists of "nationally applicable regulations promulgated, or final action taken, by the Administrator," or (ii) when such action is locally or regionally applicable, "if such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination." For locally or regionally applicable final actions, the CAA reserves to EPA complete discretion whether to invoke the exception in (ii).

If finalized, the action designating the two areas discussed in this notification for the 2015 ozone NAAQS would be "nationally applicable" within the meaning of CAA section 307(b)(1). If EPA takes final action designating these two areas, in the alternative, the Administrator intends to exercise the

¹ *Catawba County v. EPA*, 571 F.3d 20, 51 (D.C. Cir. 2009); see also *Mississippi Comm'n v. EPA*, 790 F.3d 138, 160 (D.C. Cir. 2015).

complete discretion afforded to him under the CAA to make and publish a finding that the final action (to the extent a court finds the action to be locally or regionally applicable) is based on a determination of “nationwide scope or effect” within the meaning of CAA section 307(b)(1).² If EPA finalizes this action, it will designate two areas for the 2015 ozone NAAQS, located in two non-adjacent states, in two different EPA regions, and in two different federal judicial circuits, that were remanded to EPA by the D.C. Circuit Court of Appeals.³ It would apply a uniform, nationwide analytical method and interpretation of CAA section 107(d)(1) to these areas across the country in a single final action, and the final action would be based on this common core of determinations. More specifically, for example, the final action would be based on a determination by the EPA to evaluate areas nationwide under a common five factor analysis in determining whether areas were in violation of or contributing to an area in violation of the 2015 Ozone NAAQS at the time of the April 2018 designations final action.

Panagiotis Tsirigotis,

Director, Office of Air Quality Planning and Standards.

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BILLING CODE 6560–50–P

² In deciding whether to invoke the exception by making and publishing a finding that a final action on these designations is based on a determination of nationwide scope or effect, the Administrator will also take into account a number of policy considerations, including his judgment balancing the benefit of obtaining the D.C. Circuit’s authoritative centralized review versus allowing development of the issue in other contexts and the best use of Agency resources.

³ In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that the “nationwide scope or effect” exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. See H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.C.A.N. 1402–03. Further, the EPA’s intended action is in response to a remand from the D.C. Circuit. As is the case with the EPA’s intended action on these two designations, challenges to the EPA’s original action were heard in the D.C. Circuit because the action was nationally applicable and, in the alternative, the EPA made and published a finding that the action was based on a determination of nationwide scope or effect.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter 1

[WC Docket No. 18–89; DA 21–607; FR ID 31200]

Wireline Competition Bureau Seeks Comment on Secure and Trusted Communications Networks Reimbursement Program Application Filings and Process

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; request for comments.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) seeks comment on the proposed application filing process for the \$1.9 billion Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program). The Bureau also seeks comment on proposed information fields to be collected on forms eligible providers of advanced communications services will be required to submit to request funding allocations and disbursements from the Reimbursement Program.

DATES: Comments due by June 23, 2021.

ADDRESSES: Pursuant to §§ 1.415 and 1.419 of the Commission’s rules, interested parties may submit comments, identified by WC Docket No. 20–89, and must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission by any of the following methods:

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECF’s: <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 at its headquarters. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, DA 20–304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

- *People with Disabilities:* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov.

FOR FURTHER INFORMATION CONTACT:

Christopher Koves, Wireline Competition Bureau, 202–418–7400 or by emailing supplychain@fcc.gov. The Commission ask that requests for accommodations be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418–0530. For additional information on this matter, please email supplychain@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s document (*Public Notice*), in WC Docket No. 18–89; DA 21–607, released May 24, 2021. Due to the COVID–19 pandemic, the Commission’s headquarters will be closed to the general public until further notice. The full text of this document is available at the following internet address: <https://www.fcc.gov/document/wcb-seeks-comment-supply-chain-reimbursement-program-procedures>.

I. Introduction

1. By the Public Notice, the Wireline Competition Bureau (Bureau) provides additional details and seeks comments on the proposed application filing process for the Reimbursement Program. The Bureau also seeks comments on proposed information fields to be collected on forms eligible providers of advanced communications services will be required to submit to request funding allocations and disbursements from the Reimbursement Program.

II. Discussion

2. *FCC Form 5640—Application Request for Funding Allocation and Reimbursement Claim Requests.* The Commission describes the proposed approach to process and review application requests for funding allocations submitted by applicants and reimbursement claim requests submitted by participants. The Commission proposes to issue

Reimbursement Program funding allocations to eligible providers based on the estimated costs identified in their application for the removal, replacement, and disposal of eligible covered communications equipment and services. The Commission also proposes to periodically release public notices announcing grants of funding allocations. As provided by the Commission's rules, once an allocation is granted recipients can then request and receive funding disbursements by filing a Reimbursement Claim Request showing actual expenses incurred. Further, per the Commission's rules, Reimbursement Program recipients must file an initial Reimbursement Claim Request within one year after the grant of a funding allocation. Recipients also have one year from the first disbursement of funds to complete the permanent removal, replacement, and disposal of covered communications equipment or services. While there are additional filings associated with the Reimbursement Program, for example, status updates, spending reports, extension requests, and a final certification of project completion, the Public Notice focuses on the Application Request for Funding Allocation and the Reimbursement Claim Request. After reviewing the comments received in response to the Public Notice, the Commission will release a final public notice announcing the filing requirements and the information to be reported in these filings.

3. *Application Request for Funding Allocation.* The Bureau is developing an online portal through which applicants and recipients would electronically submit all filings related to the Reimbursement Program, including the Application Request for Funding Allocation. The Bureau also proposes to utilize a version of the previously developed Reimbursement Fund Administration System (RFAS) to process requests and coordinate interactions between program participants, the Fund Administrator (Ernst & Young LLP), and the Bureau. Attached to the Public Notice as Appendix A are the information fields the Bureau proposes to collect from providers seeking a funding allocation from the Reimbursement Program through an Application Request for Funding Allocation including identifying information, program eligibility information, allocation information, and program analysis information. The Commission seeks comments on these information fields and ask whether any of this information

should not be required. Are there additional information fields applicants should be required to provide?

4. As required by the Secure Networks Act and the Commission's rules, the Application Request for Funding Allocation requires applicants to submit an initial estimate of costs reasonably incurred for the permanent removal, replacement, and disposal of covered communications equipment or services. While the Commission prefers that applicants submit estimates based on detailed engineering analysis and vendor quotes, applicants may, per the Commission's rules, rely upon the predetermined estimated costs identified in the final Catalog made available by the Bureau. The Bureau plans to subsequently announce the adoption of the final Catalog in a forthcoming public notice. The final Catalog will contain a list of many, but not necessarily all, of the relevant expenses.

5. For purposes of reviewing initial estimated costs, the Commission proposes to base its evaluation on the average between the minimum and maximum costs listed in the cost estimate range for a particular itemized expense listed in the Catalog, rather than allowing applicants to choose any amount within the cost estimate range. The Commission believes allowing applicants to select a cost within the range would inevitably lead to the selection of the maximum amount in the range and could result in a substantial overestimation of costs upon which allocations are based, to the detriment of the Reimbursement Program and other participants. By using the average cost estimate, the Commission can mitigate this concern as well as reduce the administrative burden on applicants. However, if an applicant finds a Catalog cost estimate average does not fully account for its costs or a cost category is not identified in the Catalog, the applicant, in accordance with the Commission's rules, can instead provide its own individualized cost estimate. Applicants providing individualized cost estimates would be required to submit additional supporting documentation (e.g., vendor quotes) and certify the cost estimate is made in good faith, as required by the Commission's rules. The Commission proposed approach to use the average cost estimate from the Catalog balances the Commission's goals of protecting against waste, fraud, and abuse while facilitating the production of estimates of costs reasonably incurred by applicants. The Commission seeks comments on these proposals.

6. The Commission further proposes requiring applicants to identify in their application for each location site: (1) Where covered communications equipment or services are located (e.g., address, longitude and latitude, etc.) and documentation supporting the acquisition/existence of such covered equipment or services; and (2) the itemized cost estimates, taken from the Catalog where applicable, that are associated with the removal, replacement, and disposal of covered equipment or services at each site. The Commission also proposes allowing applicants to report in their applications non-site specific cost estimates, that is, network-wide costs that apply to several site locations such as disposal costs or software upgrades. To facilitate application preparation and ease the filing burden on applicants, the Commission will evaluate the use of batch uploads to allow applicants to provide and generate site-specific information in the application. The Commission seeks comments on these proposals.

7. Applicants are required to provide certifications pursuant to section 4(d)(4) of the Secure Networks Act and § 1.50004(c) of the Commission's rules, 47 CFR 1.50004(c), and a plan and specific timeline for the removal, replacement, and disposal of the covered communications equipment or services. Applicants are also required by the Commission's rules to certify in good faith that: "(A) it will reasonably incur the estimated costs claimed as eligible for reimbursement; (B) it will use all money received from the Reimbursement Program only for expenses eligible for reimbursement; (C) it will comply with all policies and procedures relating to allocations, draw downs, payments, obligations, and expenditures of money from the Reimbursement Program; (D) it will maintain detailed records, including receipts, of all costs eligible for reimbursement actually incurred for a period of 10 years; and (E) it will file all required documentation for its expenses."

8. The Commission proposes to require applicants to obtain or utilize an FCC Registration Number (FRN) issued by the Commission Registration System (CORES) to access the online filing portal to file a Reimbursement Program application. An FRN is an identifying number that is assigned to entities doing business with the Commission. The Commission also proposes to require applicants to register with the System for Award Management (SAM) and provide the SAM Commercial and Government Entity (CAGE) Code in

their applications. SAM is a government-wide application that collects, validates, stores, and disseminates business information about the federal government's contracting partners in support of federal awards, grants, and electronic payment processes. Registration in the SAM provides the Commission with an authoritative source for information necessary to provide funding to applicants and to ensure accurate reporting pursuant to the Digital Accountability and Transparency (DATA) Act. The Commission also proposes to require applicants to provide in their application a Data Universal Numbering System (DUNS) number or where applicable, the DUNS+4 number, which provides banking information to assist the Commission in the electronic payment of funds to program recipients. The Commission seeks comment on these proposals.

9. *Filing Window.* Per § 1.50004(b) of the Commission's rules, 47 CFR 1.50004(b), the Bureau "shall announce the opening of an initial application filing window for eligible providers seeking to participate in the Reimbursement Program." The Bureau is required to "treat all eligible providers filing an application within any filing window as if their applications were simultaneously received" and "[f]unding requests submitted outside of a filing window will not be accepted." Thus, applications submitted after the filing window closes are considered untimely and will not be accepted. Once the filing window opens, the Commission proposes to allow applicants consisting of multiple subsidiaries or affiliates to choose to file at either the holding company-level or by individual subsidiary or affiliate. While the filing window remains open, applicants will be able to initiate, save, submit, and make changes to submitted applications until the filing window closes. The Commission seeks comments on these proposals.

10. *Reviewing Applications Post-Filing Window Closure.* Consistent with the Secure Networks Act the Commission's rules require the Bureau to approve or deny "applications to receive a funding allocation . . . within 90 days after the close of the applicable filing window." The Commission proposes that during this 90-day period, the Fund Administrator will review each application to assess whether the application is complete, the applicant is eligible for the Reimbursement Program, and the reasonableness of the cost estimates provided by the applicant.

The Commission proposes requiring the Fund Administrator to identify potentially duplicate and otherwise erroneously filed applications and to advise the Bureau on its findings. After considering the Fund Administrator's initial findings, the Commission proposes having the Bureau next issue a public notice announcing those applications initially found eligible and accepted for filing, and those deemed materially deficient. Initial findings that an application is eligible and accepted for filing would provide no guarantee that the applicant will ultimately be determined eligible by the Bureau or will receive a funding allocation or disbursement. Pursuant to the Commission's rules, applicants that submitted applications initially deemed materially deficient would then have 15 days to cure their defects before their application is denied. The Commission proposes beginning the 15-day cure period the day after the Bureau releases a public notice announcing applications as acceptable for filing. The Commission seeks comments on these proposals.

11. The Commission also proposes having the Fund Administrator evaluate the gross cost estimate demand contained in all applications found acceptable for filing to assist the Bureau in determining whether estimated demand exceeds available funding. If estimated demand exceeds available funding, the Commission directed the Bureau to prioritize funding and application processing in accordance with the Commission's rules. The Commission anticipates that the Fund Administrator's initial application evaluation will *not* involve an in-depth review of the reported cost estimates in order to more quickly determine the gross demand figure. The Commission comments on this approach.

12. Per the Commission's rules, the 90-day application review period commences after the close of the applicable filing window. The Commission will also have the Fund Administrator advise the Bureau on whether, based on the number of applications filed during the filing window, to extend the 90-day deadline for granting or denying applications, and seek comment on this approach.

13. *Funding Allocation.* The Bureau proposes to periodically release public notices announcing recipients selected for funding allocations and the amount of their funding allocation. The Commission proposes treating this public notice as official Bureau approval of a Reimbursement Program application. The Commission also proposes to notify recipients directly of their funding allocations by email. The

Commission seeks comments on these proposals.

14. As directed by the Commission in the *Second Report and Order*, 86 FR 2904 (Jan. 13, 2021), "the funding amount allocated represents the maximum amount eligible for draw down by an eligible provider unless a subsequent funding allocation is made." Accordingly, once the Bureau makes a funding allocation determination, the Bureau will not adjust the funding allocation amount even if there is a change in the participant's plans or if actual costs exceed estimated costs. To the extent a participant requires additional funding in excess of its allocated amount, the participant would need to file a new application if an additional filing window is announced.

15. *Reimbursement Claim Request.* The Commission outlines its proposed approach to process recipients' requests for reimbursement. Following the approval and issuance of a funding allocation, a recipient may, as provided by the Commission's rules, file a Reimbursement Claim Request for the draw down disbursement of funds from the recipient's funding allocation. Pursuant to the Commission's rules, a recipient must file an initial Reimbursement Claim Request within one year following the approval by the Bureau of a funding allocation. The Bureau proposes to collect the information reflected in Appendix B of the Public Notice from recipients filing a Reimbursement Claim Request including identifying information, program eligibility information, allocation information, and program analysis information. The Commission seeks comments on the information fields included in the proposed Reimbursement Claim Request. Is this sufficient information for applicants to provide? Are there additional information fields the Commission should include?

16. Pursuant to the Commission's rules, the recipient must show in the Reimbursement Claim Request "actual expenses reasonably incurred for the removal, replacement, and disposal of covered communications equipment or service." Consistent with the *Second Report and Order*, 86 FR 2904 (Jan. 13, 2021), the Commission proposes requiring recipients' Reimbursement Claim Requests to include supporting documentation including invoices and other cost documentation to obtain reimbursement funds from their allocation. The Commission proposes allowing recipients to submit multiple Reimbursement Claim Requests as they incur expenses throughout the reimbursement period. The Commission

directed the Bureau to “review reimbursement claims to ensure that disbursements are made only for costs reasonably incurred.” The Commission proposes having the Bureau, with the assistance of the Fund Administrator, review and grant or deny Reimbursement Claim Requests for actual costs reasonably incurred and seeks comments on this approach.

17. The Commission proposes to have the online filing system carry forward the itemized initial cost estimates identified by the applicant in its Application Request for Funding Allocation, and that recipients be required to link actual costs incurred and the supporting invoice documentation to these itemized initial cost estimates. Recipients will be required to submit invoices through the online portal as attachments to a recipient’s Reimbursement Claim Request. With each invoice uploaded, the Commission proposes requiring the recipient to provide specific details related to the invoice (vendor name, date issued, description of contents, etc.) to assist reviewers in linking invoices to specific itemized cost estimates. Also, while not required at the funding allocation stage for those relying on the Catalog, the Commission proposes requiring recipients seeking disbursements to provide vendor and supplier quotes with the Reimbursement Claim Request. The Fund Administrator will review the quote and the associated invoice to evaluate the reasonableness of the reimbursement claim. The Commission anticipates that this will ensure Reimbursement Program funding is spent as intended and avoid reimbursement for duplicative costs. The Commission seeks comments on these proposals.

18. Pursuant to the Commission’s rules, recipients are required to file all Reimbursement Claim Requests no later than 120 days following the expiration of the one-year removal, replacement, and disposal term. Prior to the expiration of the 120-day deadline, recipients are permitted to request and will receive an automatic 120-day extension. Further, as required by the Commission’s rules, after the expiration of the deadline, any allocated but unclaimed funds will revert automatically to the Reimbursement Program for reallocation to other participants pursuant to a future filing window. If a petition for an extension of the removal, replacement, and disposal term is pending when the term expires, then the Commission proposes staying the automatic reversion of the unallocated funds until the Commission

acts on the extension request. The Commission seeks comments on this approach.

19. *Amendments, Modifications, and Administrative Updates.* Because a provider’s circumstances and plans may change over the course of the program, the Commission proposes to allow participants to amend, modify, and/or file administrative updates. The Commission proposes to subject amendment and modification requests to review by the Fund Administrator and action by the Bureau. The Commission proposes to deny, as a general matter, amendment requests to an Application Request for Funding Allocation that would result in an increase to the total cost estimate. Denying amendment requests that would increase the total cost estimate would ensure that fluctuating cost estimates during the funding allocation review process do not negatively impact the Commission’s ability to assess overall demand versus available funding. The Commission seeks comments on these proposals.

20. Following the grant of an Application Request for Funding Allocation, the Commission proposes to allow recipients to submit modification filings to change itemized expenses and locations identified on their filings. While such modifications may in fact change the cost of the project, as directed by the Commission in the *Second Report and Order*, 86 FR 2904 (Jan. 13, 2021), the Commission will not alter the funding allocation issued. The Commission also proposes allowing participants to file administrative updates for routine, non-material changes to filings such as changes to the applicant’s contact information (e.g., address, phone number, and contact name). The Commission proposes enabling the online filing system to automatically grant administrative updates once filed. The Commission seeks comments on these proposals.

21. *Notification of Changes in Ownership.* Because the Reimbursement Program will be administered over multiple years, the Commission proposes adapting the online filing system to account for the possibility that changes in ownership due to mergers and acquisitions may change the identity of a recipient for which an allocation was issued and for which disbursement claims are needed and seek comment on this approach. The Commission does not propose requiring a prior approval process for such ownership changes for purposes of the Reimbursement Program. Instead, the Commission will institute a streamlined process whereby, post-consummation, a

notification would be filed by the recipient of record, that is signed by both parties to the transaction, and that includes an attachment explaining the ownership changes. The Bureau, with the assistance of the Fund Administrator, could then determine how best to reflect these changes in the filing system to avoid problems associated with determining what allocation remains unclaimed and how to handle transactions involving the acquisition of discreet network components. The Commission seeks comments on these proposals.

22. *Public Search Portal and Confidentiality.* Consistent with its rules, the Commission will make publicly available, through an online search portal, general and summary information submitted by Reimbursement Program participants. As contemplated by the *Second Report and Order*, 86 FR 2904 (Jan. 13, 2021), however, the Commission will consider presumptively confidential all detailed accounting information about the covered communications equipment or services removed, replaced, and disposed, and the replacement equipment or services purchased, rented, leased, or otherwise obtained using Reimbursement Program funds, and the Commission plans to withhold such disaggregated information from routine public inspection. The Commission will also treat as presumptively confidential and withhold from public inspection information such as “location of the equipment and services; removal or replacement plans that include sensitive information; the specific type of equipment and service; and any other provider specific information.” The Commission found that “this information would likely qualify as trade secrets under the [Freedom of Information Act].”

23. The Commission likewise proposes to treat as presumptively confidential and withhold from public inspection vendor price quotes submitted with the Application Request for Funding Allocation and invoices submitted with the Reimbursement Claim Requests, including itemized information on expenses actually incurred. The Commission also proposes to treat as presumptively confidential and withhold from public inspection the specific timeline for the permanent removal, replacement, and disposal of covered communications equipment and services. The Commission proposes allowing filers to upload attachments to the online portal and categorize whether the attachment is confidential or public. The

Commission proposes to withhold from routine public inspection, subject to the Commission's rules, attachments designated as "confidential." The Commission seeks comments on these proposals.

24. In addition to the approach proposed above, the Commission seeks comments on the extent to which the Bureau should treat additional information fields on the Application Request for Funding Allocation in Appendix A and the Reimbursement Claim Request in Appendix B as presumptively confidential and not subject to public disclosure. If so, the Commission invites parties to specify which information fields should be deemed presumptively confidential and the legal basis for the presumption.

25. *Treasury Offset.* The U.S. Department of the Treasury (Treasury) has a number of collection tools, including the Treasury Offset Program (TOP), whereby it collects delinquent debts owed to federal agencies and states by individuals and entities, by offsetting those debts against federal monies owed to the debtors. Reimbursement Program participants owing past-due debt to a federal agency or a state may have all or part of their disbursement payments offset by Treasury to satisfy such debt. Prior to referral of its debt to Treasury, an entity is notified of the debt owed, including repayment instructions. If the referred debt of a Reimbursement Program participant remains outstanding at the time of a disbursement payment from the Reimbursement Program to that participant, the participant will be notified by Treasury that some or all of its payment has been offset to satisfy an outstanding federal or state debt. Program participants that owe past due federal or state debts that have been referred to Treasury are encouraged to resolve such debts prior to submitting their Application Request for Funding Allocation. The Bureau lacks discretion to deviate from the requirements of the TOP.

26. *Red Light Rule.* The Commission proposes to waive the Commission's "red light" rule with respect to applications filed in the Reimbursement Program and seek comment on this approach. As part of the collection and disbursement rules associated with the Debt Collection Improvement Act of 1996, the Commission may withhold action on applications and requests made by any entity found to be delinquent in its debt to the Commission until full payment or resolution of such debt. This is commonly referred to as the Commission's "red light" rule. Given

the importance of removing communications equipment and service that poses a national security risk from the Commission Nation's networks as soon as possible, the Commission finds extremely unusual circumstances exist to justify waiving the red light rule to allow Reimbursement Program recipients to receive funding allocations and disbursements notwithstanding an outstanding delinquency with the Commission. Any waiver would not affect the Commissions' right or obligation to collect any debt owed by an applicant by any other means available to the Commission, including by referral to the Treasury for collection.

27. *Do Not Pay.* Before releasing any Reimbursement Program funds to participants, the Commission proposes the Bureau and/or Fund Administrator, in coordination with the Commission's Office of Managing Director (OMD), conduct a thorough review of the federal Do Not Pay system Database to verify an applicant's eligibility for payments and awards. Pursuant to the Payment Integrity Information Act of 2019 (PIIA), the Commission is required to review applicable federal databases to determine eligibility for federal funds to prevent improper payments. The Treasury's Bureau of the Fiscal Service administers the Do Not Pay system database. If an applicant is prohibited from receiving payment of federal funds pursuant to the Do Not Pay system, the Bureau and/or Fund Administrator will withhold funding allocations and disbursements from the Reimbursement Program. The Commission proposes having the Bureau and/or Fund Administrator offer the participant an opportunity to cure any Do Not Pay issues if the recipient can produce evidence that its listing in the Do Not Pay system should be removed. However, the Commission proposes requiring the participant to be responsible for working with the relevant agency to correct its information before a Reimbursement Program payment will be issued by Treasury.

III. Procedural Matters

28. *Paperwork Reduction Act of 1995 Analysis.* This document contains proposed new information collection requirements. The Commission has, pursuant to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, published a notice in the **Federal Register** seeking comment on the new information collection requirements contained in this Public Notice. See 86 FR 22050, Apr. 26, 2021. The Commission, as part of its continuing effort to reduce paperwork burdens,

invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the PRA. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Federal Communications Commission.

Cheryl Callahan,

Assistant Chief, Telecommunications Access Policy Division Wireline Competition Bureau.

[FR Doc. 2021-12385 Filed 6-11-21; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 2, 5, 6, 13, 19 and 52

[FAR Case 2019-007; Docket No. FAR 2019-0007, Sequence No. 1]

RIN 9000-AN90

Federal Acquisition Regulation: Update of Historically Underutilized Business Zone Program

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to implement changes to the Small Business Administration's regulations for the Historically Underutilized Business Zone Program.

DATES: Interested parties should submit written comments to the Regulatory Secretariat Division at the address shown below on or before August 13, 2021 to be considered in the formation of the final rule.

ADDRESSES: Submit comments in response to FAR Case 2019-007 to the Federal eRulemaking portal at <https://www.regulations.gov> by searching for "FAR Case 2019-007". Select the link "Comment Now" that corresponds with "FAR Case 2019-007". Follow the instructions provided at the "Comment Now" screen. Please include your name, company name (if any), and "FAR Case

2019–007” on your attached document. If your comment cannot be submitted using <https://www.regulations.gov>, call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Instructions: Please submit comments only and cite “FAR Case 2019–007” in all correspondence related to this case. Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check <https://www.regulations.gov>, approximately two to three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: Ms. Malissa Jones, Procurement Analyst, at 703–605–2815, or by email at malissa.jones@gsa.gov, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755 or GSARegSec@gsa.gov. Please cite FAR Case 2019–007.

SUPPLEMENTARY INFORMATION:

I. Background

DoD, GSA, and NASA are proposing to amend the FAR to implement revisions the Small Business Administration (SBA) has made in its regulations for the Historically Underutilized Business Zone (HUBZone) Program. Following a review of its HUBZone program regulations, SBA issued a rule on November 26, 2019, at 84 FR 65222, to update its regulations to reflect current policies, to eliminate ambiguities in its regulations, and to reduce burdens on small businesses and procuring agencies. This proposed FAR rule updates terminology and processes to correspond with SBA’s changes, such as updating the definition of a HUBZone small business concern and the procedures for filing and processing HUBZone protests.

II. Discussion and Analysis

The proposed changes to the FAR are summarized in the following paragraphs.

A. Definitions and Terminology

The definition of “HUBZone small business concern” at FAR 2.101, Definitions, and FAR 52.219–8, Utilization of Small Business Concerns, is revised to refer to the requirements described in 13 CFR 126.200 and SBA’s designation of a HUBZone small business concern in the Dynamic Small Business Search (DSBS). The term “qualified” HUBZone is removed throughout as the definition of

HUBZone specifies it is a firm the SBA has certified as a HUBZone small business concern.

The representations for HUBZone small business concerns in FAR 52.212–3, Offeror Representations and Certifications—Commercial Items, and in FAR 52.219–1, Small Business Program Representations, are revised to replace references to SBA’s List of Qualified HUBZone Small Business Concerns with references to DSBS. Throughout the FAR, instructions to contact SBA to ascertain a concern’s status as a HUBZone small business concern are revised to direct the reader to DSBS.

B. Process for Filing a Protest

HUBZone status protests procedures at FAR 19.306 are revised to specify who may protest the prospective contractor’s HUBZone status for HUBZone sole-source awards, that the Director of SBA’s HUBZone Program will determine whether a protested concern has certified HUBZone status and, if SBA upholds the protest, that SBA will remove the concern’s HUBZone status in DSBS. Updated references and procedures for filing protests against a HUBZone joint venture, based on SBA’s regulations, are added.

C. Removal of Obsolete Text

This rule proposes to delete obsolete text in FAR subpart 19.13, Historically Underutilized Business Zone (HUBZone) Program. In FAR 19.1302, Applicability, text is deleted regarding the application of the procedures in FAR subpart 19.13 to all Federal agencies that employ one or more contracting officers. This text is no longer necessary because agencies using the FAR employ one or more contracting officers. Paragraph (e) is deleted in FAR 19.1304, Exclusions. This paragraph contains an outdated exclusion for requirements that do not exceed the micro-purchase threshold. SBA removed this requirement from their regulations at 13 CFR 126.608; therefore, this rule proposes to remove it from the FAR.

D. Removal of Notification Requirement

This rule proposes to delete language at FAR 19.1303(d), FAR 52.212–3(c)(10)(i), paragraph (g) in the clause at FAR 52.219–3, Notice of HUBZone Set-Aside or Sole-Source Award, and paragraph (f) in the clause at FAR 52.219–4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns. The current language requires a HUBZone offeror to be a HUBZone small business concern at the time of

contract award and to notify the contracting officer if material changes occur before contract award that could affect its HUBZone eligibility. SBA’s rule removes this requirement; therefore, this FAR rule proposes to remove it from the FAR.

E. Removal of Restriction To Applying HUBZone Authorities to Contracts and Subcontracts at or Below the Simplified Acquisition Threshold

This rule proposes to delete paragraph (a)(9) of FAR 13.005, List of laws inapplicable to contracts and subcontracts at or below the simplified acquisition threshold (SAT). This would remove the restriction against applying the HUBZone Act of 1997, 15 U.S.C. 657a, to contracts and subcontracts at or below the SAT. In FAR 19.1305, HUBZone set-aside procedures, the exception for acquisitions not exceeding the simplified acquisition threshold is proposed for deletion. This would result in the procedures at FAR 19.202–1 and FAR 19.402 being applied to HUBZone set-asides that do not exceed the simplified acquisition threshold. Additionally, FAR 19.1306, HUBZone sole-source awards, was revised to remove paragraph (a)(4), which restricted HUBZone sole-source awards to those valued above the SAT. This means that contracting officers would be able to make HUBZone sole-source awards with dollar values at or below the SAT.

III. Applicability to Contracts at or Below the Simplified Acquisition Threshold (SAT) and for Commercial Items, Including Commercially Available Off-The-Shelf (COTS) Items

This rule amends the provision and clauses at FAR 52.212–3, 52.219–1, 52.219–4, and 52.219–8. However, this rule does not impose any new requirements on contracts at or below the SAT or for commercial items, including COTS items. These provisions and clauses continue to apply to acquisitions at or below the SAT and to acquisitions for commercial items, including COTS items.

This rule proposes to apply HUBZone sole-source authority of 15 U.S.C. 657a to acquisitions at or below the SAT. Therefore, the clause at FAR 52.219–3 will apply to acquisitions at or below the SAT.

A. Applicability to Contracts at or Below the Simplified Acquisition Threshold

41 U.S.C. 1905 governs the applicability of laws to acquisitions at or below the SAT. Section 1905 generally limits the applicability of new laws when agencies are making

acquisitions at or below the SAT, but provides that such acquisitions will not be exempt from a provision of law under certain circumstances, including when the FAR Council makes a written determination and finding that it would not be in the best interest of the Federal Government to exempt contracts and subcontracts in amounts not greater than the SAT from the provision of law. The FAR Council intends to make a determination to apply this statute to acquisitions at or below the SAT.

B. Applicability to Contracts for the Acquisition of Commercial Items, Including Commercially Available Off-The-Shelf (COTS) Items

41 U.S.C. 1906 governs the applicability of laws to contracts for the acquisition of commercial items, and is intended to limit the applicability of laws to contracts for the acquisition of commercial items. Section 1906 provides that if the FAR Council makes a written determination that it is not in the best interest of the Federal Government to exempt commercial item contracts, the provision of law will apply to contracts for the acquisition of commercial items.

41 U.S.C. 1907 states that acquisitions of COTS items will be exempt from certain provisions of law unless the Administrator for Federal Procurement Policy makes a written determination and finds that it would not be in the best interest of the Federal Government to exempt contracts for the procurement of COTS items.

The FAR Council intends to make a determination to apply this statute to acquisitions for commercial items. The Administrator for Federal Procurement Policy intends to make a determination to apply this statute to acquisitions for COTS items.

C. Determinations

The HUBZone Act of 1997, 15 U.S.C. 657a, tasks SBA with administering a program to assist participating small businesses located in areas with low income levels, high poverty and high unemployment rates, Indian reservations, closed military bases, or disaster areas with contracting opportunities in the form of set-asides, sole-source awards, and price-evaluation preferences. Its primary objectives are job creation and increased capital investment in distressed communities. The purpose of this rule is to implement revisions SBA has finalized in their HUBZone program.

These statutory requirements are reflected in SBA's final rule published in the **Federal Register** at 84 FR 65222 on November 26, 2019, which did not

exempt acquisitions at or below the SAT that are set aside for, or awarded on a sole-source basis to HUBZone small businesses.

The law is silent on the applicability of these requirements to acquisitions at or below the SAT and does not independently provide for criminal or civil penalties; nor does it include terms making express reference to 41 U.S.C. 1905 and its application to acquisitions at or below the SAT. Therefore, it does not apply to acquisitions at or below the SAT unless the FAR Council makes a written determination as provided at 41 U.S.C. 1905.

Application of the law to acquisitions at or below the SAT will maximize the positive impact set-aside and sole-source contracts provide for HUBZone small businesses by ensuring these benefits extend to the many contracts valued at or below the SAT. According to the Federal Procurement Data System, an average of 283,374 contracts per year resulted from FAR part 19 set-asides and sole-source awards at or below the SAT during fiscal years 2016–2018. Failure to apply the HUBZone Act to the maximum extent possible would exclude a significant number of acquisitions, which would not advance the interests of small businesses and increase their opportunities in the Federal marketplace. The Federal Government has a policy of promoting HUBZone participation in Government contracting. The Small Business Act (Section 15(g)(1), 15 U.S.C. 644(g)(1)) includes a 3% annual HUBZone contracting goal for all prime contracts and subcontract awards each fiscal year. Historically, the Federal Government has not achieved the HUBZone goal. Applying the requirement below the SAT will aid Federal agencies in achieving the goal.

For these reasons, it is in the best interest of the Federal Government to apply the requirements of the rule to acquisitions at or below the SAT.

In addition, SBA's final rule did not exempt the acquisition of commercial items that are set aside for, or awarded on a sole-source basis to HUBZone small businesses. The law is silent on the applicability of these requirements to acquisitions of commercial items and does not independently provide for criminal or civil penalties; nor does it include terms making express reference to 41 U.S.C. 1906 and its application to acquisitions of commercial items. Therefore, it does not apply to acquisitions of commercial items unless the FAR Council makes a written determination as provided at 41 U.S.C. 1906.

Application of the law to acquisitions of commercial items will maximize the positive impact set-aside and sole-source contracts provide for HUBZone small businesses by ensuring these benefits extend to the many contracts for commercial items. According to the Federal Procurement Data System, an average of 1,548,105 contracts per year resulted from FAR part 19 set-asides and sole-source awards for commercial items during fiscal years 2016–2018. Failure to apply the HUBZone Act to the maximum extent possible would exclude a significant number of acquisitions, which would not advance the interests of small businesses and increase their opportunities in the Federal marketplace. The Federal Government has a policy of promoting HUBZone participation in Government contracting. The Small Business Act (Section 15(g)(1), 15 U.S.C. 644(g)(1)) includes a 3% annual HUBZone contracting goal for all prime contracts and subcontract awards each fiscal year. Historically the Federal Government has not achieved the HUBZone goal. Applying the requirement to commercial items will aid Federal agencies in achieving the goal.

For these reasons, it is in the best interest of the Federal Government to apply the requirements of the rule to the acquisition of commercial items.

IV. Expected Impact of the Rule

This proposed rule will impact the operations of the Government as described in this section. The proposed rule specifies SBA certifies firms as HUBZone small business concerns in DSBS. The HUBZone small business certification data contained in SBA's DSBS is also available in the System for Award Management (SAM). Contracting officers may use this information to identify certified HUBZone small business concerns. The proposed rule removes the requirement for a HUBZone offeror to be a HUBZone small business concern at the time of contract award and to notify the contracting officer if material changes occur before contract award that could affect its HUBZone eligibility. Additionally, minor changes are made to the processing of HUBZone status protests.

This proposed rule is not expected to result in any costs to contractors or offerors.

V. Executive Orders 12866 and 13563

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

(including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993.

VI. Congressional Review Act

As required by the Congressional Review Act (5 U.S.C. 801–808) before an interim or final rule takes effect, DoD, GSA and NASA will send the rule and the “Submission of Federal Rules Under the Congressional Review Act” form to each House of the Congress and to the Comptroller General of the United States. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not anticipated to be a major rule under 5 U.S.C. 804.

VII. Regulatory Flexibility Act

The change may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. The Initial Regulatory Flexibility Analysis (IRFA) has been performed and is summarized as follows:

DoD, GSA, and NASA are proposing to amend the FAR to implement revisions SBA has made in its regulations for the HUBZone Program. Following a review of its HUBZone program regulations, SBA issued a final rule on November 26, 2019, at 84 FR 65222, to update its regulations to reflect current policies, to eliminate ambiguities in its regulations, and to reduce burdens on small businesses and procuring agencies. This proposed FAR rule updates terminology and processes to correspond with SBA’s changes, such as updating the definition of HUBZone small business concern and the procedures for filing and processing HUBZone protests. This rule also proposes to remove the restriction against applying the HUBZone Act of 1997, 15 U.S.C. 657a, to contracts and subcontracts at or below the SAT.

The objective of this rule is to implement SBA’s revisions to the HUBZone program regulations.

This rule may have a positive economic impact on small entities that qualify for the HUBZone program and that are interested in participating in Federal procurement. By reducing burden on firms interested in becoming HUBZone small business concerns, more firms may participate in and benefit from the program. SBA’s Dynamic Small Business Search database includes 6,897 small businesses with active HUBZone certifications. For fiscal years 2016, 2017, and 2018, the Federal Government made approximately 6,600 awards to

approximately 662 unique entities certified by SBA as HUBZone small business concerns. About 5,627 of these were awarded to 601 unique entities through a HUBZone set-aside; 203 were awarded to 97 unique entities on a sole-source basis under the HUBZone program; and 632 were awarded to 25 unique entities using the HUBZone price evaluation preference. Approximately 46,187 were awarded to about 2,084 unique HUBZone small businesses in open competition with other firms. According to the Federal Procurement Data System, an average of 283,374 contracts per year resulted from FAR part 19 set-asides and sole-source awards at or below the SAT during fiscal years 2016–2018. Application of the HUBZone Act to acquisitions at or below the SAT is expected to increase the benefits from HUBZone set-aside and sole-source contracts and increase HUBZone small businesses’ opportunities in the Federal marketplace.

This proposed rule does not include any new reporting, recordkeeping, or other compliance requirements for small entities.

The proposed rule does not duplicate, overlap, or conflict with any other Federal rules.

There are no known significant alternative approaches that would accomplish the stated objectives.

The Regulatory Secretariat Division has submitted a copy of the IRFA to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the Regulatory Secretariat Division. DoD, GSA, and NASA invite comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD, GSA, and NASA will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit comments separately and should cite 5 U.S.C. 610 (FAR Case 2019–007) in correspondence.

VIII. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. chapter 3501–3521) applies to the information collection described in this rule; however, these changes to the FAR do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Numbers 9000–0136, Commercial Item Acquisitions, and 9000–0007, Subcontracting Plans.

List of Subjects in 48 CFR Parts 2, 5, 6, 13, 19, and 52

Government procurement.

William F. Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

Therefore, DoD, GSA, and NASA propose amending 48 CFR parts 2, 5, 6, 13, 19, and 52 as set forth below:

■ 1. The authority citation for 48 CFR parts 2, 5, 6, 13, 19, and 52 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

PART 2—DEFINITIONS OF WORDS AND TERMS

■ 2. Amend section 2.101 in paragraph (b)(2) by—

■ a. In the definition “HUBZone” removing “or redesignated areas,” and adding “redesignated areas, governor-designated covered areas, or qualified disaster areas,” in its place;

■ b. In the definition “HUBZone contract” removing from paragraph (1) “sole source” and adding “sole-source” in its place; and

■ c. Revising the definition “HUBZone small business concern” to read as follows:

§ 2.101 Definitions.

* * * * *

(b) * * *

(2) * * *

HUBZone small business concern means a small business concern that meets the requirements described in 13 CFR 126.200, certified by the Small Business Administration (SBA) and designated by SBA as a HUBZone small business concern in the Dynamic Small Business Search (DSBS) (13 CFR 126.103).

* * * * *

PART 5—PUBLICIZING CONTRACT ACTIONS

§ 5.206 [Amended]

■ 3. Amend section 5.206 in paragraph (a) introductory text, by removing the word “qualified”.

PART 6—COMPETITION REQUIREMENTS

■ 4. Amend section 6.205 by revising paragraph (a); and removing from paragraph (b) the word “qualified”.

The revision reads as follows:

§ 6.205 Set-asides for HUBZone small business concerns.

(a) To fulfill the statutory requirements relating to the HUBZone

Act of 1997 (15 U.S.C. 631 note), contracting officers may set aside solicitations to allow only HUBZone small business concerns to compete (see 19.1305).

* * * * *

PART 13—SIMPLIFIED ACQUISITION PROCEDURES

§ 13.003 [Amended]

■ 5. Amend section 13.003 in paragraph (b)(2)(ii) by removing “and 19.1306(a)(4)”.

§ 13.005 [Amended]

■ 6. Amend section 13.005 by removing paragraph (a)(5), and redesignating paragraphs (a)(6) through (8) as paragraphs (a)(5) through (7), respectively.

PART 19—SMALL BUSINESS PROGRAMS

19.301–1 [Amended]

■ 7. Amend section 19.301–1 in paragraph (d) by removing “concern both at the time of initial offer and at the time of contract award” and adding “concern at the time of initial offer” in its place.

■ 8. Amend section 19.306 by—

- a. Revising paragraph (b);
- b. In paragraph (c) removing “HUBZone qualifying” and adding “HUBZone eligibility” in its place;
- c. Revising paragraph (d);
- d. In paragraph (e)—
- i. Revising the heading;
- ii. Removing from the introductory text of paragraph (e)(1) “protest” and adding “written protest” in its place;
- e. Revising paragraphs (f) and (h)(1)(ii);
- f. Removing paragraph (h)(3);
- g. In paragraph (i)—
- i. Removing from the introductory text “The HUBZone Program Director” and “(AA/GCBD)” and adding “SBA” and “(AA/GC&BD)” in their places, respectively;
- ii. Revising the second sentence of paragraph (1);
- iii. Removing from paragraph (2) “AA/GCBD” and adding “AA/GC&BD” in its place;
- iv. Revising paragraph (3);
- v. Removing from paragraph (4) “(h)(3)”, and removing wherever it appears “(AA/GCBD)” and adding “(AA/GC&BD)” in its place; and
- vi. Revising paragraph (5).
- h. In paragraph (1)—
- i. Adding to the end of paragraph (i) “and”;
- ii. Removing paragraph (ii), and redesignating paragraph (iii) as paragraph (ii); and

- iii. Removing from paragraph (2) “Director/HUB’s decision” and adding “HUBZone Program Director’s determination” in its place; and
- i. Removing from paragraph (m) wherever it appears “AA/GCBD” and adding “AA/GC&BD” in its place.

The revisions read as follows:

19.306 Protesting a firm’s status as a HUBZone small business concern.

* * * * *

(b)(1) For sole-source procurements, SBA or the contracting officer may protest the prospective contractor’s certified HUBZone status; for all other procurements, SBA, the contracting officer, or any other interested party may protest the apparent successful offeror’s certified HUBZone status. (See 13 CFR 126.800.)

(2) The Director of SBA’s Office of the HUBZone Program will determine whether the concern has certified HUBZone status. If SBA upholds the protest, SBA will remove the concern’s HUBZone status in the Dynamic Small Business Search (DSBS). SBA’s protest regulations are found in subpart H “Protests” at 13 CFR 126.800 through 126.805.

* * * * *

(d)(1) All protests must be in writing and must state all specific grounds for the protest, *i.e.*, why the protested concern did not meet the eligibility requirements at 13 CFR 126.200 at the time of the concern’s application to SBA for certification as a HUBZone small business concern or at the time SBA certified or last recertified the concern as a HUBZone small business concern. Assertions that a protested concern is not a HUBZone small business concern, without setting forth specific facts or allegations, will not be considered by SBA (see 13 CFR 126.801(b)).

(2) Protests filed against a HUBZone joint venture must state one or, if applicable, both of the following:

- (i) Why the HUBZone small business party to the joint venture did not meet the eligibility requirements at 13 CFR 126.200 at the time of its application to SBA for certification or at the time SBA certified or last recertified the concern as a HUBZone small business concern.
- (ii) Why the joint venture did not meet the requirements at 13 CFR 126.616 at the time of submission of its offer for a HUBZone contract.

(e) *Submission of a protest.* * * *

(f) The contracting officer shall forward all protests with a referral letter to the Director of SBA’s Office of the HUBZone Program, by email to hzprotests@sba.gov. The referral letter shall include the following:

- (1) The solicitation number.

(2) The contracting officer’s name and contact information.

(3) The type of HUBZone contract (*i.e.*, sole source, set-aside, full and open competition with a HUBZone price evaluation preference, or reserve for HUBZone small business concerns under a multiple-award contract).

(4) For a procurement conducted using full and open competition with a HUBZone price evaluation preference, whether the protester’s opportunity for award was affected by the preference.

(5) For a HUBZone set-aside, whether the protester submitted an offer.

(6) Whether the protested concern was the apparent successful offeror.

(7) Whether the procurement was conducted using sealed bid or negotiated procedures.

(8) The bid opening date, if applicable.

(9) The date the protester was notified of the apparent successful offeror.

(10) The date the contracting officer received the protest.

(11) The date the protested concern submitted its initial offer or quote to the contracting officer.

(12) Whether a contract has been awarded, and if so, the date of award and contract number.

* * * * *

(h) * * *

(1) * * *

(ii) Award the contract if—

(A) SBA does not issue its decision within 15 business days after receipt of the protest; and

(B) The contracting officer determines in writing that there is an immediate need to award the contract and that waiting for SBA’s determination will be disadvantageous to the Government.

* * * * *

(i) * * *

(1) * * *. If the AA/GC&BD subsequently overturns the initial determination or dismissal, the contracting officer may apply the AA/GC&BD decision to the procurement in question.

* * * * *

(3) If the contracting officer has made a written determination in accordance with (h)(1)(ii) of this section, awarded the contract, and the Director of SBA’s Office of the HUBZone Program’s ruling sustaining the protest is received after award—

(i) The contracting officer shall either—

- (A) Terminate the contract; or
- (B)(1) Make a written determination that termination is not in the best interests of the Government; and

(2) Not exercise any options or award further task or delivery orders under the contract;

(ii) SBA will remove the concern's designation as a certified HUBZone small business concern in the Dynamic Small Business Search (DSBS). The concern is not permitted to submit an offer as a HUBZone small business concern, until SBA issues a decision that the ineligibility is resolved; and

(iii) After SBA updates the concern's designation as a HUBZone small business in DSBS, the contracting officer shall update the Federal Procurement Data System (FPDS) to reflect the final decision of the HUBZone Program Director if no appeal is filed.

(5) If the AA/GC&BD affirms the decision of the HUBZone Program Director, finding the protested concern is ineligible, and contract award has occurred—

(i) The contracting officer shall either—

- (A) Terminate the contract; or
(B)(1) Make a written determination that termination is not in the best interests of the Government; and
(2) Not exercise any options or award further task or delivery orders under the contract;

(ii) SBA will remove the concern's designation as a certified HUBZone small business concern in DSBS. The concern is not permitted to submit an offer as a HUBZone small business concern until SBA issues a decision that the ineligibility is resolved or the AA/GC&BD finds the concern is eligible on appeal; and

(iii) After SBA updates the concern's designation as a HUBZone small business in DSBS, the contracting officer shall update FPDS to reflect the AA/GC&BD decision.

9. Amend section 19.703 by revising paragraph (d)(1) to read as follows:

19.703 Eligibility requirements for participating in the program.

(d)(1) Contractors are required to confirm that a subcontractor representing itself as a HUBZone small business concern is certified by SBA as a HUBZone small business concern by accessing SAM or the Dynamic Small Business Search (DSBS) at https://web.sba.gov/pro-net/search/dsp_dsbs.cfm.

19.1302 [Removed and Reserved]

- 10. Remove and reserve section 19.1302.
11. Amend section 19.1303 by revising paragraphs (b) and (d) to read as follows:

19.1303 Status as a HUBZone small business concern.

(b) If SBA determines that a concern is a HUBZone small business, it will designate the concern as a HUBZone small business in the Dynamic Small Business Search (DSBS) at https://web.sba.gov/pro-net/search/dsp_dsbs.cfm. SBA's designation also appears in SAM. Only firms designated in DSBS as HUBZone small business concerns are eligible for HUBZone preferences. HUBZone preferences are not contingent on the place of performance.

(d) To be eligible for a HUBZone contract under this section, a HUBZone small business concern must be a HUBZone small business concern at the time of its initial offer.

19.1304 [Amended]

12. Amend section 19.1304 by removing paragraph (e) and redesignating paragraph (f) as paragraph (e).

19.1305 [Amended]

- 13. Amend section 19.1305 by—
a. Removing from paragraph (a)(3) "sole source" and adding "sole-source" in its place;
b. Removing from paragraph (c) "qualified";
c. In paragraph (d)—
i. Removing from the introductory text "except for acquisitions not exceeding the simplified acquisition threshold,;" and
ii. Removing from paragraph (2) "acquisition" and adding "acquisition until the head of the contracting activity issues a written decision on the appeal," in its place.
14. Amend section 19.1306 by—
a. Revising the section heading;
b. In paragraph (a)—
i. Removing from the introductory text "sole source" and adding "sole-source" in its place;
ii. Removing paragraph (4);
iii. Redesignating paragraphs (5) and (6) as paragraphs (4) and (5); and
c. Removing from paragraph (b) "sole source award" and adding "sole-source award (see 13 CFR 126.610)" in its place.

The revision reads as follows:

19.1306 HUBZone sole-source awards.

19.1309 [Amended]

15. Amend section 19.1309 by removing from paragraph (a)(1) "Sole Source Award" and "sole source basis" and adding "Sole-Source Award" and

"sole-source basis" in their places, respectively.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

16. Amend section 52.212-3 by revising the date of the provision and paragraph (c)(10)(i) to read as follows:

52.212-3 Offeror Representations and Certifications—Commercial Items.

Offeror Representations and Certifications—Commercial Items (DATE)

(c) (10) It is, is not a HUBZone small business concern listed, on the date of this representation, as having been certified by SBA as a HUBZone small business concern in the Dynamic Small Business Search, and will attempt to maintain (see 13 CFR 126.200(e)) an employment rate of HUBZone residents of 35 percent of its employees during performance of a HUBZone contract; and

- 17. Amend section 52.212-5 by—
a. Revising the date of the clause;
b. Removing from paragraph (b)(11)(i) "Sole Source" and "(MAR 2020)" and adding "Sole-Source" and "(DATE)" in their places, respectively;
c. Removing from paragraph (b)(12)(i) "(MAR 2020)" and adding "(DATE)" in its place;
d. Removing from paragraph (b)(16) "(OCT 2018)" and adding "(DATE)" in its place;
e. Removing from paragraph (b)(17)(i) "(JUN 2020)" and adding "(DATE)" in its place;
f. In paragraph (e)(1)—
i. Removing from the introductory text "of this paragraph"; and
ii. Removing from paragraph (v) "(OCT 2018)" and adding "(DATE)" in its place;
g. In Alternate II—
i. Revising the date; and
ii. In paragraph (e)(1)(ii)(E) removing "(OCT 2018)" and adding "(DATE)" in its place.

The revisions read as follows:

52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items.

Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (DATE)

Alternate II (DATE). * * *

* * * * *

■ 18. Amend section 52.213-4 by revising the date of the clause and removing from paragraph (a)(2)(viii) “(NOV 2020)” and adding “(DATE)” in its place.

The revision reads as follows:

52.213-4 Terms and Conditions-Simplified Acquisitions (Other Than Commercial Items).

* * * * *

Terms and Conditions-Simplified Acquisitions (Other Than Commercial Items) (DATE)

* * * * *

■ 19. Amend section 52.219-1 by revising the date of the provision and paragraph (c)(8)(i) to read as follows:

52.219-1 Small Business Program Representations.

* * * * *

Small Business Program Representations (DATE)

* * * * *

(c) * * *

(8) * * *

(i) It is, is not a HUBZone small business concern listed, on the date of this representation, as having been certified by SBA as a HUBZone small business concern in the Dynamic Small Business Search, and will attempt to maintain (see 13 CFR 126.200(e)) an employment rate of HUBZone residents of 35 percent of its employees during performance of a HUBZone contract; and

* * * * *

■ 20. Amend section 52.219-3 by revising the heading, clause heading and date; and removing paragraph (g).

The revisions read as follows:

52.219-3 Notice of HUBZone Set-Aside or Sole-Source Award.

* * * * *

Notice of HUBZone Set-Aside or Sole-Source Award (DATE)

* * * * *

■ 21. Amend section 52.219-4 by revising the clause heading and date, and removing paragraph (f).

The revision reads as follows:

52.219-4 Notice of Price Evaluation Preference for HUBZone Small Business Concerns.

* * * * *

Notice of Price Evaluation Preference for HUBZone Small Business Concerns (DATE)

* * * * *

■ 22. Amend section 52.219-8 by—

- a. Revising the date of the clause;
■ b. In paragraph (a), revising the definition “HUBZone small business concern”; and
■ c. Revising paragraph (d)(5).

The revisions read as follows:

52.219-8 Utilization of Small Business Concerns.

* * * * *

Utilization of Small Business Concerns (DATE)

(a) * * *

HUBZone small business concern means a small business concern that meets the requirements described in 13 CFR 126.200, certified by the Small Business Administration (SBA) and designated by SBA as a HUBZone small business concern in the Dynamic Small Business Search (DSBS).

* * * * *

(d) * * *

(5) The Contractor shall confirm that a subcontractor representing itself as a HUBZone small business concern is certified by SBA as a HUBZone small business concern by accessing DSBS at https://web.sba.gov/pro-net/search/dsp_dsbs.cfm or SAM.

* * * * *

■ 23. Amend section 52.219-9 by revising the date of clause and paragraph (e)(4) to read as follows:

52.219-9 Small Business Subcontracting Plan.

* * * * *

Small Business Subcontracting Plan (DATE)

* * * * *

(e) * * *

(4) Confirm that a subcontractor representing itself as a HUBZone small business concern is certified by SBA as a HUBZone small business concern by accessing the Dynamic Small Business Search (DSBS) at https://web.sba.gov/pro-net/search/dsp_dsbs.cfm or SAM.

* * * * *

■ 24. Amend section 52.244-6 by—

- a. Revising the date of the clause; and
■ b. Removing from paragraph (c)(1)(vii) “(Oct 2018)” and adding “(DATE)” in its place.

The revision reads as follows:

52.244-6 Subcontracts for Commercial Items.

* * * * *

Subcontracts for Commercial Items (DATE)

* * * * *

[FR Doc. 2021-12003 Filed 6-11-21; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[RTID 0648-XA980]

Fisheries of the Exclusive Economic Zone Off Alaska; Standardized Bycatch Reporting Methodology Amendments to the Fishery Management Plans for the Bering Sea/Aleutian Islands King and Tanner Crabs, Scallops, and Salmon

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

ACTION: Announcement of availability of fishery management plan amendments; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) submitted Amendment 51 to the Fishery Management Plan (FMP) for Bering Sea/Aleutian Islands (BSAI) King and Tanner Crabs (Crab FMP), Amendment 17 to the FMP for the Scallop Fishery Off Alaska (Scallop FMP), and Amendment 15 to the FMP for the Salmon Fisheries in the Exclusive Economic Zone (EEZ) Off Alaska (Salmon FMP) (collectively Amendments). If approved, these Amendments would add to or modify language in the Crab, Scallop, and Salmon FMPs to more transparently reflect and align the FMPs with the way bycatch is currently reported in the fisheries managed by the Council. These Amendments are intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); the Crab, Scallop, and Salmon FMPs; and other applicable laws.

DATES: Comments on the Amendments must be received no later than August 13, 2021.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2021-0036, by any of the following methods:

- Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to https://www.regulations.gov and enter NOAA-NMFS-2021-0036 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.
• Mail: Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries

Division, Alaska Region NMFS, Attn: Records Office. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

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), 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).

Electronic copies of proposed Amendments, the draft Categorical Exclusion, and the draft Analysis (referred to as the "Analysis") prepared for this action may be obtained from www.regulations.gov or from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/region/alaska>.

FOR FURTHER INFORMATION CONTACT: Megan Mackey, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires that each regional fishery management council submit any FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval by the Secretary of Commerce (Secretary). The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP amendment, immediately publish a notice in the **Federal Register** announcing that the amendment is available for public review and comment. The Council has submitted the Amendments to the Secretary for review. This notice announces that the proposed Amendments are available for public review and comment.

NMFS manages the crab, scallop, and salmon fisheries in Alaska's exclusive economic zone under the Crab, Scallop, and Salmon FMPs. The Council prepared these FMPs under the authority of the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the FMPs appear at 50 CFR parts 600, 679, and 680.

Section 303(a)(11) of the Magnuson-Stevens Act requires that any FMP establish a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority—(A) minimize bycatch, and (B) minimize the mortality

of bycatch that cannot be avoided (16 U.S.C. 1853(a)(11)).

On January 19, 2017, NMFS published a final rule (82 FR 6317) establishing national guidance for compliance with this requirement. As required by 50 CFR 600.1610(b), regional fishery management councils, in coordination with NMFS, must review their FMPs and make any necessary changes so all FMPs are consistent with the guidance by February 21, 2022.

The national guidance, codified at 50 CFR 600.1605(a), defines a SBRM as "an established, consistent procedure or procedures used to collect, record, and report bycatch data in a fishery." This information, in conjunction with other relevant sources, is used to assess the amount and type of bycatch occurring in the fishery and inform the development of conservation and management measures to minimize bycatch. The regulations require that an FMP identify the required procedure that constitutes the SBRM for the fishery and explain how the procedure meets the purpose to collect, record, and report bycatch data.

The SBRM final rule requires the Council to explain how the SBRMs meet the stated purpose in the rule based on an analysis of four considerations: (1) Characteristics of bycatch in the fishery, (2) the feasibility of the reporting methodology, (3) the uncertainty of data resulting from the methodology, and (4) how the data will be used to assess the amount and type of bycatch occurring in the fishery (50 CFR 600.1610(a)). The Council must address these considerations when reviewing or establishing an SBRM.

In February 2020, the Council received a report on current FMPs managed by the Council and their consistency with the SBRM final rule. At that meeting, the Council determined that the FMPs for Groundfish of the Bering Sea and Aleutian Islands Management Area, Groundfish of the Gulf of Alaska, and Fish Resources of the Arctic Management Area were in compliance with the SBRM final rule. The Council also determined that the Crab, Scallop, and Salmon FMPs needed to be updated to explicitly identify the SBRMs to be consistent with the SBRM final rule and should therefore be amended.

The Council took final action at its February 2021 meeting. In taking final action, the Council noted that changes to the Crab, Scallop, and Salmon FMPs were necessary to ensure those FMPs are consistent with the Magnuson-Stevens Act and the SBRM final rule. During deliberation, the Council recognized that the Crab, Scallop, and

Salmon FMPs currently contain management measures such as the State's Scallop and Crab Observer Programs, industry reports, and fish tickets that provide SBRMs consistent with the national guidance. However, these are not explicitly identified as the SBRM in each FMP.

The Council recommended the three FMPs be amended to explicitly state the SBRMs and explain how they meet the purpose of collecting, recording, and reporting bycatch data. The Council also noted that the descriptions of the management measures that contribute to the SBRM (such as the Crab Observer Program) may be a bit outdated. These management measures may be updated as the FMPs are amended by this action, and any such updates will be consistent with the SBRM regulations and be done in coordination with the State. Updates to the language of management measures for SBRM consistency would not add any new reporting requirements.

This proposed action would not add any new reporting requirements and would not change any regulatory requirements. This action would only add to or modify language in the Crab, Scallop, and Salmon FMPs to more transparently reflect and align with how bycatch is currently reported in the fisheries managed by the Council by explicitly stating the SBRM in each fishery.

Crab FMP

The combination of the Crab Observer Program and industry reports provides a standard reporting methodology that is consistent with the SBRM final rule. Descriptions of these management measures currently exist in the Crab FMP; however, the FMP needs to be amended to explicitly identify these methodologies as the SBRM. Amendment 51 to the Crab FMP would add language to Sections 8.1.2, 8.3.1, and 8.3.7 to identify the existing SBRM and to explain how it meets the purpose of collecting, recording, and reporting bycatch.

Scallop FMP

The combination of industry reports and the Scallop Observer Program provides a standard reporting methodology that is consistent with the SBRM final rule. Descriptions of these management measures currently exist in the Scallop FMP; however, the FMP needs to be amended to explicitly identify these methodologies as the SBRM. Amendment 17 to the Scallop FMP would add language to Section 3.2.12 to identify the SBRM and explain

how it meets the purpose of collecting, recording, and reporting bycatch.

Salmon FMP

Fish tickets are the standardized reporting methodology in place for reporting catch of salmon species that are subject to maximum retainable amounts. The Statewide Harvest Survey and creel surveys, as well as the Saltwater Guide Logbooks, are the standardized reporting methodology in place for reporting in the salmon sport fishery and the guided sport fishery. However, the Salmon FMP needs to be amended in order to explicitly identify these methodologies as the SBRM. Amendment 15 to the Salmon FMP would add language to Section 8.1.8

(Bycatch Management) to identify the SBRM and explain how it meets the purpose of collecting, recording, and reporting bycatch in the directed commercial salmon fishery. In addition, Amendment 15 would add language to Section 8.1.9 (Sport Fisheries) to identify the SBRM for the salmon sport fishery.

NMFS is soliciting public comments on the proposed Amendments through the end of the comment period (see **DATES**). All relevant written comments received by the end of the applicable comment period will be considered by NMFS in the approval/partial approval/disapproval decision for the Amendments and addressed in the

response to comments in the final decision. Comments received after the end of the applicable comment period will not be considered in the approval/disapproval decision on the Amendments. To be considered, comments must be received, not just postmarked or otherwise transmitted, by the last day of the comment period (see **DATES**).

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

Dated: June 8, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021-12373 Filed 6-11-21; 8:45 am]

BILLING CODE 3510-22-P

Notices

Federal Register

Vol. 86, No. 112

Monday, June 14, 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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2020–0082]

Addition of Thailand to the List of Regions Considered Affected With African Horse Sickness

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that we have added Thailand to the list of regions that the Animal and Plant Health Inspection Service considers to be affected with African horse sickness (AHS). We have taken this action because of confirmation of AHS in Thailand.

DATES: Thailand was added to the Animal and Plant Health Inspection Service list of regions considered affected with African horse sickness on March 31, 2020.

FOR FURTHER INFORMATION CONTACT: Dr. Kari Coulson, Regionalization Evaluation Services, Veterinary Services, APHIS, 920 Main Campus Drive, Suite 200, Raleigh, NC 27606; Phone: (919) 480–9876; email: AskRegionalization@usda.gov.

SUPPLEMENTARY INFORMATION: The regulations in 9 CFR part 93 govern the importation of live animals into the United States. Within part 93, § 93.308 (referred to below as the regulations) governs, among other things, the importation of horses, mules, zebras, and other equids from regions where African horse sickness (AHS) exists in order to prevent the introduction of AHS into the United States. AHS is a fatal viral equine disease that is not known to exist in the United States. A list of regions where AHS exists or is reasonably believed to exist is maintained on the Animal and Plant Health Inspection Service (APHIS)

website at <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/animal-health-status-of-regions/>. This list is referenced in § 93.308 of the regulations.

Section 93.308(a)(2)(ii) of the regulations states that APHIS will add a region to the list referenced in § 93.308(a)(2) upon determining AHS exists in the region, based on reports APHIS receives of outbreaks of the disease from veterinary officials of the exporting country, from the World Organization for Animal Health (OIE), or from other sources the Administrator determines to be reliable.

On March 27, 2020, the veterinary authorities of Thailand reported to the OIE the occurrence of AHS in that country. In response to that report, on March 31, 2020, APHIS added Thailand to the list of regions where AHS exists. On that same date, APHIS issued an import alert notifying stakeholders that effective March 27, 2020, APHIS imposed restrictions on importation of equine and equine-derived commodities from Thailand due to AHS. This notice serves as an official record and public notification of that action.

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this action as not a major rule, as defined by 5 U.S.C. 804(2).

Authority: 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 9th day of June 2021.

Mark Davidson,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2021–12419 Filed 6–11–21; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2021–0025]

Notice of Request for Reinstatement of an Information Collection; National Animal Health Monitoring System; Bison 2022 Study

AGENCY: Animal and Plant Health Inspection Service, Agriculture (USDA).

ACTION: Reinstatement of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request the reinstatement of an information collection to conduct the National Animal Health Monitoring System Bison 2022 Study.

DATES: We will consider all comments that we receive on or before August 13, 2021.

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

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Enter APHIS–2021–0025 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2021–0025, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at www.regulations.gov or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the NAHMS Bison 2022 Study, contact Dr. Lynn Elliston-Gittings, Management Analyst, Program Coordination and Implementation, Center for Epidemiology and Animal Health, VS, 2150 Centre Avenue, Building B, Fort Collins, CO 80524; (970) 305–6636. For information on the information collection process, contact Mr. Joseph Moxey, APHIS Paperwork Reduction Act Coordinator, at (301) 851–2483; joseph.moxey@usda.gov.

SUPPLEMENTARY INFORMATION:

Title: National Animal Health Monitoring System; Bison 2022 Study.
OMB Control Number: 0579–0420.

Type of Request: Reinstatement of an information collection.

Abstract: Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Secretary of Agriculture is

authorized to protect the health of livestock, poultry, and aquaculture populations in the United States by preventing the introduction and interstate spread of serious diseases and pests of livestock and for eradicating such diseases within the United States when feasible. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS).

In connection with this mission, APHIS operates the National Animal Health Monitoring System (NAHMS), which collects on a national basis statistically valid and scientifically sound data on the prevalence and economic importance of livestock poultry and aquaculture disease risk factors. NAHMS' studies have evolved into a collaborative government and industry initiative to help determine the most effective means of preventing and controlling diseases of livestock. APHIS is the only Federal agency responsible for collecting data on livestock. Participation in any NAHMS study is voluntary and all data are confidential.

APHIS plans to conduct a Bison 2022 Study to obtain information about the livestock population and to provide a foundation for possible future studies. The objectives of the study are to:

- Describe status and changes in the U.S. bison industry from 2014 to 2022, including operation characteristics (such as inventory, size, and type), production purposes, and marketing practices.
- Describe current U.S. bison industry production practices and challenges, including animal management and welfare, nutrition and range management, and environmental stewardship.
- Describe health management and biosecurity practices on U.S. bison operations.
- Describe producer-reported occurrence of select health problems, associated management practices or actions, and causes of bison mortality.

The study will consist of two collection phases. The first phase consists of a producer informed consent form and a self-administered paper or electronic survey administered by USDA's National Agricultural Statistics Service (NASS). The second, biologics phase, includes a microbe collection record, two fecal parasite collection records, and a forage collection record, each documenting biologic samples collected and submitted by producers who choose to participate in the second phase to receive biologic results from their herds. All producers in the study will receive a study evaluation upon conclusion of the study. The information collected will be used by

APHIS to describe current bison health and management practices, help policymakers and industry make informed decisions, help researchers and private enterprise identify and focus on vital issues related to bison health and productivity, facilitate the education of future producers and veterinarians, and conduct economic analyses of the health and production of the U.S. bison industry.

On March 20, 2012, NAHMS was recognized by the Office of Management and Budget (OMB) as a statistical unit under the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA). All information acquired under the Bison 2022 Study's NASS phase will be used for statistical purposes only and will be treated as confidential in accordance with CIPSEA guidelines. Only NAHMS staff and designated agents will be permitted access to individual-level data. The biologics phase of the study will not be collected under CIPSEA, rather will be protected as Confidential Business Information as defined in 19 CFR 201.6. Respondent information will be protected by ensuring that no identifying information is linked to the data.

We are asking OMB to approve our use of these information collection activities, as described, for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 1.25 hours per response.

Respondents: Bison owners and producers.

Estimated annual number of respondents: 2,000.

Estimated annual number of responses per respondent: 1.5.

Estimated annual number of responses: 2,994.

Estimated total annual burden on respondents: 3,741 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 9th day of June 2021.

Mark Davidson,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2021-12420 Filed 6-11-21; 8:45 am]

BILLING CODE 3410-34-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the New Jersey Advisory Committee; Cancellation and Change of Meeting Date

AGENCY: Commission on Civil Rights

ACTION: Notice; cancellation of meeting date and change of meeting date.

SUMMARY: The Commission on Civil Rights published a notice in the **Federal Register** concerning meetings of the New Jersey Advisory Committee. The meeting scheduled for Friday, June 18, 2021 at 1:00 p.m. (ET) is cancelled. The meeting scheduled for Wednesday, September 1 at 1:00 p.m. (ET) is changed to Friday, September 3 at 1:00 p.m. (ET). The notice is in the **Federal Register** of Thursday, February 11, 2021, in FR Doc. 2021-02797, in the second and third columns of page 9049.

FOR FURTHER INFORMATION CONTACT: Evelyn Bohor, (202) 921-2212, ebohor@uscrr.gov.

Dated: June 9, 2021.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021-12426 Filed 6-11-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; School District Review Program

The Department of Commerce will submit the following information

collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on December 22, 2020, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Commerce.

Title: School District Review Program.
OMB Control Number: 0607-0987.
Form Number(s): None.

Type of Request: Regular submission, Request for an Extension, without Change, of a Currently Approved Collection.

Number of Respondents: 102.

- *Annotation Phase:* 51.
- *Verification Phase:* 51.

Average Hours per Response: 40 hours.

- *Annotation Phase:* 30 hours.
 - *Verification Phase:* 10 hours.
- Burden Hours:* 2,040 hours.
- *Annotation Phase:* 1,530 hours.
 - *Verification Phase:* 510 hours.

Needs and Uses: The School District Review Program (SDRP) is one of many voluntary geographic partnership programs at the U.S. Census Bureau. The SDRP collects school district information and boundaries to update the Census Bureau's geographic database of addresses, streets, and boundaries on an annual basis. The Census Bureau uses its geographic database to tie demographic data from surveys and the decennial census to locations and areas, such as cities, school districts, and counties. To tabulate statistics by localities, the Census Bureau must have accurate addresses and boundaries.

While the geographic programs differ in requirements, timeframe, and participants, SDRP and the other geographic programs all follow the same basic process. The Census Bureau invites eligible participants to the program. For SDRP, the sponsor, the National Center for Education Statistics invites the state departments of education/state Title I coordinators to designate mapping coordinators. If they elect to participate in the program, participants receive a copy of the boundaries the Census Bureau has on file. SDRP participants receive free customized mapping software.

Participants review the boundaries in the Census Bureau provided digital maps and update them if needed. The mapping coordinator collects updates from local school districts, state education officials, county planners, and state data centers, and ensures completion of submissions within the SDRP's timeframe. The respondents for the SDRP are the Title I coordinators and mapping coordinators from the fifty states and the District of Columbia. Participants return their updates to the Census Bureau. The Census Bureau then updates its geographic database with boundary updates from participants to use the newly updated boundaries to tabulate statistics.

The Census Bureau requests state officials to review and update the school district information the Census Bureau has on file, through the SDRP. The school district information obtained through this program will assist in forming the Census Bureau's estimates of the number of children age five through seventeen, in families in poverty, for each school district. State officials will provide the Census Bureau with updates and corrections to the Federal School District Local Education Agency identification numbers, school district boundaries, school names, grade ranges, and levels for which each school district is financially responsible.

These Census Bureau estimates are the basis of the Title I allocation for each school district. The SDRP is of vital importance for each state's allocation under Title I of the Elementary and Secondary Education Act as amended by Every Student Succeeds Act of 2015, Public Law 114-95. The U.S. Department of Education uses these estimates to allocate more than \$14 billion in Title I funding annually.

The SDRP encompasses Type 1 and Type 2 school districts as defined by the NCES. Type 1 is a local school district that is not a component of a supervisory union. Type 2 is a local school district component of a supervisory union sharing a superintendent and administrative services with other local school districts.

The SDRP consists of two phases—the Annotation and Verification Phases. In the Annotation Phase, the Census Bureau provides mapping coordinators with materials containing the most current school district boundaries and information the Census Bureau has on file for their state. Mapping coordinators review the data and submit changes to the school district boundaries or associated information to the Census Bureau. The Census Bureau reviews and processes the information submitted by

mapping coordinators, and the Census Bureau updates all verified changes into the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) database. In the Verification Phase, mapping coordinators verify that the Census Bureau accurately and completely updated the MAF/TIGER database with updates submitted during the Annotation Phase.

In the Annotation Phase, mapping coordinators gather school district updates from school district superintendents and other state officials and use Census Bureau-provided materials to review and update school district boundaries, names, codes, and geographic relationships. The Census Bureau provides mapping coordinators with school district listings, spatial data in shapefile format, blank submission logs, and Geographic Update Partnership Software (GUPS). The school district listings consist of school district inventories, school names, levels, grade ranges, and other data about school districts within their state. If the mapping coordinator has non-spatial updates (e.g., name changes, simple consolidations, simple dissolutions, and others), the mapping coordinator updates the Census Bureau provided submission log with those changes. If a mapping coordinator needs to perform spatial updates to a school district boundary, the mapping coordinator uses Census Bureau provided GUPS and spatial data to make updates. GUPS, SDRP version, is a Census Bureau-created, user-friendly, free digital mapping tool for mapping coordinators. It contains all the functionality necessary for mapping coordinators to spatially make and validate their school district updates. Once mapping coordinators have reviewed and updated the school district information for their state, the mapping coordinator sends it to the Census Bureau, using Secure Web Incoming Module (SWIM), a web portal for uploading SDRP submissions. The Census Bureau will update the MAF/TIGER database with the updates sent by the mapping coordinator. The Annotation Phase begins for the SDRP in August/September of each year. The deadline to submit SDRP Annotation Phase to Census Bureau is the last workday in December of each year.

In the Verification Phase, the Census Bureau sends mapping coordinators newly created listings and digital files, and mapping coordinators use the SDRP verification module in GUPS to review these files and verify that the Census Bureau correctly captured their submitted information. The mapping

coordinator can tag the area of issue and send the information to the Census Bureau to make corrections if the Census Bureau did not incorporate their boundary changes or other updates correctly. The Verification Phase begins and ends for the SDRP during March/April of each year.

Affected Public: All fifty states and the District of Columbia.

Frequency: Annually.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C.

Section 16, 141, and 193.

- *NCES Legal Authority:* Title I, Part A of the Elementary and Secondary Education Act as amended by the "Every Student Succeeds Act of 2015, Public Law (Pub. L.) 114–95."

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

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the

publication of this notice on the following website 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 and entering either the title of the collection or the OMB Control Number 0607–0987.

Sheleen Dumas,

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

[FR Doc. 2021–12411 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[5/21/2021 through 6/4/2021]

Firm name	Firm address	Date accepted for investigation	Product(s)
Princeton Microwave Technology, Inc ..	5 Nami Lane, Mercerville, NJ 08619	5/27/2021	The firm manufactures electronic circuits.
TIS Brewer, LLC	15 Industrial Plaza, Brewer, ME 04412	6/2/2021	The firm manufactures miscellaneous metal parts and components.
Ampal, Inc	2115 Little Gap Road, Palmerton, PA 18071.	6/3/2021	The firm manufactures aluminum powder.
Sathorn Corporation	898 Main Street, Acton, MA 01720	6/4/2021	The firm manufactures miscellaneous metal parts and components.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.8 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which

these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Bryan Borlik,

Director.

[FR Doc. 2021–12349 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; National Institute for Standards and Technology NIST Center for Neutron Research (NCNR) Information Management System (IMS) and Summer School Application

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and

other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before August 13, 2021.

ADDRESSES: Interested persons are invited to submit written comments by mail to Maureen O'Reilly, Management Analyst, NIST, at PRAComments@doc.gov. Please reference OMB Control Number 0693-0081 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Siddharth Khosla, IT Specialist, NIST, 100 Bureau Drive, Stop 6100, Gaithersburg, MD 20899, 301-975-4640, siddharth.khosla@nist.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The NIST Center for Neutron Research (NCNR) Information Management System (IMS) is a public facing, web-based application to collect, manage and report operational data related to NCNR's role as a unique national user facility which was chartered to serve the nation's scientific community by providing unique experimental apparatus for scientific studies using neutron scattering. In order to fulfill that mission, NCNR established a complex business process to fairly distribute available scientific resources to prospective external users, outlined by the following steps:

- Registration of NCNR users
- Collection of scientific experiment proposals
- Regularly scheduled peer review of said proposals
- Merit-based award of available experimental resources
- Experiment date scheduling for selected projects (instrument scheduling)
- Collection and management of data required by the NCNR site access protocol
- Managing the Health Physics training of arriving scientists
- Coordination of administrative data

- Collection of data in support of related activities such as NCNR Summer School for facility users
- Management of the research results such as collected data, and subsequent publications
- Numerous reporting functions used to evaluate and manage the NCNR activities.

II. Method of Collection

Information will be collected electronically through the internet.

III. Data

OMB Control Number: 0693-0081.

Form Number(s): None.

Type of Review: Regular submission, extension of a current information collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 2,000.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 2,000 hours.

Estimated Total Annual Cost to Public: \$0.

Respondent's Obligation: Voluntary.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms 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 may 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.

Sheleen Dumas,

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

[FR Doc. 2021-12368 Filed 6-11-21; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Shipboard Observation Form for Floating Marine Debris

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on January 29, 2021 (86 FR 7540) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration (NOAA), Commerce.

Title: Shipboard Observation Form for Floating Marine Debris.

OMB Control Number: 0648-0644.

Form Number(s): None.

Type of Request: Regular submission (extension of a current information collection).

Number of Respondents: 5.

Average Hours per Response: 0.5.

Total Annual Burden Hours: 2.5.

Needs and Uses: This is a request for extension of a currently approved information collection. This data collection project will be coordinated by the NOAA Marine Debris Program, under the authority of Marine Debris Act (33 U.S.C. 1951 *et seq.*) to identify, determine sources of, assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris on the economy of the United States, marine environment, and navigation safety.

Information is collected from recreational and commercial vessels,

shipboard observers, and non-government organizations (NGOs) who are on the ocean regularly, as well as numerous experts on marine debris observations at sea. The Shipboard Observation Form for Floating Marine Debris was created based on methods used in studies of floating marine debris by established researchers, previous shipboard observational studies conducted at sea by NOAA, and the experience and input of recreational sailors. The goal of this form is to be able to report the amount and types of visible, floating marine debris within an area of a water body of a known size. Additionally, this form will help collect data on floating marine debris that could result from future severe marine debris generating events in order to model the movement of the debris as well as prepare (as needed) for debris arrival. This form can be used to collect data on floating marine debris in any water body.

Affected Public: Individuals or households; not-for profit institutions; business or other for-profit organizations.

Frequency: Once per year.

Respondent's Obligation: Voluntary.

Legal Authority: Marine Debris Act (33 U.S.C. 1951 *et seq.*).

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

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website 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 and entering either the title of the collection or the OMB Control Number 0648–0644.

Sheleen Dumas,

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

[FR Doc. 2021–12367 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB159]

Endangered Species; File No. 25691

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Allen Foley, Ph.D., Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 370 Zoo Parkway, Jacksonville, FL 32218, has applied in due form for a permit to take loggerhead sea turtles (*Caretta caretta*) for purposes of scientific research.

DATES: Written, telefaxed, or email comments must be received on or before July 14, 2021.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the "Features" box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 25691 from the list of available applications. These documents are also available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 25691 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Erin Markin, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

The applicant proposes to continue a long-term study of the trends in abundance and distribution of loggerhead sea turtles in southwestern Florida Bay. Researchers would also determine size, growth, sex, genetic identity, reproductive status, health, and movements of animals. Researchers would capture up to 125 sea turtles by hand for examination, measurements, photographs, weights, flipper and passive integrated transponder tagging, marking, and blood and tumor sampling. Up to 20 additional loggerheads may be pursued during unsuccessful capture attempts. The permit would be valid for 10 years.

Dated: June 8, 2021.

Julia Marie Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2021–12438 Filed 6–11–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Fishery Capacity Reduction Program Buyback Requests

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on January 21, 2021 (86 FR 6634) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic & Atmospheric Administration (NOAA), Commerce.

Title: Fishing Capacity Reduction Buyback Loan Programs.

OMB Control Number: 0648–0376.

Form Number(s): None.

Type of Request: Regular submission (revision and extension of a current information collection).

Number of Respondents: 220.

Average Hours per Response: 0.5 hours for fee collection reports; 4 hours for buyback annual reports.

Total Annual Burden Hours: 1,020.

Needs and Uses: Many U.S. fisheries have excess fishing capacity. Excess fishing capacity decreases earnings, complicates management, and imperils conservation. To provide for fishing capacity reduction programs, in 1996 Congress amended the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by adding section 312(b)–(e) (16 U.S.C. 1861a(b)–(e)). The framework regulations to conduct these reduction programs were published as an interim final rule on May 18, 2000 (65 FR

31430) and codified as subpart L to 50 CFR part 600. The repayment of the Fishing Capacity Reduction industry-funded program is dependent on the collection of fees by the first purchasers or processors of the fish from the buyback fishery. Collecting the information from the fee collection reports and annual reports is necessary to process these loan payments and maintain the repayment of the loans.

After further review, the following information collections are being removed from this renewal as they are associated with loan creation and no new loans are anticipated going forward:

- Fishing capacity reduction program implementation plans.
- State approvals of implementation plans and amendments to state Fishery Management Plans.
- Advance and post-bid referenda and bids.
- Buyer recordkeeping (fish tickets).
- Buyer/seller reports.
- Advisements of conflicts in ownership claims.

Affected Public: Businesses.

Frequency: Monthly and annually.

Respondent's Obligation: Required to Obtain or Retain Benefits.

Legal Authority: Public Law 104–297 Sec 312. Name of Law: Magnuson-Stevens Fishery Conservation and Management Reauthorization Act.

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

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website 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 and entering either the title of the collection or the OMB Control Number 0648–0376.

Sheleen Dumas,

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

[FR Doc. 2021–12416 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB150]

Nominations to the Marine Fisheries Advisory Committee

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

ACTION: Notice; request for nominations.

SUMMARY: Nominations are being sought for appointment by the Secretary of Commerce to fill vacancies on the Marine Fisheries Advisory Committee (MAFAC or Committee). MAFAC is the only Federal advisory committee with the responsibility to advise the Secretary of Commerce (Secretary) on all matters concerning living marine resources that are the responsibility of the Department of Commerce. The Committee makes recommendations to the Secretary to assist in the development and implementation of Departmental regulations, policies, and programs critical to the mission and goals of NMFS. Nominations are encouraged from all interested parties involved with or representing interests affected by NMFS actions in managing living marine resources. Nominees should possess demonstrable expertise in a field related to the management of living marine resources and be able to fulfill the time commitments required for two annual meetings and year round subcommittee work. Individuals serve for a term of three years for no more than two consecutive terms if re-appointed. NMFS is seeking qualified nominees to fill pending vacancies.

DATES: Nominations must have an email date stamp on or before July 29, 2021.

ADDRESSES: Nominations should be sent to Heidi Lovett, MAFAC Assistant Director, NMFS Office of Policy, by email: heidi.lovett@noaa.gov.

FOR FURTHER INFORMATION CONTACT:

Heidi Lovett, MAFAC Assistant Director; (301) 427–8034; email: heidi.lovett@noaa.gov.

SUPPLEMENTARY INFORMATION: The MAFAC was approved by the Secretary on December 28, 1970, and subsequently chartered under the Federal Advisory Committee Act, 5 U.S.C. App. 2, on February 17, 1971. The Committee meets twice a year with supplementary meetings and subcommittee meetings as determined necessary by the Committee Chair and Subcommittee Chairs. No less than 15 and no more than 21 individuals may

serve on the Committee. Membership is comprised of highly qualified, diverse individuals with experience in commercial, recreational, aquaculture, and subsistence fisheries; seafood industry, including processing, marketing, working waterfronts, and restaurants; marine, ecosystems, or protected resources management and conservation; and human dimensions or social sciences associated with living marine resources. Members may be associated with tribes and indigenous peoples, environmental organizations, academia, consumer groups, and other living marine resource interest groups from a balance of U.S. geographical regions, including the Western Pacific and Caribbean.

A MAFAC member cannot be a Federal employee, member of a Regional Fishery Management Council, registered Federal lobbyist, State employee, or agent of a foreign principal. Selected candidates must pass a security check and submit a financial disclosure form. Membership is voluntary, and except for reimbursable travel and related expenses, service is without pay.

Each nomination submission should include the nominee's name, a cover letter describing the nominee's qualifications and interest in serving on the Committee, curriculum vitae or resume of the nominee, and no more than three supporting letters describing the nominee's qualifications and interest in serving on the Committee. Self-nominations are acceptable. The following contact information should accompany each nominee's submission: Name, address, telephone number, fax number, and email address (if available).

Nominations should be sent to Heidi Lovett (see **ADDRESSES**) and must be received by July 29, 2021. The full text of the Committee Charter and its current membership can be viewed at the NMFS' web page at <https://www.fisheries.noaa.gov/national/partners/marine-fisheries-advisory-committee-charter>.

Dated: June 8, 2021.

Jennifer Lukens,

Director for the Office of Policy, National Marine Fisheries Service.

[FR Doc. 2021–12375 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Economic Impacts of Reef Diving and Snorkeling**

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on January 19, 2021 (86 FR 5142) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Economic Impacts of Reef Diving and Snorkeling.

OMB Control Number: 0648–0765.

Form Number(s): None.

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

Number of Respondents: 3,500.

Average Hours per Response: 25 minutes.

Total Annual Burden Hours: 1,470.

Needs and Uses: The objective of the survey will be to understand divers' and snorkelers' expenditures associated with recreational coral reef diving activities in Hawaii, American Samoa, CNMI, Guam, and the Caribbean. The survey was previously implemented in Hawaii in 2019 and this revision proposes to make the survey national in scope. The title of the collection will be changed to Economic Impacts of Reef Diving and Snorkeling from Economic Impacts of Hawaii Reef Diving and Snorkeling. The survey will also collect information on divers' attitudes, preferences, and concerns about recreational diving and coral reefs health. This survey will help to improve our understanding of divers' and snorkelers' expenditure patterns and to estimate the economic impact of coral reef related spending. Results of the survey will be used to inform coastal resource management planning and establish a baseline for outreach and

education. The expenditure survey is also expected to provide useful information for local economic and business interests.

Affected Public: Individuals or households.

Frequency: Once.

Respondent's Obligation: Voluntary.

Legal Authority: U.S. Code: 16 U.S.C. 6401 *et seq.* Name of Law: Coral Reef Conservation Act of 2000.

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

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website 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 and entering either the title of the collection or the OMB Control Number 0648–0765.

Sheleen Dumas,

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

[FR Doc. 2021–12369 Filed 6–11–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE**Department of the Army**

[Docket ID: USA–2021–HQ–0010]

Proposed Collection; Comment Request

AGENCY: The Department of the Army, Department of Defense (DoD).

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the U.S. Army Combat Readiness Center announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use

of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 13, 2021.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: The DoD cannot receive written comments at this time due to the COVID–19 pandemic. Comments should be sent electronically to the docket listed above.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to U.S. Army Combat Readiness Center, 4905 Ruf Ave., Ft. Rucker, AL 36362, ATTN: Mr. John Nelson, or call 334–255–9479.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Army Safety Management Information System (ASMIS); OMB Control Number 0702–ASMS.

Needs and Uses: The ASMIS system of record is the Army's single, centralized repository for Safety and Occupational Health (SOH) data. Information collected via the three applications within ASMIS is necessary to support the requirements of the Army Safety and Occupational Health program as directed via the AR 385–40 and as prescribed in DA PAM 385–10. The information collected is used for the sole purpose of preventing accidental loss and maximizing readiness within the U.S. Army. Users provide data via one of three applications: (1) Mishap and near miss reporting, (2) safety audits and inspections, and (3) hazard management. Each provides a modern web-based, intuitive means of entering data. Users are primarily Safety Officers with orders in writing to fulfil those duties. Most of these individuals are military and DoD civilian personnel, but contractor personnel may also submit reports in ASMIS as part of their duties.

Affected Public: Individuals and households.
Annual Burden Hours: 213.
Number of Respondents: 200.
Responses per Respondent: 2.
Annual Responses: 400.
Average Burden per Response: 31.95 minutes.
Frequency: As required.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12445 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA-2020-HQ-0002]

Submission for OMB Review; Comment Request

AGENCY: Office of the Director of Army Safety, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by August 13, 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.

FOR FURTHER INFORMATION CONTACT:

Angela Duncan, 571-372-7574, or whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Radiation Exposure Data Collection; DD Form 1952 (Dosimetry Application and Record of Previous Radiation Exposure), DA Form 7689 (Bioassay Information Summary Sheet); 0702-RADS.

Type of Request: Existing collection in use without an OMB Control Number.

Number of Respondents: 50.
Responses per Respondent: 1.
Annual Responses: 50.
Average Burden per Response: 15 minutes.

Annual Burden Hours: 12.5 hours.
Needs and Uses: The information collection requirement is to document

and record an individual's external and internal short and long-term exposure to radioactive materials and radiation generating equipment. The information collection is also utilized to monitor, evaluate and control the risks and associated health hazards, conduct investigations, management studies and training to ensure individual qualifications and education in handling radioactive materials are maintained in compliance with the Nuclear Regulatory Commission (NRC) 10 CFR 20, Army NRC license conditions, and Occupational Safety and Health Administration (OSHA) 29 CFR 1926.53.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Seehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Angela Duncan.

Requests for copies of the information collection proposal should be sent to Ms. Duncan at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12443 Filed 6-11-21; 8:45 am]

BILLING CODE 3710-08-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2021-OS-0046]

Proposed Collection; Comment Request

AGENCY: The Under Secretary of Defense for Acquisition and Sustainment, Department of Defense (DoD).

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Deputy Assistant Secretary of Defense for Housing announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 13, 2021.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: The DoD cannot receive written comments at this time due to the COVID-19 pandemic. Comments should be sent electronically to the docket listed above.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Office of the Deputy Assistant Secretary of Defense for Sustainment, 3400 Defense Pentagon Room 5C646, Washington, DC 20301-3400; ATTN: Mr. Rodney Graham, or call 719-331-3926.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application for Homeowners Assistance; DD Form 1607; OMB Control Number 0704-0463.

Needs and Uses: In accordance with Section 3374 of title 42, United States Code; the American Recovery and Reinvestment Act of 2009 (ARRA); the 32 Code of Federal Regulations (CFR), Part 239 of November 16, 2010; and DoD

Directive 4165.50E, "Homeowners Assistance Program (HAP)", the Department of Defense (DoD) provides funds to financially compensate eligible military and civilian federal employee homeowners, and eligible homeowners who are surviving spouses of fallen warriors, when the real estate market is adversely affected in direct relation to an installation event. The ARRA expanded the HAP to: Wounded, members of the Armed Forces with a 30 percent or greater disability, surviving spouses of fallen warriors, and wounded DoD civilian homeowners reassigned in furtherance of medical treatment or rehabilitation or due to medical retirement in connection with their disability. DoD will also provide financial assistance to offset financial losses of homeowners who need to sell their homes in conjunction with installation events, combat injuries, or loss of spouse in the line of duty. Priority access to the funds goes to surviving spouses of those killed during deployment and those who were wounded, injured, or ill during deployment on or after September 11, 2001. The Under Secretary of Defense for Acquisition and Sustainment has overall responsibility and provides oversight for this program through the Deputy Assistant Secretary of Defense for Housing. The Army, acting as the DoD executive agent for administering the HAP, uses the Headquarters, U.S. Army Corps of Engineers (USACE) to implement the program. HAP applicants use DD Form 1607, "Application for Homeowner's Assistance," to apply for HAP benefits.

Affected Public: Individuals and households.

Annual Burden Hours: 60.

Number of Respondents: 15.

Responses per Respondent: 1.

Annual Responses: 15.

Average Burden per Response: 4 hours.

Frequency: On Occasion.

Applicants most often complete the form with the assistance of a representative of the Family Housing Office. After it has been filled out, the form is then emailed, faxed, hand-carried, or—in rare cases—mailed to the district HAP office for processing. An action officer in the district HAP office processes the form to ensure all of the necessary information has been provided. If necessary, the applicant is provided with the appropriate instructions for the necessary supplemental information. When the case file is deemed complete by the action officer, it is provided to a counselor for approval or rejection recommendation based on program

criteria related to economic impact, service requirements, the applicant's homeowner status, the applicant's primary residence status, and other assistance received by the homeowner. A formal response regarding eligibility or appeal status is provided to the applicant via mail.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12448 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2020-OS-0107]

Submission for OMB Review; Comment Request

AGENCY: Defense Finance and Accounting Service, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by July 14, 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.

FOR FURTHER INFORMATION CONTACT: Angela Duncan, 571-372-7574, or whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Claim Certification and Voucher for Death Gratuity Payment; DD Form 397; OMB Control Number 0730-0017.

Type of Request: Extension.

Number of Respondents: 500.

Responses per Respondent: 1.

Annual Responses: 500.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 250.

Needs and Uses: The information collection requirement allows the government to collect the signatures and information needed to pay a death

gratuity. Pursuant to 10 U.S.C. 1475-1480, a designated beneficiary(ies) or next-of-kin can receive a death gratuity payment for a deceased service member. This form serves as a record of the disbursement. The DoD Financial Management Regulation (FMR), Volume 7A, Chapter 36, defines the eligible beneficiaries and procedures for payment. To provide internal controls for this benefit, and to comply with the above-cited statutes, the information requested is needed to substantiate the receipt of the benefit.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Sehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Angela Duncan.

Requests for copies of the information collection proposal should be sent to Ms. Duncan at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12447 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2021-OS-0045]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense (DoD).

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Office of the Under Secretary of Defense

for Personnel and Readiness announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 13, 2021.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: The DoD cannot receive written comments at this time due to the COVID-19 pandemic. Comments should be sent electronically to the docket listed above.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Manpower Data Center, 4800 Mark Center Drive, Alexandria, VA 22350, Suite 04E-25, Tiffany Aultman, 571-372-1097.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Defense Travel System; OMB Control Number 0704-0577.

Needs and Uses: The Defense Travel System (DTS) is the enterprise standard for requesting, authorizing, reserving, and requesting payment for travel within the Department of Defense. Information is collected for the purpose of official travel. The information is used to satisfy reporting requirements and detect fraud and abuse.

Affected Public: Individuals or households.

Annual Burden Hours: 250 hours.
Number of Respondents: 1,500.
Responses per Respondent: 1.
Annual Responses: 1,500.
Average Burden per Response: 10 minutes.

Frequency: On occasion.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12441 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2021-OS-0029]

Privacy Act of 1974; System of Records

AGENCY: Department of Defense (DoD).

ACTION: Rescindment of multiple system of records notices.

SUMMARY: In accordance with the Privacy Act of 1974, the DoD is providing notification of the intention to rescind 25 Privacy Act system of records notices. Additionally, the DoD is issuing a direct final rule, published elsewhere in today's issue of the **Federal Register**, to amend its regulation and remove the Privacy Act exemption rules for five Defense Manpower Data Center (DMDC) system of records being rescinded in this notice.

DATES: The rescindment of these system of records notices is effective June 14, 2021.

FOR FURTHER INFORMATION CONTACT: Ms. Lyn Kirby, Defense Privacy, Civil Liberties, and Transparency Division, Office of the Director of Administration and Management, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350-1700; OSD.DPCLTD@mail.mil; (703) 571-0070.

SUPPLEMENTARY INFORMATION: The following is the list of the systems of records rescinded in this notice:

- a. F031 AF SP M: Personnel Security Access Records
- b. F031 AFCAF/CASPR A: Air Force Central Adjudication Facility (AFCAF) Central Adjudication Security Personnel Repository (CASPR)
- c. DMDC 11 DoD: Investigative Records Repository
- d. DMDC 12 DoD: Joint Personnel Adjudication System (JPAS)
- e. DMDC 13 DoD: Defense Central Index of Investigations (DCII)

- f. DMDC 17 DoD: Continuous Evaluation Records for Personnel Security
- g. DMDC 19 DoD: Secure Web Fingerprint Transmission (SWFT)
- h. DMDC 24 DoD: Defense Information System for Security (DISS)
- i. F032 AF CE A: Equal Opportunity in Off Base Housing
- j. F032 AF CE B: Off Base Housing Referral Service
- k. F032 AF CE C: Base Housing Management
- l. F032 AF CE D: On/Off-Base Housing Records
- m. F032 AF CE F: Unaccompanied Personnel Quarters Assignment/Termination (R)
- n. F052 AFHC E: Assignment Action File
- o. F052 AFHC D: Chaplain Applicant Processing Folder
- p. A0500-3c G-3/5/7 DAMO: Department of the Army Emergency Personnel Location Records System and Files
- q. HDTRA 028: DTRA MASS Notification System
- r. S240.55: DLA Mass Notification System
- s. CIG 19: Office of Inspector General—Emergency Alert Notification System
- t. LDIA 06-0004: Recall Rosters
- u. DPFPA 03: Pentagon Facilities Emergency and Incident Notification Records
- v. T3020: Living Disaster Recovery Planning System
- w. LDIA 12-0001: Unique Identifying Number (UIN) Management Records
- x. F051 AFJA F: Confidential Financial Disclosure Report
- y. F052 AFHC G: Chaplain Personnel Roster

Pursuant to the provisions of the Privacy Act of 1974, as amended (5 U.S.C. 552a), and as part of its ongoing integration and management efforts, the DoD is removing 25 Privacy Act systems of records from its inventory. Upon review of its inventory, DoD has determined it no longer needs or uses these systems of records and is retiring the following:

These eight systems of records (items (a) through (h) below) are being rescinded because the records are now maintained as part of the system of records titled DUSDI 02-DoD, Personnel Vetting Records Systems, published October 17, 2018; 83 FR 52420.

(a) The Department of the Air Force system of records F031 AF SP M, Personnel Security Access Records (October 09, 1997; 62 FR 52695), was established to manage security clearance and level of access to classified information for authorized individuals.

(b) The Department of the Air Force system of records F031 AFCAF/CASPR A, Air Force Central Adjudication Facility (AFCAF) Central Adjudication Security Personnel Repository (CASPR) (March 07, 2007; 72 FR 10183), was established to measure the effectiveness of the adjudicative program of the Department of Air Force.

(c) The Defense Manpower Data Center (DMDC) system of records DMDC 11 DoD, Investigative Records Repository (September 18, 2019; 84 FR 49101), was established to determine suitability and eligibility for access to defense information and facilities and entry into and retention in the Armed Forces. It also included those records for use in criminal law enforcement investigations and for use in military boards selecting military members for promotion to grades above O-6.

(d) The DMDC system of records DMDC 12 DoD, Joint Personnel Adjudication System (JPAS) (September 18, 2019; 84 FR 49101), was established to record, document, and identify personnel security actions within the Department including submitting adverse information, verification of clearance status (to include grants of interim clearances), requesting investigations, and supporting Continuous Evaluation activities.

(e) The DMDC system of records DMDC 13 DoD, Defense Central Index of Investigations (DCII) (September 18, 2019; 84 FR 49101), was established to document investigations used by DoD law enforcement activities, personnel security adjudicators, and in the Continuous Evaluation Program.

(f) The DMDC system of records DMDC 17 DoD, Continuous Evaluation Records for Personnel Security (CE) (July 30, 2014; 79 FR 44161), was established to conduct continuous evaluation to: (1) Identify DoD-affiliated personnel with eligibility for access to classified information who have engaged in conduct of security concern; (2) identify and initiate needed follow-on inquiries and/or investigative activity and enable security officials and adjudicators to determine and take appropriate actions; and (3) perform research, development, and analyses related to DoD's CE program.

(g) The DMDC system of records DMDC 19 DoD, Secure Web Fingerprint Transmission (SWFT) (May 14, 2015; 80 FR 27676), was established to provide a means for all DoD individuals required to submit electronic fingerprints and demographic information to the Office of Personnel and Management (OPM) and the Federal Bureau of Investigation (FBI) (for a personnel security clearance

or as part of a background investigation).

(h) The DMDC system of records DMDC 24 DoD, Defense Information System for Security (DISS) (September 18, 2019; 84 FR 49101), was established to support actions to request, record, document, and identify personnel security actions within the Department such as determinations of eligibility and access to classified or national security information, suitability, and/or fitness for employment; HSPD-12 determination for Personal Identity Verification (PIV) to access government facilities and systems; submitting adverse information; verification of investigation and/or adjudicative status; and support of continuous evaluation and insider threat detection, prevention, and mitigation activities.

These five Department of the Air Force system of records notices (items (i) through (m) below) are being rescinded because these records are now covered by the DoD system of records NM1110-01, Family and Unaccompanied Housing Program (September 5, 2018; 83 FR 45112). The NM1110-01 system of records was established to cover records across all military services related to housing and supports the enterprise program management and reporting of the DoD Housing Program.

(i) The Department of the Air Force system of records F032 AF CE A, Equal Opportunity in Off-Base Housing (June 11, 1997; 62 FR 31793), was established to retain historical records of all actions taken in response to or related inquiries pertaining to housing discrimination complaints.

(j) The Department of the Air Force system of records F032 AF CE B, Off-Base Housing Referral Service (June 11, 1997; 62 FR 31793), was established for records of base housing officials, military personnel and authorized civilians to match housing needs/desires.

(k) The Department of the Air Force system of records F032 AF CE C, Base Housing Management (June 11, 1997; 62 FR 31793), was established for use by military members and DoD civilian employees desiring base family housing.

(l) The Department of the Air Force system of records F032 AF CE D, On/Off-Base Housing Records (June 11, 1997; 62 FR 31793), was established to record data required to assign and terminate family housing.

(m) The Department of the Air Force system of records F032 AF CE F, Unaccompanied Personnel Quarters Assignment/Termination (June 11, 1997; 62 FR 31793), was established to manage unaccompanied personnel quarters, maintain a record of

application for unaccompanied personnel quarters assignment, terminate assignment, and grant authorization to reside-off-base with or without specified quarters allowance.

These two system of records notices (items (n) and (o) below) are being rescinded because the records are now covered by the Department of the Air Force system of records F036 AF PC C, Military Personnel Records System (October 13, 2000; 65 FR 60916), which covers military personnel records used for actions/processes related to procurement, education and training, classification, assignment, career development, evaluation, promotion, compensation, sustention, and separation and retirement.

(n) The Department of the Air Force system of records F052 AFHC E, Assignment Action File (June 11, 1997; 62 FR 31793), was established to manage the assignment of personnel in the chaplain career field.

(o) The Department of the Air Force system of records F052 AFHC G, Chaplain Personnel Roster (June 11, 1997; 62 FR 31793), was established to ensure adequate manning of Reserve, Air National Guard, and civilian auxiliary authorizations.

These seven system of records notices (items (p) through (v)) are being rescinded because the records are now covered under the DoD-wide system of records titled DCIO-02-DoD, Enterprise Mass Warning and Notification (EMWNS) (March 30, 2020; 85 FR 17545). The EMWNS covers records used to notify and communicate critical safety information to personnel located both on and off military locations.

(p) The Department of the Army system of records A0500-3c G-3/5/7 DAMO, Department of the Army Emergency Personnel Location Records System and Files (May 04, 2014; 79 FR 24692), was established to enable Army-wide organizations using recall rosters to contact necessary personnel to respond to hazard emergencies.

(q) The Defense Threat Reduction Agency system of records HDTRA 028, MASS Notification System (November 14, 2016; 81 FR 79463), was established to notify the workforce quickly in times of emergency.

(r) The Defense Logistics Agency system of records S240 55, DLA Mass Notification System (MNS) (July 25, 2013; 78 FR 44931), was established to apply the ability to disseminate emergency alerts and notification information to DLA installation personnel.

(s) The Office of Inspector General (OIG) system of records CIG-19, Office of Inspector General—Emergency Alert

Notification System (July 05, 2013; 78 FR 40447), was established to ensure the OIG has the ability to recall personnel to place of duty when required and for use in emergency notification.

(t) The Defense Intelligence Agency (DIA) system of records LDIA 06-0004, Recall Rosters (September 13, 2012; 77 FR 56625), was established to recall personnel to their place of duty, for use in emergency notifications, and to perform relevant functions, requirements, and actions consistent with managerial functions during an emergency.

(u) The Pentagon Force Protection Agency system of records DPFPA 03, Pentagon Facilities Emergency and Incident Notification Records (May 01, 2014; 79 FR 24686), was established to provide notification to employees and situational awareness during an emergency or incident.

(v) The Defense Finance and Accounting Service (DFAS) system of records T3020, Living Disaster Recovery Planning System (January 22, 2009; 74 FR 3996), was established to provide DFAS with a standardized automated contingency planning process. Personal information in the system was used to publish organizational telephone directories/locators, recall personnel to place of duty when required, for use in emergency notification, and to perform relevant functions requirements consistent with managerial functions during an emergency/disaster.

The following individual system of records notices are being rescinded for the reasons stated in each paragraph below.

(a) The DIA system of records LDIA 12-0001, Unique Identifying Number (UIN) Management Records (April 12, 2012; 77 FR 21975), was established to manage the identification of strategic interrogation and support personnel and their employing U.S. Government agency. The DIA is rescinding LDIA 12-0001 because it determined this system of records is duplicative of the DIA system of records titled LDIA 10-0002, Foreign Intelligence and Counterintelligence Operation Records.

(b) The Department of the Air Force system of records F051 AFJA F, Confidential Financial Disclosure Report (April 16, 2010; 75 FR 19949), was established to determine potential or actual conflicts of interest in the performance of official duties. This system of records is being rescinded because these records are covered under a government-wide system of records titled OGE/GOVT-2, Executive Branch Confidential Financial Disclosure Reports (May 8 2003; 68 FR 24722).

(c) The Department of the Air Force system of records F052 AFHC D, Chaplain Applicant Processing Folder (June 11, 1997; 62 FR 31793), was established to process chaplain applicants to active duty. This system of records is being rescinded because these records are now maintained as part of the Department of the Air Force system of records titled F036 AF PC H, Air Force Enlistment/Commissioning Records System (January 27, 2012; 77 FR 4286). This system covers records maintained by recruiters to determine enlistment/commissioning eligibility, and process qualified applicants.

DoD is issuing a direct final rule, published elsewhere in today's issue of the **Federal Register**, to amend its regulation and remove the Privacy Act exemption rules for five of the Defense Manpower Data Center (DMDC) system of records being rescinded in this notice.

The DoD notices for systems of records subject to the Privacy Act have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy, Civil Liberties and Transparency Division website at <https://dpcl.dod.mil>.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A-108, DoD has provided a report of the rescindment of these systems of records to the OMB and to Congress.

Dated: June 9, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-12432 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2021-OS-0013]

Submission for OMB Review; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by July 14, 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.

FOR FURTHER INFORMATION CONTACT:

Angela Duncan, 571-372-7574, or whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: High School Recruiter Study; OMB Control Number 0704-HSRS.

Type of Request: New.

Number of Respondents: 84.

Responses per Respondent: 1.

Annual Responses: 84.

Average Burden per Response: 1 hour.

Annual Burden Hours: 84 hours.

Needs and Uses: The Office of the Under Secretary of Defense for Personnel and Readiness has funded a RAND study to assess the level of access and cooperation recruiters currently experience with schools from around the country, identify high school practices and school/school district policies that may facilitate or hinder recruiter access and provide recommendations to OSD on how to improve current recruiter practices and high school compliance. RAND will use the qualitative data to assess the level of recruiter access and nature of cooperation with high schools, as well as to identify LEA/high school practices and other factors that hinder and or facilitate access.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Sehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Angela Duncan.

Requests for copies of the information collection proposal should be sent to Ms. Duncan at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2021-12444 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2021-OS-0043]

Submission for OMB Review; Comment Request; Correction

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense (DoD).

ACTION: Information collection notice; correction.

SUMMARY: On June 7, 2021, the DoD published a document that provided notice DoD is submitting an Information Collection Request to the Office of Management and Budget (OMB) to collect information on Service members, DoD Civilians, and DoD contractors in evaluating 20 high and low risk installations as directed in Immediate Action 2 in the Secretary of Defense Memorandum, "Immediate Actions to Counter Sexual Assault and Harassment and the Establishment of a 90-Day Independent Review Commission on Sexual Assault in the Military," February 26, 2021, DoD requests emergency processing and OMB authorization to collect the information after publication of this notice for a period of six months. Subsequent to publication of the notice, DoD is making a correction to the comment period end date.

DATES: Comments must be received by June 22, 2021.

ADDRESSES: The Department has requested emergency processing from OMB for this information collection request by 15 days after publication of this notice. Interested parties can access the supporting materials and collection instrument as well as submit comments and recommendations to OMB at www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 15-day Review—Open for Public Comments" or by using the search function. Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information

collection. They will also become a matter of public record.

FOR FURTHER INFORMATION CONTACT: Angela Duncan, 571-372-7574, or whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

SUPPLEMENTARY INFORMATION: On June 7, 2021 (86 FR 30289-30290), the DoD published a notice for a 30-day comment period. Subsequent to publication of the notice, DoD is changing the comment period end date, as shown in the **DATES** section. In the **ADDRESSES** section, all references to the 30-day comment period have been changed to 15-day comment period. All other information in the notice of June 7, 2021 remains the same.

Dated: June 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2021-12329 Filed 6-11-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2021-SCC-0020]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Randolph-Sheppard Financial Relief and Restoration Payments Appropriation

AGENCY: Office of Special Education and Rehabilitative Services (OSERS), 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 July 14, 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 Jesse Hartle, 202-245-6415.

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: Randolph-Sheppard Financial Relief and Restoration Payments Appropriation.

OMB Control Number: 1820-0698.

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

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

Total Estimated Number of Annual Responses: 51.

Total Estimated Number of Annual Burden Hours: 51.

Abstract: This is a request for an extension of the emergency approval for information collection resulting from enactment of the Consolidated Appropriations Act of 2021, Division H, Title III, Section 318. This provision authorized the Secretary of Education to allot \$20,000,000 for one-time financial relief and restoration grants consistent with the purposes of the Randolph-Sheppard Act as authorized under section 10 of such Act (20 U.S.C. 107f). Prior to this legislation, Congress has not appropriated such funds concerning the Randolph-Sheppard Vending Facility Program, as such the Department is seeking this data collection in order to meet its obligation to ensure that Federal funds are being used for their prescribed purposes.

Dated: June 9, 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. 2021-12406 Filed 6-11-21; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

[EERE-2021-BT-BC-0013]

DOE-Hosted Workshop on the Future of Building Energy Codes

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

ACTION: Notice of virtual stakeholder workshop.

SUMMARY: The U.S. Department of Energy (DOE), Building Technologies Office will host a stakeholder workshop to explore the future of building energy codes. The purpose of the workshop is to highlight leading advancements in energy codes, bringing together key stakeholders from across the design and construction industry to discuss recent code updates, upcoming trends, as well as opportunities and challenges facing code implementation. This two-part public workshop will be held in a virtual format on Tuesday, June 22, 2021 and Thursday, June 24, 2021. Advanced registration is required.

DATES: The Future of Energy Codes Workshop will be held in a virtual format on Tuesday, June 22, 2021 (Part 1), and Thursday, June 24, 2021 (Part 2). DOE will accept written comments in response to topics presented during the Workshop. Comments are requested no later than July 8, 2021.

ADDRESSES: The virtual workshop registration is currently available at: <https://www.energycodes.gov/future-of-codes-workshop>. Once registered, an email with call-in and webinar login information will be sent to the registrant. Any comments submitted must identify the Notice for the "Future of Energy Codes Workshop," and provide docket number EERE-2021-BT-BC-0013. Comments may be submitted by using either of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov/docket/EERE-2021-BT-BC-0013>. Follow the instructions for submitting comments.
2. *Email:* buildingenergy_codesworkshop2021BC0013@ee.doe.gov. Include EERE-2021-BT-BC-0013 in the subject line of the message.

Instructions: All submissions received must include the agency name (U.S. DOE) and docket number. Additional information is included in **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Mr. Jeremiah Williams; U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW, EE-5B, Washington, DC 20585; (202) 287-1941;

Jeremiah.Williams@ee.doe.gov.

Mr. Matthew Ring; U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW, GC-33, Washington, DC 20585; (202) 586-2555; *Matthew.Ring@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: The U.S. Department of Energy (DOE), Building Technologies Office will hold a stakeholder workshop to highlight leading advancements in energy codes, bringing together key stakeholders from across the design and construction industry to discuss recent code updates, upcoming trends, as well as opportunities and challenges that states and local governments face in code implementation. This two-part workshop will be held in a virtual format on Tuesday, June 22, 2021 and Thursday, June 24, 2021, each day from 11 a.m. to 2 p.m. ET. Each session will be a combination of presentations, panel discussions, and moderated discussion. Participants will have the opportunity to ask questions and share feedback with the group. *Advanced registration is required.* Registrants will receive a confirmation email with call-in and webinar login information after they have been accepted. Person interested in attending this virtual workshop must register online by Monday, June 21, 2021.

Workshop registration is currently available at: <https://www.energycodes.gov/future-of-codes-workshop>.

Please check the website for additional information, including a detailed agenda, list of presentations, summary of the event, and link to comments received. More information on the DOE's support for building energy codes is available at <https://www.energycodes.gov>.

Signing Authority

This document of the Department of Energy was signed on June 8, 2021, by Kelly Speakes-Backman, Principal Deputy Assistant Secretary and Acting Assistant Secretary for Energy Efficiency and Renewable Energy, 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 June 9, 2021.

Treena V. Garrett,

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

[FR Doc. 2021-12423 Filed 6-11-21; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4718-039]

Cocheco Falls 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.:* 4718-039.

c. *Date Filed:* December 29, 2020.

d. *Submitted By:* Cocheco Falls Associates (CFA).

e. *Name of Project:* Cocheco Falls Dam Project.

f. *Location:* On the Cocheco River in the city of Dover, Strafford County, New Hampshire. The project does not occupy any federal land.

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

h. *Applicant Contact:* Mr. John Webster, Cocheco Falls Associates, P.O. Box 178, South Berwick, ME 03908; Phone at (207) 384-5334, or email at Hydromagnt@gwi.net.

i. *FERC Contact:* Amy Chang at (202) 502-8250, or amy.chang@ferc.gov.

j. *Deadline for filing scoping comments:* July 8, 2021.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.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: Cocheco Falls Dam Project (P-4718-039).

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 Cocheco Falls Dam Project consists of: (1) A 150-foot-long, 13.5-foot-high stone masonry arch dam that includes the following sections: (a) A 4-foot-long left abutment section; (b) a 140-foot-long spillway section with 24-inch-high flashboards, a 5-foot-wide, 10-foot-high low-level outlet gate, and a crest elevation of 36.25 feet National Geodetic Vertical Datum of 1929 (NGVD29) at the top of the flashboards; and (c) a 6-foot-long right abutment section with a 4-foot-wide, 9-foot-high debris sluice gate; (2) an impoundment with a surface area of 20 acres and a storage capacity of 150 acre-feet at an elevation of 36.25 feet NGVD29; (3) a 64-foot-wide, 10-foot-high intake structure equipped with a trashrack with 1-inch clear bar spacing; (4) an 8.5-foot-diameter, 184-foot-long gated steel penstock that trifurcates into three 5-foot-diameter, 8-foot-long sections, each controlled by a 5-foot-diameter butterfly valve; (5) a 40-foot-long, 40-foot-wide concrete and brick masonry powerhouse containing three 238-kW vertical Flygt submersible turbine-generator units for a total installed capacity of 714 kW; (6) a 40-foot-long, 40-foot-wide tailrace that discharges into the Cocheco River; (7) a 0.48/34.5-kilovolt (kV) step-up transformer and a 1,000-foot-long, 34.5-kV underground transmission line that connects the project to the local utility

distribution system; and (8) appurtenant facilities.

CFA voluntarily operates the project in a run-of-river mode using an automatic pond level control system to regulate turbine operation, such that outflow from the project approximates inflow. The project creates an approximately 200-foot-long bypassed reach of the Cocheco River.

Downstream fish passage is provided by a bypass facility located on the left side of the dam that consist of a 5.6-foot-wide, 7-foot-long fish collection box, a trashrack with 6-inch clear bar spacing, and a 24-inch-diameter PVC fish passage pipe. Upstream fish passage is provided by a Denil fish ladder located on the right side of the dam. The Denil fish ladder is owned and maintained by the New Hampshire Fish and Game Department, and is not a project facility.

Article 25 of the current license, as amended on September 24, 2002, requires a minimum flow release to the bypassed reach of: (1) 20 cubic feet per second (cfs) through the fish ladder from April 15–June 30; (2) 20 cfs through the trash sluiceway from April 15–June 15, to attract anadromous fish to the fish ladder; and (3) 20 cfs through the downstream fish passage facility from April 15 until ice forms on the river. The average annual energy production from 2014 to 2018 was 1,438 megawatt-hours

CFA proposes to: (1) Continue to operate the project in a run-of-river mode; (2) continue to facilitate upstream and downstream fish passage by providing the minimum flows required by the current license; (3) design and install an upstream eel passage facility at the Denil fish ladder location within 4 years of the effective date of a subsequent license; and (4) consult with the New Hampshire State Historic Preservation Officer before beginning any land-disturbing activities or alterations to known historic structures within the project boundary.

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 June 8, 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: June 8, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021-12378 Filed 6-11-21; 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: EC21-56-000.

Applicants: Duke Energy Indiana, LLC, GIC Infra Holdings Pte. Ltd.

Description: Duke Energy Indiana, LLC and GIC Infra Holdings Pte. Ltd.

submit Response to May 17, 2021
Deficiency Letter.

Filed Date: 5/28/21.

Accession Number: 20210528–5513.

Comments Due: 5 p.m. ET 6/18/21.

Docket Numbers: EC21–100–000.

Applicants: Blackwell Wind, LLC,
Blackwell Wind Energy, LLC.

Description: Application for
Authorization Under Section 203 of the
Federal Power Act of Blackwell Wind,
LLC, et al.

Filed Date: 6/7/21.

Accession Number: 20210607–5223.

Comments Due: 5 p.m. ET 6/28/21.

Take notice that the Commission
received the following electric rate
filings:

Docket Numbers: ER20–2009–005.

Applicants: Tri-State Generation and
Transmission Association, Inc.

Description: Compliance filing: Tri-
State Compliance Filing to be effective
7/15/2020.

Filed Date: 6/7/21.

Accession Number: 20210607–5171.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER20–2202–002.

Applicants: Cassadaga Wind LLC.

Description: Notice of Non-Material
Change in Status of Cassadaga Wind
LLC.

Filed Date: 6/7/21.

Accession Number: 20210607–5225.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–625–003.

Applicants: New York Independent
System Operator, Inc.

Description: Compliance filing:
NYISO supplemental notice of delayed
effective date—SENY reserve
enhancements to be effective 6/17/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5114.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–1111–001.

Applicants: Alabama Power
Company.

Description: Tariff Amendment:
Response to Deficiency Letter regarding
Southeast EEM Agreement to be
effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5164.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1112–001.

Applicants: Dominion Energy South
Carolina, Inc.

Description: Tariff Amendment:
SEEM Concurrence Deficiency Filing to
be effective 8/6/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5002.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–1114–001.

Applicants: Louisville Gas and
Electric Company.

Description: Tariff Amendment:
Southeast EEM Response to Deficiency
Filing to be effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5182.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1115–001.

Applicants: Duke Energy Progress,
LLC, Duke Energy Carolinas, LLC.

Description: Tariff Amendment:
Response to Deficiency Letter regarding
Southeast EEM Agreement to be
effective 12/31/9998.

Filed Date: 6/7/21.

Accession Number: 20210607–5187.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1116–001.

Applicants: Duke Energy Carolinas,
LLC.

Description: Tariff Amendment:
DEC—Southeast Energy Exchange
Market Concurrence Deficiency
Response to be effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5184.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1117–001.

Applicants: Duke Energy Progress,
LLC.

Description: Tariff Amendment:
DEP—Southeast Energy Exchange
Market Concurrence Deficiency
Response to be effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5183.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1118–001.

Applicants: Louisville Gas and
Electric Company.

Description: Tariff Amendment:
Southeast EEM Response to Deficiency
Filing LGEKU OATT to be effective 12/
31/9998.

Filed Date: 6/8/21.

Accession Number: 20210608–5000.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–1119–001.

Applicants: Georgia Power Company.

Description: Tariff Amendment:
Response to Deficiency Letter regarding
Southeast EEM Agreement to be
effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5168.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1120–001.

Applicants: Kentucky Utilities
Company.

Description: Tariff Amendment: KU
Concurrence SEEM Deficiency Response
to be effective 8/6/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5001.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–1121–001.

Applicants: Mississippi Power
Company.

Description: Tariff Amendment:
Response to Deficiency Letter regarding
Southeast EEM Agreement to be
effective 8/6/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5169.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1125–001.

Applicants: Alabama Power
Company.

Description: Tariff Amendment:
Response to Deficiency Letter regarding
Southeast EEM Agreement to be
effective 12/31/9998.

Filed Date: 6/7/21.

Accession Number: 20210607–5167.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–1128–001.

Applicants: Dominion Energy South
Carolina, Inc.

Description: Tariff Amendment:
Attach P and P–1—NEETS Additional
Info to be effective 12/31/9998.

Filed Date: 6/8/21.

Accession Number: 20210608–5003.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–1691–001.

Applicants: Midcontinent
Independent System Operator, Inc.

Description: Tariff Amendment:
2021–06–07_SA 3476 ATC-Grant
County Solar Substitute 1st Rev GIA
(J947) to be effective 4/2/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5159.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–2085–000.

Applicants: Crawford Solar LLC.
Description: Petition for Limited
Waiver of Crawford Solar LLC.

Filed Date: 6/4/21.

Accession Number: 20210604–5188.

Comments Due: 5 p.m. ET 6/25/21.

Docket Numbers: ER21–2091–000.

Applicants: Mechanicsville Solar,
LLC.

Description: Baseline eTariff Filing:
Reactive Power Compensation Filing to
be effective 6/8/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5148.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–2092–000.

Applicants: Pacific Gas and Electric
Company.

Description: § 205(d) Rate Filing:
Berry Petroleum Tannehill Cogen SGIA
(TO SA 413) to be effective 6/8/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5177.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–2093–000.

Applicants: Pacific Gas and Electric
Company.

Description: § 205(d) Rate Filing:
Berry Petroleum University Cogen LGIA
(TO SA 414) to be effective 6/8/2021.

Filed Date: 6/7/21.

Accession Number: 20210607–5179.

Comments Due: 5 p.m. ET 6/28/21.

Docket Numbers: ER21–2094–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3126R6 WAPA NITSA NOA to be effective 6/1/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5034.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–2095–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original ISA, SA No. 6075; Queue No. AF1–257; Cancellation of WMPA, SA No. 3257 to be effective 5/10/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5046.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–2096–000.

Applicants: Midcontinent Independent System Operator, Inc., American Transmission Company LLC.

Description: § 205(d) Rate Filing: 2021–06–08_SA 3665 ATC-North Rock Solar E&P (J1188) to be effective 5/28/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5056.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–2097–000.

Applicants: Coso Battery Storage, LLC.

Description: § 205(d) Rate Filing: Coso Battery Storage, LLC Co-Tenancy and SFA Certificate of Concurrence to be effective 6/9/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5066.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–2098–000.

Applicants: New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 205 Periodic review study & tariff revisions re: BSM Exempt Renewable Technology to be effective 8/9/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5078.

Comments Due: 5 p.m. ET 6/29/21.

Docket Numbers: ER21–2099–000.

Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF–FPL RS No. 81—Revised Contract for Interchange Service to be effective 8/8/2021.

Filed Date: 6/8/21.

Accession Number: 20210608–5130.

Comments Due: 5 p.m. ET 6/29/21.

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: June 8, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–12370 Filed 6–11–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2089–000]

Elephant Energy, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Elephant Energy, 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 28, 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, (866) 208–3676 or TTY, (202) 502–8659.

Dated: June 8, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–12371 Filed 6–11–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC21–13–000]

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

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on a renewal of currently approved information

collection FERC 725L (Mandatory Reliability Standards for the Bulk-Power System: MOD Reliability Standards), which will be submitted to the Office of Management and Budget (OMB) for review.

DATES: Comments on the collection of information are due July 14, 2021.

ADDRESSES: Send written comments on FERC-725L to OMB through www.reginfo.gov/public/do/PRAMain. Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB Control Number (1902-0261) in the subject line of your comments. Comments should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Please submit copies of your comments to the Commission. You may submit copies of your comments (identified by Docket No. IC21-13-000) by one of the following methods:

Electronic filing through <http://www.ferc.gov> is preferred.

- *Electronic Filing:* Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- *Mail via U.S. Postal Service Only:* Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- *Hand (including courier) Delivery:* Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions: OMB submissions must be formatted and filed in accordance with submission guidelines at www.reginfo.gov/public/do/PRAMain. Using the search function under the “Currently Under Review” field, select Federal Energy Regulatory Commission; click “submit,” and select “comment” to the right of the subject collection. *FERC submissions* must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov/ferc-online/overview>.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at DataClearance@FERC.gov, telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION:

Title: FERC 725L (Mandatory Reliability Standards for the Bulk-Power System: MOD Reliability Standards).

OMB Control No.: 1902-0261.

Type of Request: Three-year extension of the FERC-725L information collection requirements with changes to the current reporting requirements due to RD20-4.

Abstract: MOD Reliability Standards ensure that generators remain in operation during specified voltage and frequency excursions, properly coordinate protective relays and generator voltage regulator controls, and ensure that generator models accurately reflect the generator’s capabilities and equipment performance.

On May 30, 2013, the North American Electric Reliability Corporation (NERC) filed a petition explaining that the reliability of the Bulk-Power System benefits from “good quality simulation models of power system equipment,”² and that “model validation ensures the proper performance of the control systems and validates the computer models used for stability analysis.” NERC further stated that the Reliability Standards will enhance reliability because the tests performed to obtain model data may reveal latent defects that could cause “inappropriate unit response during system disturbances.”² Subsequently, on March 20, 2014,¹ the Commission approved Reliability Standards MOD-025-2, MOD-026-1, and MOD-027-1. These Standards were intended to address generator verifications needed to support Bulk-Power System reliability that would also ensure that accurate data is verified and made available for planning simulations.²

On May 1, 2014,³ the Commission approved Reliability Standards MOD-032-1 and MOD-033-2. These Standards were to address “system-level modeling data and validation requirements necessary for developing planning models and the Interconnection-wide cases that are integral to analyzing the reliability of the Bulk-Power System”. MOD-025-2, MOD-026-1, MOD-027-1, MOD-031-3, MOD-032-1 and MOD-033-2 are all currently approved within the FERC-725L information collection. The reporting requirements associated with each standard will not change as a result of this extension request.

¹ Final Rule in Docket No. RM13-16-000.

² NERC Petition for Approval of Five Proposed Reliability Standards MOD-025-2, MOD-026-1, MOD-027-1, PRC-019-1, and PRC-024-1 submitted to FERC on 5/30/2013.

³ Order in Docket No. RD14-5-000.

The 60-day notice published on April 8, 2021 and received no comments.

Type of Respondents: NERC-registered entities including generator owners, transmission planners, planning authorities, balancing authorities, resource planners, transmission service providers, reliability coordinators, and transmission operators.⁴

*Estimate of Annual Burden:*⁵ The Commission estimates the annual public reporting burden⁶ and cost for the information collection as:

RD20-4:

- Elimination of the burden associated with the load-serving entity (LSE) function in Requirement R1 of proposed Reliability Standard MOD-031-3.⁷ The NERC petition states as the load-serving entity is no longer a NERC registration category, NERC proposes to remove this entity from the applicability section of proposed Reliability Standard MOD-031-3 and remove reference to this entity in Requirement R1, Part 1.1, where it is listed as an “Applicable Entity” for purposes of Requirements R2 and R4.⁸

Additionally, NERC proposes to strike the term “Planning Authority” from the applicability section of the standard and the explanatory text that follows. The preferred terminology for the responsible entity that coordinates and integrates transmission facilities and service plans, resource plans, and protection systems is “Planning Coordinator.”⁹ This is a terminology change and will not result in a change in burden.

⁴ In subsequent portions of this notice, the following acronyms will be used: PA = Planning Authority, GO = Generator Owner, TP = Transmission Planner, BA = Balancing Authority, RP = Resource Planner, TSP = Transmission Service Provider, RC = Reliability Coordinator, TOP = Transmission Operator.

⁵ “Burden” is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

⁶ Each of the five MOD standards in the FERC-725L information collection previously contained “one-time” components to their respondent burden. These one-time burden categories consisted primarily of activities related to establishing industry practices and developing data validation procedures tailored toward these reliability standards and their reporting requirements. None of the one-time burdens apply any longer, so they are being removed from the FERC-725L information collection.

⁷ The burden associated with the current version of this standard, MOD-031-2, is included in FERC-725L.

⁸ Standards Alignment with Registration Petition at 10.

⁹ Standards Alignment with Registration Petition at 10.

• Modification of the term “Planning Authority” to “Planning Coordinator” in proposed Reliability Standard MOD-033-2.¹⁰ In the petition, NERC proposes to strike the term “Planning Authority” from the applicability section of the standard and the explanatory text that

follows. The proposed change is intended to promote consistent use of “Planning Coordinator” throughout the Reliability Standards.¹¹ This is a terminology change and will not result in a change in burden.

- Reliability Standard MOD-031-3 (Demand and Energy Data).
- Reliability Standard MOD-033-2 (Steady-State and Dynamic System Model Validation).

PROPOSED CHANGES TO BURDEN DUE TO DOCKET NO. RD20-4-000 ADJUSTMENTS AND CLARIFICATIONS [1]

Reliability standard & requirements	Number of respondents & type of entity (1)	Annual number of responses per respondent (2)	Annual number of responses (1) * (2) = (3)	Average burden hrs. per response (4)	Total annual burden hours (3) * (4) = (5)
RD20-4 Net Changes to FERC-725L, OMB Control No. 1902-0261					
MOD-031-3 (Demand and Energy Data) Develop summary in accordance w/R1, Subparts 1.5.4 and 1.5.5.—program decrease & adjustment/clarification ¹² .	- 561 (DP, LSE, TP & BA).	1	- 561	8	- 4,488
MOD-031-3 (Demand and Energy Data) Develop data request in accordance w/R1 and R3 & Evidence Retention—adjustment/clarification ¹³ .	113 (PC & BA).	1	113	8	904
MOD-031-3 (Demand and Energy Data) Develop and provide data in accordance w/R2 and R4 & Evidence Retention—adjustment/clarification ¹² .	381 (TP, BA & DP).	1	381	8	3,048
MOD-033-2 (Steady-State Dynamic System Model Validation) R2 Data Submittal [for R2]—adjustment.	- 14 (RC & TOP) ¹⁴ .	1	- 14	8	- 112
MOD-033-2 (Steady-State Dynamic System Model Validation), R1-R2, Evidence Retention, adjustment.	- 14 (PC, RC & TOP) ¹⁵ .	1	- 14	1	- 14
Net Changes for FERC-725L due to RD20-4 .....	.....	.....	- 95 (net reduction)	.....	- 662 (net reduction)

MOD-025-2

[Verification and data reporting of generator real and reactive power capability and synchronous condenser reactive power capability]

	Number of respondents ¹⁶ (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Attachment 2	1,003 (GO)	1	1,003	6 hrs.; \$502.02 ¹⁷ ...	6,018 hrs.; \$503,526.06.	\$502.02
Evidence Retention	1,003 (GO)	1	1,003	1 hr.; \$34.79 ¹⁸	1,003 hrs.; \$34,894.07.	34.79
Total .....	.....	.....	.....	.....	7,021 hrs.; \$538,420.07.	.....

MOD-026-1

[Verification of models and data for generator excitation control system or plant volt/variance control functions]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Instructions for obtaining excitation control system or plant voltage/variance control function model.	201 (TP)	1	201	8 hrs.; \$669.36 ¹⁷ ...	1,608 hrs.; \$134,541.36.	\$669.36
Documentation on generator verification.	501 (GO)	1	501	8 hrs.; \$669.36 ¹⁷ ...	4,008 hrs.; \$335,349.36.	669.36

¹⁰ The burden associated with the current version of this standard, MOD-033-1, is included in FERC-725L.

¹¹ Standards Alignment with Registration Petition at 11.

MOD-026-1—Continued

[Verification of models and data for generator excitation control system or plant volt/variance control functions]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Evidence Retention	668 (GO and TOP).	1	668	1 hr.; \$34.79 ¹⁸	668 hrs.; \$23,239.72.	34.79
Total .....	.....	.....	.....	.....	6,284 hrs.; \$493,130.44.	.....

MOD-027-1

[Verification of models and data for turbine/governor and load control or active power/frequency control functions]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Instructions for obtaining excitation control system or plant voltage/variance control function model.	201 (TP)	1	201	8 hrs.; \$669.36 ¹⁷ ...	1,608 hrs.; \$134,541.36.	\$669.36
Documentation on generator verification.	501 (GO) ¹⁹ ...	1	501	8 hrs.; \$669.36 ¹⁷ ...	4,008 hrs.; \$335,349.36.	669.36
Evidence Retention	668 (GO and TP).	1	668	1 hr.; \$34.79 ¹⁸	668 hrs.; \$23,239.72.	34.79
Total .....	.....	.....	.....	.....	6,284 hrs.; \$493,130.44.	.....

MOD-031-3 (FORMERLY MOD-031-2) (DEMAND AND ENERGY DATA), INCLUDED IN FERC-725L

Reliability standard MOD-031-3	Number and type of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Avg. burden & cost per response ²⁰ (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
(On-going) Develop summary in accordance with Requirement R1, Subparts 1.5.4 and 1.5.5.	616 (DP, TP and/or BA).	1	616	8 hrs.; \$561.52	4,928 hrs.; \$345,896.32.	\$561.52
MOD-031-3 Net Changes in RD20-4 (in the first table above).	.....	.....	-67	.....	-536 hrs.; \$37,621.84.	.....
New Total for MOD-031-3 for Renewal.	.....	.....	549	.....	4,392 hrs.; \$308,274.48.	.....

MOD-032-1

[Verification of models and data for turbine/governor and load control or active power/frequency control functions]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Data Submittal	1,418 (BA, GO, PA/PC, RP, TO, TP, and TSP).	1	1,418	8 hrs.; \$561.52 ²⁰ ...	11,344 hrs.; \$796,235.36.	\$561.52

MOD-032-1—Continued

[Verification of models and data for turbine/governor and load control or active power/frequency control functions]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Evidence Retention	1,418 (BA, GO, PA/PC, RP, TO, TP, and TSP).	1	1,418	1 hr.; \$34.79 ¹⁸	1,418 hrs.; \$49,332.22.	34.79
Total .....	.....	.....	.....	.....	12,762 hrs.; \$998,484.70.	.....

MOD-033-2 (FORMERLY MOD-033-1)

[Steady-state and dynamics system model validation]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Avg. burden & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent (\$) (5) ÷ (1)
Data Submittal	178 (RC and TOP).	1	178	8 hrs.; \$669.36 ²⁰ ...	1,424 hrs.; \$119,146.08.	\$669.36
Evidence Retention	243 (PA/PC, RC, and TOP).	1	243	1 hr.; \$34.79 ¹⁸	243 hrs.; \$8,453.97	34.79
MOD-033-2 Net Changes in RD20-4 (in the first table above).	.....	.....	-28	.....	-126 .....	.....
New Total for MOD-033-2 Renewal.	.....	.....	393	.....	1,541 hrs.; \$128,935.47.	.....

The total annual estimated burden and cost for the FERC-725L information collection is 38,724 hours and \$2,960,375.60 respectively.

¹² The estimates reflect a program decrease of 63 de-registered LSEs (and corresponding program decrease of 504 hrs.) related to Docket No. RD20-4-000, and an adjustment/clarification (decrease) of 498 DPs, TPs, and BAs (and corresponding decrease of 3,984 hrs.), not related to Docket No. RD20-4-000. The updated number of 381 DPs, TPs and BAs is listed in a new row clarifying their applicability with Requirements R2 and R4. Requirement R2 requires applicable entities to develop and provide data pursuant with Requirement R1.

¹³ The 113 PCs and BAs were originally estimated in FERC-725A due to Order No. 693. However, the estimates and descriptions were not clearly spelled out, so we are clarifying them. [Some of this burden may still be in FERC-725A (and double counted temporarily).]

¹⁴ The estimate is changing to 174 (from 188) due to normal industry fluctuation.

¹⁵ The estimate is changing to 188 (from 194) due to normal industry fluctuation.

¹⁶ The number of respondents for MOD-025-2/ MOD-026-1/MOD-027-1/MOD-31-3/MOD-032-/ MOD-033-2 are from the NERC compliance registry February 5, 2021.

¹⁷ This wage figure uses the average hourly wage (plus benefits) for electrical engineers (Occupation Code: 17-2071, \$70.19/hour) and managers (Occupation Code: 11-0000, \$97.15/hour) obtained from the Bureau of Labor Statistics (BLS) from https://www.bls.gov/oes/current/naics2_22.htm.

Comments: Comments are invited on:

- (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility;
- (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used;
- (3) ways to enhance the quality, utility and clarity of the information collection; and
- (4) ways to minimize the burden of the collection of information on those who are to respond, including the use

The average used the following calculation: [$\$70.19/\text{hour} + \$97.15/\text{hour}$] ÷ 2 = \$83.67/hour.

¹⁸ The estimate uses the hourly average wage (plus benefits) for file clerks obtained from the Bureau of Labor Statistics: \$34.79/hour (BLS Occupation Code: 43-4071).

¹⁹ It is estimated that the applicable numbers of generator owner respondents used to calculate the public reporting burden for these standards MOD-026-1, MOD-027-1, MOD-032-1 and MOD-033-1 is half of total numbers of GO (501=1003/2) due to the higher applicability threshold for those Reliability Standards.

²⁰ The estimate uses the average hourly wage (plus benefits) of \$70.19/hour for electrical engineers (Occupation Code: 17-2071) from the Bureau of Labor Statistics.

of automated collection techniques or other forms of information technology.

Dated: June 8, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021-12376 Filed 6-11-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC21-12-000]

Commission Information Collection Activities (Ferc-725x); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on a renewal of

currently approved information collection FERC 725X (Mandatory Reliability Standards: Voltage and Reactive (VAR) Standards), which will be submitted to the Office of Management and Budget (OMB) for review.

DATES: Comments on the collection of information are due July 14, 2021.

ADDRESSES: Send written comments on FERC-725X to OMB through www.reginfo.gov/public/do/PRAMain. Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB Control Number (1902-0278) in the subject line of your comments. Comments should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain.

Please submit copies of your comments to the Commission. You may submit copies of your comments (identified by Docket No. IC21-12-000) by one of the following methods:

Electronic filing through <http://www.ferc.gov>, is preferred.

- *Electronic Filing:* Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- *Mail via U.S. Postal Service Only:* Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- *Hand (including courier) delivery:* Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions: OMB submissions must be formatted and filed in accordance with submission guidelines at www.reginfo.gov/public/do/PRAMain. Using the search function under the “Currently Under Review” field, select Federal Energy Regulatory Commission; click “submit,” and select “comment” to the right of the subject collection.

FERC submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov/ferc-online/overview>.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email

at DataClearance@FERC.gov, telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION:

Title: FERC 725X (Mandatory Reliability Standards: Voltage and Reactive (VAR) Standards).

OMB Control No.: 1902-0278.

Type of Request: Three-year extension of the FERC-725X information collection requirements with no changes to the current reporting requirements.

Abstract: Pursuant to Section 215 of the Federal Power Act (FPA),¹ North American Electric Reliability Corporation (NERC) established the Voltage and Reactive (“VAR”) group of Reliability Standards, which consists of two continent-wide Reliability Standards, VAR-001-5 and VAR-002-4.1. NERC conducts periodic reviews of Reliability Standards in accordance with Section 317 of the NERC Rules of Procedure and Section 13 of the NERC Standard Processes Manual. In accordance with these authorities and the NERC *Reliability Standards Development Plan: 2017-2019*, NERC recently completed Project 2016-EPR-02 Enhanced Periodic Review of Voltage and Reactive Reliability Standards. This project conducted a periodic review of mandatory and enforceable Reliability Standards VAR-001-4.1 (Voltage and Reactive Control)² and VAR-002-4 (Generator Operation for Maintaining Network Schedules).³ These two standards were designed to maintain voltage stability on the Bulk-Power System, protect transmission, generation, distribution, and customer equipment, and support the reliable operation of the Bulk-Power System. Voltage stability is the ability of a power system to maintain acceptable voltage levels throughout the system under normal operating conditions and following a disturbance. Failure to maintain acceptable voltage levels (*i.e.*, voltage levels become too high or too low) may cause violations of System Operating Limits (“SOLs”) and Interconnection Reliability Operating Limits (“IROLs”), result in damage to Bulk-Power System equipment, and

¹ 16 U.S.C. 824o (2012).

² The Commission approved Reliability Standard VAR-001-4 (Voltage and Reactive Control) on August 1, 2014. See *North American Electric Reliability Corp.*, Docket No. RD14-11-000 (Aug. 1, 2014) (delegated letter order). The Commission approved errata version VAR-001-4.1 on November 13, 2015. See *North American Electric Reliability Corp.*, Docket No. RD15-6-000 (Nov. 13, 2015) (delegated letter order).

³ The Commission approved Reliability Standard VAR-002-4, which clarified the applicability of the VAR-002 standard to dispersed generation resources, on May 29, 2015. See *North American Electric Reliability Corp.*, 151 FERC ¶ 61,186 (May 29, 2015).

thereby threaten the reliable operation of the Bulk-Power System.

Reliability Standard VAR-001-5

This Reliability Standard requires Transmission Operators to:

- Specify a system-wide voltage schedule (which is either a range or a target value with an associated tolerance band) as part of its plan to operate within SOLs and IROLs, and to provide the voltage schedule to its Reliability Coordinator and adjacent Transmission Operators upon request (Requirement R1);

- Schedule sufficient reactive resources to regulate voltage levels (Requirement R2);

- Operate or direct the operation of devices to regulate transmission voltage and reactive flows (Requirement R3);

- Develop a set of criteria to exempt generators from certain requirements under Reliability Standard VAR-002-4.1 related to voltage or Reactive Power schedules, automatic voltage regulations, and notification (Requirement R4);

- Specify a voltage or Reactive Power schedule (which is either a range or a target value with an associated tolerance band) for generators at either the high or low voltage side of the generator step-up transformer, provide the schedule to the associated Generator Operator, direct the Generator Operator to comply with that schedule in automatic voltage control mode, provide the Generator Operator the notification requirements for deviating from the schedule, and, if requested, provide the Generator Operator the criteria used to develop the schedule (Requirement R5); and

- Communicate step-up transformer tap changes, the time frame for completion, and the justification for these changes to Generator Owners (Requirement R6).

Reliability Standard VAR-002-4.1

This Reliability Standard includes an information collection activity for “Requirement R1” and a separate information collection activity for “Requirements R2 through R6.”

This Reliability Standard requires Generator Operators to:

- Operate each of its generators connected to the interconnected transmission system in automatic voltage control mode or in a different control mode as instructed by the Transmission Operator, unless the Generator Operator (1) is exempted pursuant to the criteria developed under VAR-001-5, Requirement R4, or (2) makes certain notifications to the Transmission Operator specifying the

reasons it cannot so operate (Requirement R1);

- Maintain the Transmission Operator's generator voltage or Reactive Power schedule, unless the Generator Operator (1) is exempted pursuant to the criteria developed under VAR-001-5, Requirement R4, or (2) complies with the notification requirements for deviations as established by the Transmission Owner pursuant to VAR-001-5, Requirement R5 (Requirement R2);
- Notify the Transmission Operator of a change in status of its voltage

- controlling device within 30 minutes, unless the status is restored within that time period (Requirement R3); and
- Notify the Transmission Operator of a change in reactive capability due to factors other than those described in VAR-002-4.1, Requirement R3 within 30 minutes unless the capability has been restored during that time period (Requirement R4).
- Provide information on its step-up transformers and auxiliary transformers within 30 days of a request from the Transmission Operator or Transmission Planner (Requirement R5); and

- Comply with the Transmission Operator's step-up transformer tap change directives unless compliance would violate safety, an equipment rating, or applicable laws, rules or regulations (Requirement R6).

The 60-day notice was published to the **Federal Register** on March 31, 2021 and received no comments.

Type of Responses: Generator operators and Transmission Operators.
*Estimate of Annual Burden:*⁴
 The Commission estimates the annual public reporting burden for the information collection as:

FERC-725X—MANDATORY RELIABILITY STANDARDS: VOLTAGE AND REACTIVE (VAR) STANDARDS

	Number of respondents ⁵	Annual number of responses per respondent	Total number of responses	Average burden & cost per response ⁶	Total annual burden hours & total annual cost	Cost per respondent (\$)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
VAR-001-5 (Requirements R1-R6).	167 (TOP)	1	167	160 hrs.; \$11,230.40	26,720 hrs.; \$1,875,476.80.	\$11,230.40
VAR-002-4.1 (Requirement R1).	937 (GOP)	1	937	80 hrs.; \$5,615.20	74,960 hrs.; \$5,261,442.4.	5,615.20
VAR-002-4.1 (Requirements R2-R6).	937 (GOP)	1	937	120 hrs.; \$8,422.80 ..	112,440 hrs.; \$7,892,163.6.	8,422.80
Total .....	.....	.....	2,041	.....	214,120 hrs.; \$15,029,082.80.	.....

The burden for the FERC-725X information collection includes estimates related to both of the previously approved Reliability Standards (VAR-001-4.2 and VAR-002-4.1). The total annual burden and cost of the FERC-725X information collection is 214,120 hours and \$15,029,083 (rounded).

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

Dated: June 8, 2021.
Kimberly D. Bose,
Secretary.
 [FR Doc. 2021-12377 Filed 6-11-21; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY
Southwestern Power Administration
Integrated System, Sam Rayburn Dam, and Robert D. Willis Rate Schedules

AGENCY: Southwestern Power Administration, DOE.
ACTION: Notice of proposed rate schedules extension and opportunity for public review and comment.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern), is proposing a two-year extension to the currently approved rate schedules for the Integrated System, the Sam Rayburn Dam, and the Robert Douglas Willis Hydropower Project (Robert D. Willis) for the period of October 1, 2021 to September 30, 2023. Southwestern's current Integrated

System rate schedules (P-13A, NFTS-13A, and EE-13), the Sam Rayburn Dam rate schedule (SRD-15), and the Robert D. Willis rate schedule (RDW-15), expire September 30, 2021.

DATES: The consultation and comment period will begin on June 14, 2021 and will end on July 14, 2021. Written comments are due on or before July 14, 2021.

ADDRESSES: Comments should be submitted to Ms. Fritha Ohlson, Senior Vice President and Chief Operating Officer, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103.

FOR FURTHER INFORMATION CONTACT: Ms. Fritha Ohlson, Senior Vice President, Chief Operating Officer, Office of Corporate Operations, (918) 595-6684, fritha.ohlson@swpa.gov, or facsimile transmission (918) 595-6684.

SUPPLEMENTARY INFORMATION: Originally established by Order 1865, Secretary of the Interior, dated August 31, 1943 and effective September 1, 1943 (8 FR 12142 (Sept. 3, 1943)), Southwestern is

⁴ The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the

information collection burden, reference 5 Code of Federal Regulations 1320.3.

⁵ TOP = transmission operator; GOP = generator operators. Respondent counts based of the NERC Compliance Registry numbers February 5, 2021.

⁶ The estimate for hourly cost is \$70.19/hour. This figure is the average salary plus benefits for an electrical engineer (Occupation Code: 17-2071) from the Bureau of Labor Statistics (May 2020) at https://www.bls.gov/oes/current/naics2_22.htm.

authorized by Congress to market the hydroelectric power and energy from Federal dams controlled by the U.S. Army Corps of Engineers (Corps), pursuant to Section 302(a)(1) of the Department of Energy Organization Act (42 U.S.C. 7152(a)(1)), Section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and Public Law 95-456 (16 U.S.C. 825s-3). Guidelines for preparation of power repayment studies are included in Department of Energy (DOE) Order No. RA 6120.2 (Sept. 20, 1979), entitled *Power Marketing Administration Financial Reporting*. Procedures for public participation in power and transmission rate adjustments of the Power Marketing Administrations are found at title 10, part 903, subpart A of the Code of Federal Regulations (10 CFR part 903). Procedures for the confirmation, approval, and extension of rates for the Power Marketing Administrations are found at title 18, part 300, subpart L of the Code of Federal Regulations (18 CFR part 300).

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the Corps. These projects are located in Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states, plus Kansas and Louisiana. The costs associated with 22 of these 24 hydropower projects are repaid with revenues received under Southwestern's Integrated System rates. These rates also cover the costs of Southwestern's transmission facilities that consist of 1,380 miles of high voltage transmission lines, 27 substations, and 46 microwave and VHF radio sites. Additionally, Southwestern markets power from two hydropower projects in southeastern Texas, Sam Rayburn Dam and Robert D. Willis. These projects are isolated hydrologically, electrically, and financially from the Integrated System and are repaid via separate rate schedules.

On September 30, 2013, in Rate Order No. SWPA-66, the Deputy Secretary of Energy placed into effect Southwestern's Integrated System rate schedules (P-13, NTFs-13, and EE-13) on an interim basis for the period October 1, 2013 to September 30, 2017. The Federal Energy Regulatory Commission (FERC) confirmed and approved Southwestern's interim Integrated System rates on a final basis on January 9, 2014 for a period ending September 30, 2017.

Southwestern re-designated Integrated System rate schedule "NTFS-13" as "NTFS-13A" with no revenue adjustment. In Rate Order No. SWPA-71, the Deputy Secretary of Energy

placed into effect Southwestern's rate schedule NTFs-13A on an interim basis beginning January 1, 2017. FERC confirmed and approved NTFs-13A on a final basis on March 9, 2017.

On September 13, 2017, in Rate Order No. SWPA-72, the Deputy Secretary of Energy extended all of Southwestern's Integrated System rate schedules (P-13, NTFs-13A, and EE-13) for two years, for the period of October 1, 2017 through September 30, 2019.

Southwestern re-designated Integrated System rate schedule "P-13" as "P-13A" with no revenue adjustment. In Rate Order No. SWPA-73, the Assistant Secretary for Electricity placed into effect Southwestern's rate schedule for P-13A on an interim basis beginning July 1, 2019. FERC confirmed and approved P-13A on a final basis on August 29, 2019.

On September 22, 2019, in Rate Order No. SWPA-74, the Assistant Secretary for Electricity extended all of Southwestern's Integrated System rate schedules (P-13A, NTFs-13A, EE-13) for two years, for the period of October 1, 2019 through September 30, 2021.

On December 17, 2015, in Rate Order No. SWPA-69, the Deputy Secretary of Energy placed into effect the current Sam Rayburn Dam rate schedule (SRD-15) on an interim basis for the period January 1, 2016 to September 30, 2019. FERC confirmed and approved SRD-15 on a final basis on June 30, 2016 for a period ending September 30, 2019. On September 22, 2019, in Rate Order No. SWPA-75, the Assistant Secretary for Electricity approved a two-year extension to SRD-15 on an interim basis through September 30, 2021.

On December 17, 2015, in Rate Order No. SWPA-70, the Deputy Secretary of Energy placed into effect the current Robert D. Willis Dam rate schedule (RDW-15) on an interim basis for the period January 1, 2016 to September 30, 2019. FERC confirmed and approved the rate on a final basis on June 15, 2016 for a period ending September 30, 2019. On September 22, 2019, in Rate Order No. SWPA-76, the Assistant Secretary for Electricity approved a two-year extension to RDW-15 on an interim basis through September 30, 2021.

Decision Rationale

Southwestern is proposing an extension of the above current rate schedules, for the period October 1, 2021 through September 30, 2023. The Administrator will review and consider all timely written comments at the end of the public review and comment period and adjust the rate schedules extension proposal as appropriate.

Southwestern's current Integrated System rate schedules (P-13A, NTFs-13A, and EE-13) are based on its 2013 Power Repayment Study (PRS). Southwestern has conducted PRSs annually thereafter through 2021. Each PRS indicated a need for a revenue adjustment that fell within a plus or minus two percent range of the revenue estimate based on the current rate schedules. It is Southwestern's practice for the Administrator to defer, on a case-by-case basis, revenue adjustments for the Integrated System within plus or minus two percent from the revenue estimate based on the current rate schedules. The deferral of a revenue adjustment (rate change) provides for rate stability and savings on the administrative cost of implementation. Thus, the Administrator has deferred revenue adjustments annually through 2021.

Southwestern's current rate schedules for the Sam Rayburn Dam and Robert D. Willis isolated rate systems, SRD-15 and RDW-15, are based on their respective 2015 PRSs. Each subsequent annual PRS, including the 2021 PRS, indicated the need for a revenue adjustment within a plus or minus five percent range of the current revenue estimate. It is Southwestern's practice for the Administrator to defer, on a case-by-case basis, revenue adjustments for isolated rate systems that are within plus or minus five percent of the revenue estimated from the current rate schedule. Therefore, the Administrator deferred revenue adjustments annually for Sam Rayburn Dam and Robert D. Willis through 2021.

Legal Authority

By Delegation Order No. 00-037.00B, effective November 19, 2016, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to Southwestern's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, or to remand or disapprove such rates, to FERC. By Delegation Order No. S1-DEL-S4-2021, effective February 25, 2021, the Acting Secretary of Energy also delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Under Secretary for Science (and Energy). By Redelegation Order No. S4-DEL-OE1-2021, effective March 25, 2021, the Acting Under Secretary for Science (and Energy) redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Assistant Secretary for Electricity.

And by Redelegation Order No. 00–002.10–04, effective July 8, 2020, the Assistant Secretary for Electricity further redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Administrator, Southwestern Power Administration. This redelegation order, despite predating the February 2021 and March 2021 redelegations, remains valid. By these delegations, and in accordance with 10 CFR 903.22(h) and 10 CFR 903.23(a), as amended (84 FR 5347, 5350 (Feb. 21, 2019)), Southwestern's Administrator may approve and extend, on an interim basis, rates previously confirmed and approved by FERC beyond the period specified by FERC.

Environmental Impact

Southwestern previously determined that the rate change actions, placed into effect on October 1, 2013 for the Integrated System and on January 1, 2016 for Sam Rayburn Dam and Robert D. Willis, fit within the class of categorically excluded actions as listed in Appendix B to Subpart D of 10 CFR part 1021, DOE's Implementing Procedures and Guidelines of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321–4347): Categorical exclusions applicable to B4.3: Electric power marketing rate changes, which does not require preparation of either an environmental impact statement (EIS) or an environmental assessment (EA). On May 27, 2021, Southwestern determined that categorical exclusion B4.3 applies to the current action.

Determination Under Executive Order 12866

Southwestern has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Signing Authority

This document of the Department of Energy was signed on June 4, 2021, by Mike Wech, Administrator for Southwestern Power Administration, 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 DOE. This administrative process in no way alters the legal effect of this

document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 9, 2021.

Treana V. Garrett,

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

[FR Doc. 2021–12425 Filed 6–11–21; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2021–0286; FRL–10023–61]

Electronic Option for Export Notifications Under the Toxic Substances Control Act (TSCA); Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is announcing the availability of an electronic option for submitting the export notifications that are required under the Toxic Substances Control Act (TSCA). As an alternative to the hardcopy approach, which is still available, EPA is also now accepting the required export notifications electronically using EPA's electronic document submission system, the Central Data Exchange (CDX). Use of CDX to prepare and submit the required export notifications to EPA will help streamline and reduce the administrative costs and burdens associated with submitting paper-based export notifications for both the submitters and the Agency.

DATES: TSCA export notifications may be submitted electronically using CDX as of June 14, 2021.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2021–0286, is available online at <http://www.regulations.gov> or in-person at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Please note that due to the public health concerns related to COVID–19, the EPA/DC and Reading Room is closed to visitors with limited exceptions. The staff continues

to provide remote customer service via email, phone, and webform. For the latest status information on the EPA/DC and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: For technical information contact: Jeffrey Santacroce, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–2818; email address: santacroce.jeffrey@epa.gov.

For general information contact: The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture, process, import, or distribute in commerce chemical substances and mixtures. The following North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. Potentially affected entities may include, but are not limited to exporters of chemical substances, which are mostly chemical companies classified under NAICS Codes 325 and 324.

If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What action is the Agency taking?

The Agency is announcing the availability of an electronic reporting option for use by those who must submit notifications of export under TSCA section 12(b). EPA is providing an electronic reporting option as part of broader Federal government efforts to move to modern, electronic methods of information collection, which streamline processes and reduce overall burdens for all involved.

Currently, TSCA section 12(b) export notifications can only be submitted to the Agency in hardcopy, by mail or in person, requiring the Agency to manually scan and process submissions. The modernization of the TSCA section 12(b) export notification process will allow the option for users to prepare and submit their notifications to the Agency electronically using a web-based application. To file electronically, submitters must use the EPA provided

application. To access the application, users must register with EPA's Central Data Exchange (CDX). CDX is the Agency's portal for submitting information to EPA in a secure manner. When registering, a user will need to ensure they are registering for the Chemical Safety and Pesticide Programs (CSPP) data flow which will provide them access to the Chemical Information Submission System (CISS) where the TSCA section 12(b) reporting application can be accessed. (Note: Users who have previously registered with CDX are able to add "Submission for Chemical Safety and Pesticide Program (CSPP)" to their current registration.) This reporting tool is compatible with Windows, Mac, Linux, and UNIX based computers, and uses "Extensible Markup Language" (XML) specifications for efficient data transmission across the internet.

C. What is the Agency's authority for taking this action?

TSCA section 12(b) requires exporters to submit a notice to EPA for each country to which a chemical subject to TSCA section 12(b) requirements is exported. Specifically, TSCA section 12(b) states, in part, that any person who exports or intends to export to a foreign country a chemical substance or mixture for which submission of information is required under TSCA section 4 or 5(b), or for which a rule, action or order has been proposed or promulgated under TSCA section 5, 6, or 7, shall notify the EPA Administrator of such export or intent to export. The Administrator in turn will notify the government of the importing country of the notice and of EPA's regulatory action with respect to the substance. Regulations implementing the statutory mandate in TSCA section 12(b) appear in 40 CFR part 707, subpart D, and include the following additional provisions:

- No notice of export will be required for articles, except polychlorinated biphenyl (PCB) articles, unless the Agency so requires in the context of individual TSCA section 5, 6, or 7 actions.
- Any person who exports or intends to export PCBs or PCB articles, for any purpose other than disposal, shall notify EPA of such intent or exportation under TSCA section 12(b). PCBs and PCB articles are defined at 40 CFR 761.3
- Any person who would be prohibited by a TSCA section 5 or 6 regulation from exporting a chemical substance or mixture, but who is granted an exemption by EPA to export that chemical substance or mixture, shall notify EPA under TSCA section

12(b) of such intent to export or exportation.

- An exporter will be subject to possible enforcement action (including penalties) for not complying with the applicable provisions of TSCA section 12(b).

The Government Paperwork Elimination Act (GPEA) (Pub. L. 105–277, Title XVII) (44 U.S.C. 3504) requires Executive agencies to provide, when practicable, for the option of the electronic maintenance, submission, or disclosure of information as a substitute for paper; and the use and acceptance of electronic signatures.

D. What are the anticipated benefits of CDX reporting and use of CISS?

EPA encourages submitters of TSCA section 12(b) export notifications to adopt electronic reporting as the preferred submission method. Electronic reporting reduces the reporting burden for submitters by reducing the cost and time required to review, edit, and transmit data to the Agency in a hardcopy format, as well as the cost to retain required records related to that submission. CISS, the web-based reporting tool, enables efficient data transmittal and reduces errors with built-in validation procedures. CISS also allows submitters to share a draft submission within their organization, and more easily save an electronic copy for their records or future use. The resource and time requirements for EPA to review and process these export notifications will also be reduced, including increased efficiencies in communicating with submitters, as well as the storage and retrieval of submission.

II. Electronic Reporting Procedures

This unit provides an overview of CDX, CSPP, and the CISS web-based reporting tool. It also provides instructions for the electronic reporting process for TSCA section 12(b) export notifications. As a reminder, the regulations implementing the statutory mandate in TSCA section 12(b) appear in 40 CFR part 707, subpart D.

A. What is CDX?

CDX is EPA's point of entry for environmental data submissions to the Agency. CDX also provides the capability for submitters to access their data using web services. CDX enables EPA to work with stakeholders, including governments, regulated industries, and the public to enable streamlined, electronic submission of data via the internet. To report under the procedures discussed in this notice, submitters would register with CDX,

select the CSPP option, and use CISS to access reporting of TSCA section 12(b) export notifications. More information about CDX is available online at: <http://www.epa.gov/cdx/>.

B. What is CISS?

CISS is a web-based reporting tool for the submission of forms, reports, and other documents including TSCA section 12(b) export notifications, electronically to the Agency. The tool is available for use with Windows, Mac, Linux, and UNIX computer systems, using "Extensible Markup Language" (XML) specifications for efficient data transmission across the internet. CISS provides user-friendly navigation, works with CDX to secure online communication, creates a completed Portable Document Format (PDF) for review prior to submission, and enables data, reports, and other information to be submitted easily as PDF attachments, or by other electronic standards, such as XML. As currently implemented, one or more representatives from each facility must establish an account with EPA's CDX to prepare, transmit, certify, and submit forms, reports, and other documents.

C. How will TSCA section 12(b) export notifications be submitted via the internet using CDX?

Once registered with EPA's CDX, submitters of TSCA section 12(b) export notifications will select the CSPP Program and use CISS to prepare a data file for submission.

1. *Registering with CDX.* To submit electronically to EPA via CDX, a user would register with CDX at: http://cdx.epa.gov/epa_home.asp. CDX registration enables EPA to authenticate user identities and verify user authorizations.

To register in CDX, the CDX registrant (also referred to as "Electronic Signature Holder" or "Public/Private Key Holder") would agree to the Terms and Conditions, provide information about the user and organization, select a username and password, and follow the procedures outlined in the guidance document for CDX available online at: http://www.epa.gov/cdr/tools/CDX_Registration_Guide_v0_02.pdf.

2. *Submission.* Submitters choosing to submit electronically will use CISS to prepare their submissions. CISS guides users through a "hands-on" process of creating an electronic submission. Once a user completes the relevant data fields and attaches appropriate PDF files or other file types, such as XML files, the web-based tool validates the submission by performing a basic error check and

makes sure all the required fields and attachments are provided and complete.

Further instructions on submitting information and instructions for uploading PDF attachments or other file types, such as XML will be available through CISS reporting guidance available online at: <https://www.epa.gov/tsca-import-export-requirements/tsca-requirements-exporting-chemicals>.

D. Can CBI be submitted using CISS?

Yes, CISS enables the user to submit CBI and substantiate that CBI claim in an electronic format. All information sent by the user via CDX is transmitted securely to protect CBI. CISS also guides the user through the process of submitting CBI by prompting the user to check a CBI checkbox if using a form or by submitting a scanned document containing CBI by bracketing, underlining, or otherwise marking the confidential information on the document prior to scanning. As with paper-based submissions, a sanitized copy of any document containing CBI would be included by the user in the electronic submission. The CISS reporting guidance instructs users on how to submit CBI and substantiate CBI claims information using CISS.

E. How will CBI be protected when submitting via CDX?

The Agency ensures secure transmission of the data, reports, and other documents sent from the user through the internet via the Transport Layer Security (TLS) 1.0 protocol. TLS 1.0 is a widely used approach for securing internet transactions and is endorsed by the National Institute of Standards and Technology (NIST) as a means for protecting data sent over the internet. See NIST Special Publication 800-52, "Guidelines for the Selection and Use of Transport Layer Security (TLS) Implementations," available online at: <http://csrc.nist.gov/publications/nistpubs/800-52/SP800-52.pdf>.

In addition, CISS enables the submitter to electronically sign, encrypt, and transmit submissions, which the Agency subsequently provides back to the user as an unaltered copy of record. This assures the user that the Agency has received exactly what the user sent to the Agency. CISS encrypts using a module based on the 256-bit Advanced Encryption Standard (AES) adopted by NIST. Details about AES can be found on the NIST website at: <http://csrc.nist.gov/publications/fips/fips197/fips-197.pdf>. EPA may incorporate other encryption modules into future versions of CISS. Information submitted via CDX

is processed within EPA by secure systems certified for compliance with Federal Information Processing Standards (FIPS) that are available online at: <http://www.nist.gov/itl/fips.cfm>.

III. Paperwork Reduction Act (PRA)

According to PRA, 44 U.S.C. 3501 *et seq.*, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under the PRA, unless it has been approved by OMB and displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register**, are listed in 40 CFR part 9, and included on the related collection instrument or form, if applicable.

The information collection requirements associated with export notifications under TSCA section 12(b) and contained in 40 CFR part 707, subpart D are approved by OMB pursuant to the PRA under OMB Control No. 2070-0030 (EPA ICR No. 0795.16) on May 18, 2021. This action does not impose any burden requiring additional OMB approval. The annual paperwork burden per export notification is estimated to average 19 hours for hardcopy submissions and 12 hours for electronic submissions. This burden estimate includes the time needed to review instructions, search existing data sources, gather and complete, review, and submit the required export notification to EPA. For additional details, please see the Information Collection Request document that is available in the docket.

Send any comments about the accuracy of the burden estimate, and any suggested methods for further minimizing respondent burden, including through the use of automated collection techniques, to the Director, Regulatory Support Division, Office of Mission Support (2822T), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001. Please remember to include the OMB control number in any correspondence, but do not submit any export notifications or related questions to this address.

(Authority: 15 U.S.C. 2601 *et seq.*)

Dated: June 8, 2021.

Michal Freedhoff,

Principal Deputy Assistant Administrator,
Office of Chemical Safety and Pollution
Prevention.

[FR Doc. 2021-12402 Filed 6-11-21; 8:45 am]

BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

[Notice-PCSCOTUS-2021-01; Docket No. PCSCOTUS-2021-0001; Sequence No. 2]

Office of Asset and Transportation Management; Presidential Commission on the Supreme Court of the United States; Notification of Upcoming Public Virtual Meeting and Request for Public Comment

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

ACTION: Request for public comment; meeting notice.

SUMMARY: GSA is accepting written public comments on the work of the Presidential Commission on the Supreme Court of the United States (Commission). Further, GSA is providing notice of an open public virtual meeting of the Commission in accordance with the requirements of the Federal Advisory Committee Act. For information on the topics discussed, please see the **SUPPLEMENTARY INFORMATION** section of this notice. This meeting is open to the public and will be live-streamed at www.whitehouse.gov/pcscotus/. Information about the public meeting will be posted at www.whitehouse.gov/pcscotus/ prior to the meeting.

DATES: The Commission will hold a public virtual meeting on June 30, 2021 from 9:00 a.m. to 5:00 p.m., Eastern Standard Time (EST). Written comments on the Commission will be accepted until November 15, 2021.

ADDRESSES: This meeting will be conducted virtually on the internet. Interested individuals must register to attend as instructed below.

Procedures for Attendance and Public Comment

Attendance. This meeting is open to the public and the Commission encourages the public's attendance. To attend this public virtual meeting, please send an email with the Subject: Registration. In the body of the email, provide your full name, organization (if applicable), email address, and phone number to the Designated Federal Officer, at info@pcscotus.gov. Registration requests must be received by 5:00 p.m. ET, on June 28, 2021. Registrations received after this day/time may not be processed.

Public Comments. Written public comments are being accepted via <http://www.regulations.gov>, the Federal eRulemaking portal throughout the life of the Commission. To submit a written

public comment, go to <http://www.regulations.gov> and search for Notice-PCSCOTUS-2021-01, Notification of Upcoming Public Virtual Meeting and Request for Public Comment. Select the link "Comment Now" that corresponds with this notice. Follow the instructions provided on the screen. Please include your name, company name (if applicable), and "Notice-PCSCOTUS-2021-01, Notification of Upcoming Public Virtual Meeting and Request for Public Comment" on your attached document (if applicable). Public comments meeting our public comment policy, included under **SUPPLEMENTARY INFORMATION**, will be made available for review. Comments provided by 5:00 p.m. ET, on June 28, 2021 will be provided to the Commission members in advance of the June 30 public meeting. Comments submitted after this date will still be provided to the Commission members, but please be advised that Commission members may not have adequate time to consider the comments prior to the meeting.

Special Accommodations. For information on services for individuals with disabilities, or to request accommodation of a disability, please contact the Designated Federal Officer at least 10 business days prior to the meeting to give GSA as much time as possible to process the request.

FOR FURTHER INFORMATION CONTACT: For information on the public virtual meeting, contact Dana Fowler, Designated Federal Officer, Office of Government-wide Policy, General Services Administration, at info@pcscotus.gov, 202-501-1777.

SUPPLEMENTARY INFORMATION:

Background

The Administrator of GSA established the Commission as a Presidential advisory committee on April 26, 2021 pursuant to *Executive Order 14023, Establishment of the Presidential Commission on the Supreme Court of the United States*, issued on April 9, 2021. Per the executive order, the Commission shall produce a report for the President that includes the following:

(i) An account of the contemporary commentary and debate about the role and operation of the Supreme Court in our constitutional system and about the functioning of the constitutional process by which the President nominates and, by and with the advice and consent of the Senate, appoints Justices to the Supreme Court;

(ii) The historical background of other periods in the Nation's history when the

Supreme Court's role and the nominations and advice-and-consent process were subject to critical assessment and prompted proposals for reform; and

(iii) An analysis of the principal arguments in the contemporary public debate for and against Supreme Court reform, including an appraisal of the merits and legality of particular reform proposals.

Meeting Agenda

The purpose of this meeting is to hear testimony from experts. This testimony will be organized into four panels.

- *Panel #1:* The Contemporary Debate over Supreme Court Reform: Origins and Perspectives.
- *Panel #2:* The Court's Role in Our Constitutional System.
- *Panel #3:* Case Selection and Review at the Supreme Court.
- *Panel #4:* Access to Justice and Transparency in the Operation of the Supreme Court.

Public Comment Policy

The Commission asks that written public comments be respectful and relevant to the work of the Commission. All comments are reviewed before they can be shared with the Commission or posted online. Comments that include the following will not be shared:

- Vulgar, obscene, profane, threatening, or abusive language; personal attacks of any kind.
- Discriminatory language (including hate speech) based on race, national origin, age, gender, sexual orientation, religion, or disability.
- Endorsements of commercial products, services, organizations, or other entities.
- Repetitive posts (for example, if you submit the same material multiple times).
- Spam or undecipherable language (gratuitous links will be viewed as spam).
- Copyrighted material.
- Links to external sites.
- Images or videos.
- Solicitation of funds.
- Procurement-sensitive information.
- Surveys, polls, and questionnaires subject to the Office of Management and Budget Paperwork Reduction Act clearance.
- Personally Identifiable Information (PII) or Sensitive Information (SI).
- Off-topic posts.
- Media inquiries.

Thank you for your interest in the Presidential Commission on the

Supreme Court of the United States. We look forward to hearing from you.

Krystal J. Brumfield,

Associate Administrator, Office of Government-wide Policy.

[FR Doc. 2021-12231 Filed 6-11-21; 8:45 am]

BILLING CODE 6820-14-P

GOVERNMENT ACCOUNTABILITY OFFICE

Request for Nominations for the Physician-Focused Payment Model Technical Advisory Committee (PTAC)

AGENCY: U.S. Government Accountability Office (GAO).

ACTION: Request for letters of nomination and resumes.

SUMMARY: The Medicare Access and CHIP Reauthorization Act of 2015 established the Physician-Focused Payment Model Technical Advisory Committee to provide comments and recommendations to the Secretary of Health and Human Services on physician payment models and gave the Comptroller General responsibility for appointing its members. GAO is now accepting nominations of individuals for this committee.

DATES: Letters of nomination and resumes should be submitted no later than July 16, 2021, to ensure adequate opportunity for review and consideration of nominees prior to appointment. Appointments will be made in October 2021.

ADDRESSES: Submit letters of nomination and resumes to PTACcommittee@gao.gov.

FOR FURTHER INFORMATION CONTACT: Greg Giusto at (202) 512-8268 or giustog@gao.gov if you do not receive an acknowledgement within a week of submission or you need additional information. For general information, contact GAO's Office of Public Affairs at (202) 512-4800.

Authority: Sec. 101(e), Pub. L. 114-10, 129 Stat. 87, 115 (2015).

Gene L. Dodaro,

Comptroller General of the United States.

[FR Doc. 2021-12145 Filed 6-11-21; 8:45 am]

BILLING CODE 1610-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–R–308]

Agency Information Collection Activities: Proposed Collection; 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 (the 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 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates 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 must be received by August 13, 2021.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: ____; Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

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 website address at <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–R–308 State Children's Health Insurance Program and Supporting Regulations

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. 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 requires federal agencies to publish a 60-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.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* State Children's Health Insurance Program and Supporting Regulations; *Use:* States must submit title XXI plans and amendments for approval by the Secretary. We use the plan and its subsequent amendments to determine if the state has met the requirements of title XXI. Information provided in the state plan, state plan amendments, and from the other information we are collecting will be used by advocacy groups, beneficiaries, applicants, other governmental agencies, providers groups, research organizations, health care corporations, health care

consultants. States will use the information collected to assess state plan performance, health outcomes and an evaluation of the amount of substitution of private coverage that occurs as a result of the subsidies and the effect of the subsidies on access to coverage.

This iteration proposes to: Remove certain reporting requirements, revise the information collection instrument, and revise reporting instructions. We are also proposing to change the respondent's occupation and hourly wage, adjust the number of respondents, and adjust the number of enrollees by using more recent data. *Form Number:* CMS–R–308 (OMB control number: 0938–0841); *Frequency:* Yearly, Once, and Occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 51; *Total Annual Responses:* 9,677,272; *Total Annual Hours:* 485,940. (For policy questions regarding this collection contact Cassie Lagorio at 410–786–4554.)

Dated: June 8, 2021.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2021–12365 Filed 6–11–21; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Small Health Care Provider Quality Improvement Program, OMB No. 0915–0387—Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with of the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30 day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than July 14, 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 Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at paperwork@hrsa.gov or call (301) 443-1984.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Small Health Care Provider Quality Improvement Program, OMB No. 0915-0387 Extension.

Abstract: This program is authorized by Title III, Public Health Service Act, Section 330A(g) (42 U.S.C. 254c(g)), as amended; Public Law 115-245. This authority authorizes HRSA’s Federal Office of Rural Health Policy (FORHP) to issue grants that expand access to, coordinate, contain the cost of, and improve the quality of essential health care services, including preventive and emergency services, through the development of health care networks in rural and frontier areas and regions. Across these various programs, the authority allows HRSA to provide funds to rural communities to support the direct delivery of health care and related services, expand existing services, or enhance health service delivery through

education, promotion, and prevention programs.

The purpose of the Small Health Care Provider Quality Improvement Grant (Rural Quality) Program is to provide support to rural primary care providers for implementation of quality improvement activities. The goal of the program is to promote the development of an evidence-based culture and delivery of coordinated care in the primary care setting. Additional objectives of the program include improved health outcomes for patients, enhanced chronic disease management, and better engagement of patients and their caregivers. Organizations participating in the program are required to use an evidence-based quality improvement model, perform tests of change focused on improvement, and use health information technology (HIT) to collect and report data. HIT may include an electronic patient registry or an electronic health record, and is a critical component for improving quality and patient outcomes. With HIT it is possible to generate timely and meaningful data, which helps providers track and plan care.

A 60-day Notice published in the **Federal Register** on February 24, 2021, vol. 86, No. 35; pp. 11306. There were no public comments.

Need and Proposed Use of the Information: For this program, performance measures were drafted to provide data to the program and to enable HRSA to provide aggregate program data required by Congress under the Government Performance and

Results Act of 1993. These measures cover the principal topic areas of interest to FORHP, including: (a) Access to care; (b) population demographics; (c) staffing; (d) consortium/network; (e) sustainability; and (f) project specific domains. All measures will speak to FORHP’s progress toward meeting the goals set.

FORHP collects this information to quantify the impact of grant funding on access to health care, quality of services, and improvement of health outcomes. FORHP uses the data for program improvement and grantees use the data for performance tracking. No changes are proposed from the current data collection effort.

Likely Respondents: The respondents would be recipients of the Small Health Care Provider Quality Improvement Program.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Quality Program PIMS Measures	32	1	32	8	256
Total	32	.....	32	.....	256

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency’s functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information

technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2021-12381 Filed 6-11-21; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Senior Executive Service Performance Review Board

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HRSA, an operating division of HHS, is publishing a list of individuals who may be named to serve on the Senior Executive Service Performance Review Board that oversees the evaluation of performance appraisals for Senior Executive Service members for the Fiscal Years 2021 and 2022.

FOR FURTHER INFORMATION CONTACT:

Georgia Lyons, HRSA Executive Resources, Office of Human Resources, 5600 Fishers Lane, Rm 12N06C, Rockville, Maryland 20857, or (301) 443-4618.

SUPPLEMENTARY INFORMATION: Title 5, U.S.C. Section 4314(c)(4) of the Civil Service Reform Act of 1978, Public Law 95-454, requires that the appointment of Performance Review Board Members be published in the **Federal Register**.

The following individuals may be named to serve on the Senior Executive Service Performance Review Board:

Onyekachukwu Anaodozie

Anthony Archeval

Leslie Atkinson

Cynthia Baugh

Tonya Bowers

Adriane Burton

Tina Cheatham

Laura Cheever

Natasha Coulouris

Cheryl Dammons

Elizabeth DeVoss

Diana Espinosa

Catherine Ganey

Alexandra Garcia

Jordan Grossman

Heather Hauck

Danita Hunter

Laura Kavanagh

Martin Kramer

Torey Mack

James Macrae

Susan Monarez

Thomas Morris

Luis Padilla

Krista Pedley

Wendy Ponton

Ashley Rose

Tracey Trautman

Michael Warren

Diana Espinosa,

Acting Administrator.

[FR Doc. 2021-12366 Filed 6-11-21; 8:45 am]

BILLING CODE 4165-15-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 Bioengineering of

Neuroscience, Vision and Low Vision Technologies Study Section, June 16, 2021, 8:00 a.m. to June 17, 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 June 08, 2021, 86 FR 30466.

This notice is being amended to change the meeting start time from 8:00 a.m. to 10:00 a.m. The meeting is closed to the public.

Dated: June 9, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-12413 Filed 6-11-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director; Notice of Charter Renewal

In accordance with Title 42 of the U.S. Code of Federal Regulations, Section 217a, notice is hereby given that the Charter for the Advisory Committee to the Director, National Institutes of Health was renewed for an additional two-year period on May 31, 2021.

It is determined that the Advisory Committee to the Director, National Institutes of Health is in the public interest in connection with the performance of duties imposed on the National Institutes of Health by law, and that these duties can best be performed through the advice and counsel of this group.

Inquiries may be directed to Claire Harris, Director, Office of Federal Advisory Committee Policy, Office of the Director, National Institutes of Health, 6701 Democracy Boulevard, Suite 1000, Bethesda, Maryland 20892 (Mail Stop Code 4875), Telephone (301) 496-2123, or harriscl@mail.nih.gov.

Dated: June 8, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-12380 Filed 6-11-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel.

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: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; Career Development (K), Conference Support (R13), and Research Education (R25) Review.

Date: July 16, 2021.

Time: 09:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, Democracy II, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: John K. Holden, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Suite 920, Bethesda, MD 20892, (301) 496-8775, john.holden@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, HHS)

Dated: June 9, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-12414 Filed 6-11-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center For Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Neurological, Aging and Musculoskeletal Epidemiology Study Section.

Date: July 7–9, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Heidi B. Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1012A, MSC 7770, Bethesda, MD 20892, 301-435-1721, hfriedman@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Conflict: HIV Reservoirs and Pathogenesis in NIDDK-Relevant Tissues.

Date: July 8, 2021.

Time: 10:00 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: Deborah Hodge, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4207, MSC 7812, Bethesda, MD 20892, (301) 435-1238, hodged@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: The Role of Social Connectedness and Isolation on Health Outcomes.

Date: July 8–9, 2021.

Time: 10:00 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: Maribeth Champoux, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, MSC 7848, Bethesda, MD 20892, 301-594-3163, champoux@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: June 9, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-12415 Filed 6-11-21; 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

The NIH published a document in the **Federal Register** of May 18, 2021, concerning the meeting of the Synapses, Cytoskeleton and Trafficking Study Section. The document contained an incorrect point of contact.

Correction

In the **Federal Register** of May 18, 2021, in FR Doc. 2021-10466, on page 26924, in the third column, under *Name of Committee:* Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Synapses, Cytoskeleton and Trafficking Study Section, correct “*Contact Person*” to read: Carol Hamelink, Ph.D., Scientific Review Officer, hamelinc@csr.nih.gov, (301) 213-9887.

Dated: June 9, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-12412 Filed 6-11-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket Number USCG-2019-0882]

Extension of Comment Period on BNSF Railway Bridge Across the Missouri River Between Bismarck and Mandan, North Dakota Draft Environmental Impact Statement

AGENCY: Coast Guard, DHS.

ACTION: Notice of extension of public comment period.

SUMMARY: On June 7, 2021, the United States Coast Guard published a notice of availability of a draft Environmental Impact Statement for the BNSF Railway Bridge across the Missouri River between the cities of Bismarck and Mandan, ND. The Coast Guard is now providing notice that the public comment period is extended through July 26, 2021. This action will align the

Coast Guard’s comment period with the EPA comment period for this project, which starts on June 11, 2021 and ends on July 26, 2021. When an agency files a draft Environmental Impact Statement with EPA, EPA also issues a Notice of Availability for the same document.

DATES: The comment period for the notice of availability of a draft Environmental Impact Statement published June 7, 2021 (86 FR 30323) has been extended to July 26, 2021. Substantive and relevant comments must be submitted to the online docket via <https://www.regulations.gov/> on or before July 26, 2021. The Virtual Public Meeting will still be held as planned on June 30, 2021 from 6 to 9 p.m. (Central Time).

ADDRESSES: You may submit substantive and relevant comments identified by docket number USCG-2019-0882 using the Federal eRulemaking Portal at <https://www.regulations.gov/>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Rob McCaskey, Coast Guard District Eight Project Officer, 314-269-2381.

SUPPLEMENTARY INFORMATION: On June 7, 2021, the United States Coast Guard published a notice of availability of a draft Environmental Impact Statement (EIS) for the BNSF Railway Bridge across the Missouri River between the cities of Bismarck and Mandan, ND (86 FR 30323). The Coast Guard is extending the period on the draft EIS through July 26, 2021.

This action will align the Coast Guard’s comment period with the EPA comment period. Substantive and relevant comments must be submitted to the online docket via <https://www.regulations.gov/> on or before July 26, 2021.

We have also supplemented our instructions for accessing and using the online docket in the Public Participation and Comments section below. This is based on recent discovered changes to www.regulations.gov.

Public Participation and Comments

We encourage you to submit substantive and relevant comments (or related material) on the draft Environmental Impact Statement. We will consider all substantive and relevant submissions and may adjust our final action based on your comments. If you submit a comment, please include the docket number for this notice, indicate the specific section of this document to which each

comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision Making Portal at <http://www.regulations.gov/>. To do so, go to <https://www.regulations.gov>, type USCG–2019–0882 in the “SEARCH” box and click “SEARCH.” Next, look for the draft environmental impact statement in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <http://www.regulations.gov/>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. The draft EIS and public comments will be available in our online docket at <http://www.regulations.gov/> and can be viewed by following that website’s instructions.

Viewing material in docket. To view documents mentioned in this notice as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. We review all comments received, but we may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. All substantive and relevant comments received will be posted without change to <http://www.regulations.gov/> and will include any personal information you have provided. For more information about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

Virtual Public Meeting. Due to the ongoing COVID–19 pandemic, the Coast Guard intends to hold a virtual public meeting to receive oral comments on this draft EIS. The meeting will be held on June 30, 2021 from 6 to 9 p.m. (Central), and can be accessed online at <https://ch2m-pge.my.webex.com/ch2m-pge.my/j.php?MTID=m45e9e9fb750989eb89f8bf260630b06c>. Attendees may also join by phone. The call-in number is 1–510–338–9438 (USA toll) and the access code is 182 625 0321. The meeting is expected to last approximately 3 hours.

The virtual meeting is open to the public. Those who plan to attend the meeting and wish to present substantive and relevant comments may request to do so through the online docket at

<http://www.regulations.gov>, and will be called in order of requests received. Attendees who have not previously made a request to present comments will follow those who have already submitted a request, as time permits. If a large number of persons wish to speak, the presiding officer may be required to limit the time allotted to each speaker. It is requested that one member from a group speak on behalf of that group in order to allow more views to be presented. The public meeting may end early if all present wishing to speak have done so.

A transcript of the meeting will be made available for public review approximately 30 days after the meeting. All substantive and relevant comments will be incorporated into the official case record.

Information on Service for Individuals with Disabilities: For information on services for individuals with disabilities or to request special assistance during the public meeting contact Mr. Rob McCaskey at the telephone number under the **FOR FURTHER INFORMATION CONTACT** section of this notice.

This notice is issued under the authority of 5 U.S.C. 552(a) and 40 CFR 1506.6.

Dated: June 8, 2021.

Brian L. Dunn,

Chief, U.S. Coast Guard, Office of Bridge Programs.

[FR Doc. 2021–12336 Filed 6–11–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Certain Fixed and Portable Patient Ceiling Lift Systems

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (CBP) has issued a final determination concerning the country of origin of certain fixed and portable patient ceiling lift systems that will be installed at a patient’s residence or healthcare setting. Based upon the facts presented, CBP has concluded in the final determination that the patient ceiling lift systems would not be products of a foreign country or instrumentality designated pursuant to

19 U.S.C. 2511(b) for purposes of U.S. Government procurement.

DATES: The final determination was issued on June 4, 2021. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination no later than July 14, 2021.

FOR FURTHER INFORMATION CONTACT: Albena Peters, Valuation and Special Programs Branch, Regulations and Rulings, Office of Trade, at (202) 325–0321.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on June 4, 2021, CBP issued a final determination concerning the country of origin of fixed and portable patient ceiling lift systems for purposes of Title III of the Trade Agreements Act of 1979. This final determination, HQ H309124, was issued at the request of the party-at-interest, under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, CBP has concluded that, based upon the facts presented, the fixed and portable patient ceiling lift systems would not be products of a foreign country or instrumentality designated pursuant to 19 U.S.C. 2511(b) for purposes of U.S. Government procurement. Section 177.29, CBP Regulations (19 CFR 177.29), provides that a notice of final determination shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Dated: June 4, 2021.

Joanne R. Stump,

Acting Executive Director, Regulations and Rulings, Office of Trade.

HQ H309124

June 4, 2021

OT:RR:CTF:VS H309124 AP

CATEGORY: Origin

Luis F. Arandia, Jr.
Polsinelli PC
2950 N Harwood St., Ste. 2100
Dallas, TX 75201

RE: U.S. Government Procurement; Title III, Trade Agreements Act of 1979 (19 U.S.C. 2511); Subpart B, Part 177, CBP Regulations; Country of Origin of Fixed and Portable Patient Ceiling Lift Systems

Dear Mr. Arandia:

This is in response to your February 4, 2020 request,¹ on behalf of Handicare USA, for a final determination concerning the country of origin of patient ceiling lift systems. This request is being sought because your client wants to confirm eligibility of the merchandise for U.S. government procurement purposes under Title III of the Trade Agreements Act of 1979 (“TAA”), as amended (19 U.S.C. 2511 *et seq.*). Handicare USA is a party-at-interest within the meaning of 19 CFR 177.22(d)(1) and 177.23(a).

Facts

Handicare USA is the U.S. subsidiary of the Handicare Group AB based in Stockholm, Sweden, which manufactures patient ceiling lift systems.² Handicare USA’s North American headquarters and manufacturing facility is in St. Louis, Missouri with local offices across the U.S. and Canada. These offices are full-service centers that include inventory, customer service, technical support, sales, and a showroom.

You describe the subject patient ceiling lift systems as consisting of a ceiling lift unit mounted on a XY rail system. Each ceiling lift system is assembled and installed at a patient’s residence or healthcare setting. The ceiling systems can be fixed (model C–625) or portable (model P–440). The fixed lift remains on the same track system and cannot be moved to another room. For the portable system, the lift is designed to be taken down from the track system and moved to a different track system in another room.

The major components of the fixed and portable ceiling lift systems are the regular and super tracks, charging station subassembly, gantry subassembly, ceiling lift motor subassembly, and patient carry bar subassembly. The regular and super tracks³ of Canadian or Mexican origin are sub-components of the entire system and are imported with no additional assembly. The charging station of U.S. origin consists of a charging battery, housing, and cables. The gantry of U.S. origin consists of trolley wheels, track brackets, fasteners, washers, and spacers, and may include a charger block. The carry bar of Chinese or Canadian origin is fitted with bull horn or spring latch connectors, and narrow or wide bars. You describe the ceiling lift motor subassembly as “the heart” of the entire lift system and as U.S.-originating. It consists of the ceiling lift motor, circuit board, and housing. The portable ceiling lift motor subassembly (model P–440) has a U.S. originating motor and circuit board. The fixed ceiling lift motor subassembly (model C–625) has a U.K.-originating motor and U.S.-originating board.

The hardware components are the above-ceiling attachments that comprise the mounting for the patient lift system and include the perpendicular brace strut channel (U.S. or Taiwanese origin), bracket (Canadian or Mexican origin), end pin

(Chinese origin), end cap (Canadian or Mexican origin), strut channel (U.S. or Taiwanese origin), and bolt, lock washer, threaded rod, hex nut, fitting, lock washer, channel nut, coupler nut, seismic wedge anchor, and square washer (originating from various countries including China).

The charging station, gantry, and ceiling lift motor subassemblies occurs in Handicare USA’s manufacturing facility in St. Louis. At the customer installation site, Handicare USA modifies the tracks and assembles them with the charging station, gantry, ceiling lift motor, and carry bar subassemblies into the patient ceiling lift system. The installation process involves measuring and laying out where the tracks and the attachment points to concrete deck and ceiling brackets should go; installing the structure and the parallel tracks; installing the traversing track, trolley and lift; and testing and verification. The installation includes machine processes such as cutting struts using a band saw, cutting a threaded rod, and drilling into a ceiling.

Issue

What is the country of origin of the subject patient lift systems for purposes of U.S. Government procurement?

Law and Analysis

U.S. Customs and Border Protection (“CBP”) issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government, pursuant to subpart B of Part 177, 19 CFR 177.21–177.31, which implements Title III of the TAA, as amended (19 U.S.C. 2511–2518).

CBP’s authority to issue advisory rulings and final determinations is set forth in 19 U.S.C. 2515(b)(1), which states:

For the purposes of this subchapter, the Secretary of the Treasury shall provide for the prompt issuance of advisory rulings and final determinations on whether, under section 2518(4)(B) of this title, an article is or would be a product of a foreign country or instrumentality designated pursuant to section 2511(b) of this title.

The rule of origin set forth under 19 U.S.C. 2518(4)(B) states:

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

In rendering advisory rulings and final determinations for purposes of U.S. Government procurement, CBP applies the provisions of subpart B of Part 177 consistent with the Federal Procurement Regulations. See 19 CFR 177.21. In this regard, CBP recognizes that the Federal Acquisition Regulations restrict the U.S. Government’s purchase of products to U.S.-made or

designated country end products for acquisitions subject to the TAA. See 48 CFR 25.403(c)(1).

The Federal Acquisition Regulations, 48 CFR 25.003, define “U.S.-made end product” as:

. . . an article that is mined, produced, or manufactured in the United States or that is substantially transformed in the United States into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed.

Section 25.003 defines “designated country end product” as:

a WTO GPA [World Trade Organization Government Procurement Agreement] country end product, an FTA [Free Trade Agreement] country end product, a least developed country end product, or a Caribbean Basin country end product. Section 25.003 defines “WTO GPA country end product” as an article that:

(1) Is wholly the growth, product, or manufacture of a WTO GPA country; or
 (2) In the case of an article that consists in whole or in part of materials from another country, has been substantially transformed in a WTO GPA country into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed. The term refers to a product offered for purchase under a supply contract, but for purposes of calculating the value of the end product includes services (except transportation services) incidental to the article, provided that the value of those incidental services does not exceed that of the article itself.

Canada and the U.K. are WTO GPA countries. China and Mexico are not.

You advise that the lift motor, charging station, and gantry are of U.S. origin and are sub-assembled in the U.S. The key components of the lift motor, which is the most important subassembly characterized as “the heart” of the patient lift systems, are the motor and circuit board. The motor is of U.S. (portable lift) or U.K. origin (fixed lift), and the board is of U.S. origin (both fixed and portable lifts). The final assembly in the U.S. fully integrates the subassemblies, the tracks, and the above-ceiling attachments. The U.S. installation involves cutting struts using a band saw and cutting a threaded rod. The U.S. operations as described are complex and meaningful requiring significant skill, technical expertise, and quality control. As a result of the U.S. operations, the subassemblies are substantially transformed to produce the fully functional and operational fixed and portable patient lift systems.

Accordingly, the instant fixed and portable patient lift systems would not be products of a foreign country or instrumentality designated pursuant to 19 U.S.C. 2511(b)(1). As to whether they qualify as “U.S.-made end product,” we encourage you to review the court decision in *Acetris Health, LLC v. United States*, 949 F.3d 719 (Fed. Cir. 2020), and to consult with the relevant government procuring agency.

¹ You submitted a supplemental letter on February 26, 2020.

² See Handicare, Ceiling Lifts, <https://www.handicareusa.com/product-category/homecare/ceiling-lifts/> (last visited May 17, 2021).

³ The regular track is the standard rail for most applications while the super track is a heavier rail for longer free spans between attachment points.

Holding

The subject fixed and portable patient lift systems would not be products of a foreign country or instrumentality designated pursuant to 19 U.S.C. 2511(b)(1). You should consult with the relevant government procuring agency to determine whether the lifts qualify as "U.S.-made end product" for purposes of the Federal Acquisition Regulations implementing the TAA.

Notice of this final determination will be given in the **Federal Register**, as required by 19 CFR 177.29. Any party-at-interest other than the party which requested this final determination may request pursuant to 19 CFR 177.31 that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days of publication of the **Federal Register** Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Joanne R. Stump,

Acting Executive Director, Regulations and Rulings, Office of Trade

[FR Doc. 2021-12352 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY
Transportation Security Administration

[Docket No. TSA-2020-0001]

Announcing Opportunity To Become a Secured Packing Facility

AGENCY: Transportation Security Administration, Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: The Transportation Security Administration (TSA) is announcing the opportunity for manufacturers, shippers, suppliers, warehouses, vendors, e-commerce fulfillment centers, and third-party logistics providers in the air cargo supply chain to become a Secured Packing Facility (SPF). SPFs must apply security controls to secure cargo that moves through the supply chain destined for outbound international locations onboard all-cargo aircraft subject to TSA regulatory oversight. As a prerequisite to becoming an SPF, interested persons must first become an Indirect Air Carrier (IAC) regulated by TSA and agree to adopt the TSA's SPF Order. If these requirements are met, cargo appropriately transferred to a TSA-regulated all-cargo aircraft operator by an SPF would not need to be screened in order to meet international requirements that take effect on June 30, 2021. This notice is being published to

ensure all interested persons are aware of the opportunity to become an SPF.

DATES: TSA will accept applications from IACs to become an SPF beginning at 12:01 a.m. (EDT) on June 14, 2021.

ADDRESSES: Interested persons can contact <https://iac.tsa.dhs.gov/iac/contactUs.go> to obtain a copy of the information contained in this notice.

FOR FURTHER INFORMATION CONTACT: Ronoy Varghese, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598; telephone (571) 227-3555; email ronoy.varghese@tsa.dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. International Civil Aviation Organization (ICAO) Security Standards

TSA developed the SPF program to provide an option for the air cargo industry to mitigate the cost of compliance with a TSA requirement that takes effect on June 30, 2021. This requirement will meet ICAO standards and recommended practices issued by ICAO under Annex 17. Under the new standard, ICAO member states¹ must ensure that all international outbound air cargo transported on commercial aircraft is either (1) screened to a level intended to identify and/or detect the presence of concealed explosive devices or (2) transported under appropriate security controls throughout the cargo supply chain to prevent the introduction of concealed explosive devices. A more complete discussion of ICAO and these requirements can be found in the Request for Information that TSA published in 2020.²

B. United States Requirements for Screening of Air Cargo

TSA is statutorily required to ensure the adequacy of security measures for the transportation of air cargo.³ TSA developed the Certified Cargo Screening Program to provide additional means of compliance with the requirements for air cargo transported on passenger aircraft.⁴ In addition, TSA developed the Third-Party Canine-Cargo program as an effective and efficient means for screening cargo transported on

passenger or all-cargo aircraft. TSA also recognizes Shipper Certified Cargo Screening Facilities (CCSFs.) Shipper CCSFs are manufacturers who apply the security controls required for CCSFs at the manufacturing and original packaging level, and then directly transfers the cargo to an aircraft operator without the necessity of additional screening. Currently, the medical and pharmaceutical manufacturers have taken advantage of the Shipper CCSFs. Cargo tendered by a Shipper CCSF may be transported on any commercial aircraft. Because of these requirements and programs, TSA already complies with the ICAO requirements as applied to cargo transported by aircraft operators and foreign air carriers engaged in commercial passenger transportation and has provided options available to support screening by all-cargo operators.⁵

C. Indirect Air Carriers

TSA's regulations define an IAC as "any person or entity within the United States not in possession of [a Federal Aviation Administration] air carrier operating certificate, that undertakes to engage indirectly in air transportation of property, and that uses for all or any part of such transportation the services of an air carrier."⁶ TSA estimates that there are approximately 3,200 entities in the United States operating as IACs, ranging from sole proprietors working out of their homes to large corporations.

Under 49 CFR 1548.5, each IAC must adopt and carry out a TSA-approved security program. This program must be renewed each year.⁷ TSA Principal Security Inspectors (PSIs) are responsible for the security program application process and for approval of IAC certifications.

D. Secured Packing Facilities

Through this notice, TSA is announcing the opportunity for entities within the air cargo supply chain to become SPFs. TSA developed the concept of the SPF to provide an

⁵ TSA's regulations require certain commercial aircraft operators and foreign carriers to operate under a TSA approved or accepted security program. TSA provides standard, or pre-approved programs, that covered aircraft operators and foreign air carriers may adopt to expedite the review process and reduce the burden for regulated parties. There are separate security programs that reflect differences among the industry, such as passenger or cargo and U.S. or foreign-based. TSA also has standard programs for operations that support the aviation industry, such as Indirect Air Carriers and Certified Cargo Screening Facilities. TSA's current security programs for cargo transported on passenger aircraft include measures that meet the Chicago Convention's standards.

⁶ See 49 CFR 1540.5.

⁷ See 49 CFR 1548.7(b).

¹ ICAO was established under the Convention on International Civil Aviation, also known as the Chicago Convention, as a specialized agency of the United Nations Economic and Social Council. Member states collaborate to implement and comply with ICAO security standards and recommended practices, and must send official notice to ICAO whenever their domestic regulatory framework differs from an established ICAO Standard.

² See 85 FR 20234 (April 10, 2020).

³ See 49 U.S.C. 114(f)(10) and 44901(g).

⁴ See 49 CFR part 1549.

alternative framework that would permit all-cargo aircraft operators to accept cargo from “other entities” who demonstrate a system of government approved security controls sufficient to prevent the introduction of concealed explosives into the air cargo supply chain.⁸ Because all cargo transferred to an all-cargo aircraft operator or IAC by an SPF will have been subject to physical security measures, the cargo can be accepted for transport without requiring additional screening. The SPF benefits from this framework because they will not bear the costs or delays associated with screening all international outbound cargo. TSA is not imposing the SPF framework on the supply chain, but providing the opportunity for entities within the supply chain to choose to be regulated by TSA as an alternative to the potential burden associated with the international requirement to screen cargo that has not been otherwise subject to physical security measures.

All persons interested in becoming an SPF must meet minimal qualifications before TSA will issue the SPF Order. As a prerequisite to becoming an SPF, all interested persons must first be recognized by TSA as an IAC. Existing IACs may apply to become an SPF. Once approved as an IAC, persons can request to operate as an SPF. Applicants must submit a completed SPF-application, which requires a written plan of how the SPF will implement the requirements in the SPF Order and satisfy certain performance-based standards. If TSA determines an applicant meets TSA’s requirements, we will issue the SPF Order to the applicant.⁹ Once the Order is accepted, the SPF is required to comply with all requirements in the Order and subject to investigation and enforcement for non-compliance.

II. How To Become a Registered Secured Packing Facility

To operate as an SPF, the interested persons must first register as an IAC and be approved as a holder of the Indirect

Air Carrier Standard Security Program (IACSSP), issued under 49 CFR part 1548. The security program includes both the requirements to become an IAC and the operational requirements for accepting air cargo under TSA regulatory oversight. Currently certified IACs interested in becoming an SPF may immediately initiate the application process to become an SPR.

Persons interested in determining whether becoming an SPF meets their operational and business needs should contact TSA via the email address noted under **ADDRESSES** or by contacting the individual noted under **FOR FURTHER INFORMATION CONTACT**. To initiate the application process, interested persons must send an email indicating their interest to become an SPF to the following website address: <https://iac.tsa.dhs.gov/iac/contactUs.go>. This information will be provided to a PSI who will provide additional information regarding the application requirements. As the SPF Order is SSI protected under 49 CFR part 1520, information will also be provided on the required procedures to obtain access to SSI. Once access to SSI is permitted, TSA will provide the applicant a copy of the IAC Security Program, which includes detailed requirements for becoming and operating as a regulated entity governed by TSA. At a minimum, TSA requires interested persons to provide the following information:

- Corporate profile information to TSA, including information on the company’s corporate affiliation, corporate physical location, physical station locations, and information on the IAC approval and SPF certification.
- SSI-acknowledgement, training, and non-disclosure agreement.
- Letter of intent and affidavit signed by relevant principal(s).
- Legal documentation describing the corporation, ID verification, and work authorization for specific individuals.¹⁰

TSA’s regulations require persons interested in becoming an IAC to apply for the IACSSP and certification to operate as an IAC no less than 90 days before commencing operations. Completed applications should be submitted to TSA at <https://iac.tsa.dhs.gov/iac/>. The IAC may commence operations under the security program after written approval from TSA that all TSA security requirements are met, including but not limited to an assessment by TSA, and successful adjudication of a Security Threat Assessment (STA) as required by

the security program. Initial approval of an IAC registration and certification is effective for 12 months from the date of issuance.

IACs seeking to become an SPF must complete an SPF certification validation process. All IACs applying to become an SPF must provide the information required by TSA and undergo an onsite facility assessment performed by TSA. TSA will use this information to evaluate the IAC’s qualifications and readiness to become an SPF. As part of the SPF certification validation process, the PSI will require additional information to ensure that the SPF applicant satisfactorily meets facility validation requirements. TSA’s request will include, but is not limited to, the following:

(1) *Facility Management information:* Primary Facility Security Coordinator and alternate contact information, STA and supporting documentation.

(2) *Physical Security Control:* Review the proposed SPF facility physical floor plan, such as access controls, secure cargo storage areas, perimeter security and identification of the area within the facility (whole facility, if applicable) where cargo is secured and stored.

(3) *Emergency plan and notification:* Review the emergency and notification plan to ensure that approved procedures are followed and authorities notified at the time of an emergency.

(4) *Chain of custody procedures:* Evaluate the chain of custody processes when handling and transporting secured packaged cargo to prevent unauthorized access, deter the introduction of any unauthorized explosives, incendiaries, and other destructive substances.

(5) A written plan of how the SPF will implement the requirements of the SPF Order and satisfy certain performance based standards in the Order.

Once approved by TSA, the IAC will be issued the SPF Order and must comply with the regulatory requirements applicable to IACs and the SPF Order. The SPF must also ensure that all employees and authorized representatives who have duties and responsibilities for any requirement in the Order successfully complete TSA’s requirements for an STA, which may include a fingerprint-based criminal history records check, and are trained to ensure the effective performance of those responsibilities, and are knowledgeable of their security responsibilities.

⁸ See 85 FR at 20236.

⁹ TSA is issuing the Order under the authority of 49 U.S.C. 40113 and 46105. The Administrator of TSA, with respect to security duties and powers, has statutory authority to take action he considers necessary to carry out his duties and responsibilities, including issuing orders. See 49 U.S.C. 40113(a). Section 46105 also authorizes the Administrator to issue orders that take effect within a reasonable time set by the Administrator and to remain in effect under the order’s terms or until superseded. The Administrator may determine the form of, and required notice for, amending or suspending the order. The SPF Order will not be available to the public as it contains security sensitive information (SSI) that cannot be publicly disclosed under 49 CFR part 1520.

¹⁰ For the Information Collection Request associated with this information, see OMB Control No. 1652-0040 (Air Cargo Security Requirements).

Dated: June 8, 2021.

Thomas L. Bush,

*Acting Executive Assistant Administrator,
Operations Support.*

[FR Doc. 2021-12372 Filed 6-9-21; 4:15 pm]

BILLING CODE 9110-05-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0005]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Family Unity Benefits

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until August 13, 2021.

ADDRESSES: All submissions received must include the OMB Control Number 1615-0005 in the body of the letter, the agency name and Docket ID USCIS-2009-0021. Submit comments via the Federal eRulemaking Portal website at <https://www.regulations.gov> under e-Docket ID number USCIS-2009-0021. USCIS is limiting communications for this Notice as a result of USCIS' COVID-19 response actions.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, telephone number (240) 721-3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case

status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <https://www.uscis.gov>, or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: <https://www.regulations.gov> and entering USCIS-2009-0021 in the search box. All submissions will be posted, without change, to the Federal eRulemaking Portal at <https://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <https://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Family Unity Benefits.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-817; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. The information collected will be used to determine whether the applicant meets the eligibility requirements for benefits under 8 CFR 236.14 and 245a.33.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I-817 is approximately 1,000 and the estimated hour burden per response is 2 hours per response; the estimated number of respondents providing biometrics is 1,000 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 3,170 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$122,500.

Dated: June 8, 2021.

Samantha L. Deshommes,

*Chief, Regulatory Coordination Division,
Office of Policy and Strategy, U.S. Citizenship
and Immigration Services, Department of
Homeland Security.*

[FR Doc. 2021-12348 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0116]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Request for Fee Waiver

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of

1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until July 14, 2021.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS-2010-0008. All submissions received must include the OMB Control Number 1615-0116 in the body of the letter, the agency name and Docket ID USCIS-2010-0008.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, Telephone number (240) 721-3000 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at (800) 375-5283; TTY (800) 767-1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on April 2, 2021, at 86 FR 17184, allowing for a 60-day public comment period. USCIS received one comment in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS-2010-0008 in the search box. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public

viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Request for Fee Waiver.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I-912; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. USCIS uses the data collected on this form to verify that the applicant is unable to pay for the immigration benefit being requested. USCIS will consider waiving a fee for an application or petition when the applicant or petitioner clearly demonstrates that they are unable to pay the fee. Form I-912 standardizes the collection and analysis of statements and supporting documentation provided by the applicant with the fee waiver request. Form I-912 also streamlines and expedites USCIS's review, approval, or denial of the fee waiver request by clearly laying out the most salient data and evidence necessary for the determination of inability to pay. Officers evaluate all factors, circumstances, and evidence supplied in support of a fee waiver request when making a final determination. Each case

is unique and is considered on its own merits. If the fee waiver is granted, the application will be processed. If the fee waiver is not granted, USCIS will notify the applicant and instruct them to file a new application with the appropriate fee.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Form I-912 is 594,000 and the estimated hour burden per response is 1.17. The estimated total number of respondents for the information collection Non-form Request for Fee Waiver is 8,400 and the estimated hour burden per response is 1.17. The estimated total number of respondents for the information collection 8 CFR 103.7(d) Director's Exception Request is 128 and the estimated hour burden per response is 1.17.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 704,958 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$2,259,480.

Dated: June 8, 2021.

Samantha L Deshommes,
Chief, Regulatory Coordination Division,
Office of Policy and Strategy, U.S. Citizenship
and Immigration Services, Department of
Homeland Security.

[FR Doc. 2021-12343 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0010]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Nonimmigrant Petition Based on Blanket L Petition

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance

with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until July 14, 2021.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS–2006–0050. All submissions received must include the OMB Control Number 1615–0010 in the body of the letter, the agency name and Docket ID USCIS–2006–0050.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, Telephone number (240) 721–3000 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on March 24, 2021, at 86 FR 15695, allowing for a 60-day public comment period. USCIS did receive one non-substantive comment in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at <http://www.regulations.gov> and enter USCIS–2006–0050 in the search box. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information

provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Nonimmigrant Petition Based on Blanket L Petition.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–129S; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Business or other for-profit. Employers seeking to classify employees outside the United States as executives, managers, or specialized knowledge professionals, as nonimmigrant intra-company transferees pursuant to a previously approved blanket petition under sections 214(c)(2) and 101(a)(15)(L) of the Act, may file this form. USCIS uses the information provided through this form to assess whether the employee meets the requirements for L–1 classification under blanket L petition approval. Submitting this information to USCIS is voluntary. USCIS may provide the information provided through this form to other Federal, State, local, and foreign government agencies and authorized organizations, and may also

be made available, as appropriate, for law enforcement purposes or in the interest of national security.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–129S is 75,000 and the estimated hour burden per response is 3 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 225,000 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$36,750,000.

Dated: June 8, 2021.

Samantha L Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2021–12347 Filed 6–11–21; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0075]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: I–864, Affidavit of Support Under Section 213A of the Act; I–864A, Contract Between Sponsor and Household Member; I–864EZ, EZ Affidavit of Support Under Section 213 of the Act; I–864W, Request for Exemption for Intending Immigrant's Affidavit of Support

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until July 14, 2021.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS–2007–0029. All submissions received must include the OMB Control Number 1615–0075 in the body of the letter, the agency name and Docket ID USCIS–2007–0029.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, Telephone number (240) 721–3000 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on April 5, 2021, at 86 FR 17620, allowing for a 60-day public comment period. USCIS received one comment in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS–2007–0029 in the search box. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that

is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* I–864, Affidavit of Support Under Section 213A of the Act; I–864A, Contract Between Sponsor and Household Member; I–864EZ, EZ Affidavit of Support under Section 213 of the Act; I–864W, Request for Exemption for Intending Immigrant's Affidavit of Support.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–864; I–864A; I–864EZ; I–864W; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. USCIS uses the data collected on Form I–864 to determine whether the sponsor has the ability to support the sponsored immigrant under section 213A of the Immigration and Nationality Act. This form standardizes evaluation of a sponsor's ability to support the sponsored immigrant and ensures that basic information required to assess eligibility is provided by sponsors.

Form I–864A is a contract between the sponsor and the sponsor's household members. It is only required if the sponsor used income of their household members to reach the required 125 percent of the Federal poverty guidelines. The contract holds

these household members jointly and severally liable for the support of the sponsored immigrant. The information collection required on Form I–864A is necessary for public benefit agencies to enforce the Affidavit of Support in the event the sponsor used income of their household members to reach the required income level and the public benefit agencies are requesting reimbursement from the sponsor.

USCIS uses Form I–864EZ in exactly the same way as Form I–864; however, USCIS collects less information from the sponsors as less information is needed from those who qualify in order to make a thorough adjudication.

USCIS uses Form I–864W to determine whether the intending immigrant meets the criteria for exemption from section 213A requirements. This form collects the immigrant's basic information, such as name and address, the reason for the exemption, and accompanying documentation in support of the immigrant's claim that they are not subject to section 213.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Form I–864 is 453,345 and the estimated hour burden per response is 6 hours; the estimated total number of respondents for the information collection Form I–864A is 215,800 and the estimated hour burden per response is 1.75 hours; the estimated total number of respondents for the information collection Form I–864EZ is 100,000 and the estimated hour burden per response is 2.5 hours; the estimated total number of respondents for the information collection Form I–864W is 98,119 and the estimated hour burden per response is 1 hour.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 3,445,839 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$159,608,680.

Dated: June 8, 2021.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2021–12345 Filed 6–11–21; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY**U.S. Citizenship and Immigration Services**

[OMB Control Number 1615-0111]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Petition for CNMI-Only Nonimmigrant Transition Worker and Semiannual Report for CW-1 Employers**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.**ACTION:** 30-Day notice.

SUMMARY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until July 14, 2021.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS-2012-0011. All submissions received must include the OMB Control Number 1615-0111 in the body of the letter, the agency name and Docket ID USCIS-2012-0011.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, Telephone number (240) 721-3000 (This is not a toll-free number; comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at (800) 375-5283; TTY (800) 767-1833.

SUPPLEMENTARY INFORMATION:**Comments**

The information collection notice was previously published in the **Federal**

Register on April 1, 2021, at 86 FR 17182, allowing for a 60-day public comment period. USCIS did not receive any comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS-2012-0011 in the search box. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Petition for CNMI-Only Nonimmigrant

Transition Worker; Semiannual Report for CW-1 Employers.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I-129CW; I-129CWR; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. USCIS uses the data collected on Form I-129CW to determine eligibility for the requested immigration benefits. An employer uses Form I-129CW to petition USCIS for an alien to temporarily enter as a nonimmigrant into the CNMI to perform services or labor as a CW-1 worker. An employer also uses Form I-129CW to request an extension of stay or change of status on behalf of the alien worker. The Form I-129CW serves the purpose of standardizing requests for these benefits and ensuring that the basic information required to determine eligibility is provided by the petitioners.

Form I-129CWR, Semiannual Report for CW-1 Employers, is used by employers to comply with the reporting requirements imposed by the Workforce Act. Form I-129CWR captures data USCIS requires to help verify the continuing employment and payment of the CW-1 worker. DHS may provide such semiannual reports to other federal partners, including the US. Department of Labor (DOL) for investigative or other use as DOL may deem appropriate. Congress expressly provided for these semiannual reports to be shared with DOL. 48 U.S.C. 1806(d)(3)(D)(ii).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Form I-129CW is 5,975 and the estimated hour burden per response is 3.5 hours; the estimated total number of respondents for the information collection Form I-129CWR is 5,975 and the estimated hour burden per response is 2.5 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 35,851 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$3,809,063.

Dated: June 8, 2021.

Samantha L. Deshommnes,
Chief, Regulatory Coordination Division,
Office of Policy and Strategy, U.S. Citizenship
and Immigration Services, Department of
Homeland Security.

[FR Doc. 2021-12344 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0025]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Waiver of Rights, Privileges, Exemptions and Immunities

AGENCY: U.S. Citizenship and
Immigration Services, Department of
Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until August 13, 2021.

ADDRESSES: All submissions received must include the OMB Control Number 1615-0025 in the body of the letter, the agency name and Docket ID USCIS-2008-0015. Submit comments via the Federal eRulemaking Portal website at <https://www.regulations.gov> under e-Docket ID number USCIS-2008-0015. USCIS is limiting communications for this Notice as a result of USCIS' COVID-19 response actions.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommnes, Chief, telephone number (240) 721-3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here

is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <https://www.uscis.gov>, or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: <https://www.regulations.gov> and entering USCIS-2008-0015 in the search box. All submissions will be posted, without change, to the Federal eRulemaking Portal at <https://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <https://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Waiver of Rights, Privileges, Exemptions and Immunities.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-508; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. This form is used by USCIS to determine eligibility of an applicant to retain the status of an alien lawfully admitted to the United States for permanent residence.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I-508 is 1,928 and the estimated hour burden per response is .75 hours per response

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 1,446 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$15,424.

Dated: June 8, 2021.

Samantha L. Deshommnes,
Chief, Regulatory Coordination Division,
Office of Policy and Strategy, U.S. Citizenship
and Immigration Services, Department of
Homeland Security.

[FR Doc. 2021-12346 Filed 6-11-21; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7034-N-28]

14-Day Notice of Emergency Approval of an Information Collection: Eviction Protection Grant Program, OMB Control No.: 2528-New

AGENCY: Office of the Chief Information
Officer, HUD.

ACTION: Emergency notice.

SUMMARY: In accordance with the Paperwork Reduction Act, HUD has requested from the Office of Management and Budget (OMB) emergency approval of the information collection described in this notice. HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 14 days of public comment.

DATES: *Comments Due Date:* June 28, 2021.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_submission@omb.eop.gov* or *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: Anna Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email Anna Guido at *Anna.P.Guido@hud.gov* or

telephone 202-402-5535. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD has submitted to OMB a request for approval of the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Eviction Protection Grant Program.
OMB Approval Number: 2528–New.
Type of Request: New.

Form Number: Application for Federal Assistance, SF424; Disclosure of Lobbying Activities, SFLL; HUD Detailed Budget Worksheet, 424 CBW; HUD 2880 and NOFO narrative.

Description of the need for the information and proposed use: This information is collected in connection with HUD’s Eviction Protection Grant Program and will be used by HUD to determine that the grant applicant meets the requirements of the Notice of Funding Opportunity (NOFO). Information collected is also used to assign points for awarding grant funds on a competitive and equitable basis. The information is collected via a narrative and the budget form.

Information collection	Number of respondents	Frequency of response	Responses per year	Average burden hours per response	Annual burden hours	Hourly cost per response (hourly wage rate)	Total annual respondent cost
Pre award							
NOFO application narrative	100	1	100	40	4,000	\$52.36	\$209,440
Application for Federal Assistance, SF424						0.00	0.00
Disclosure of Lobbying Activities, SFLL						0.00	0.00
Detailed Budget Worksheet, 424 CBW	100	1	100	3.12	312	52.36	16,336.32
Disclosure/Update Report (Form HUD-2880)	100	1	100	2	200	52.36	10,472
Total Pre award	100	1	100	45.12	4,500	52.36	236,248.32
Post award							
Grant work plan	20	1	20	2	40	52.36	2,094
Detailed Budget Worksheet, 424 CBW	20	1	20	3.12	62.4	52.36	3,267
Grant reporting	20	4	80	2	160	52.36	8,378
Total Post award ...	20	5	100	7.12	262.4	52.36	13,740
Totals	100	6	200	52.24	4,720	52.36	249,988

HUD is required to develop a competitive grant program to fund nonprofit or governmental entities to provide legal assistance (including assistance related to pretrial activities, trial activities, post-trial activities and alternative dispute resolution) at no cost to eligible low-income tenants at risk of or subject to eviction.

In connection with the COVID-19 emergency, the CARES Act was enacted on March 28, 2020. It placed a moratorium on eviction in all federally-assisted housing and federally-backed mortgages through July 24, 2020. The expiration of that moratorium was followed by an Order from the Centers of Disease Control and Prevention (CDC)

temporarily halting evictions for nonpayment of rent on September 4, 2020, which has since been extended until June 30, 2021.

As households continue to struggle with income loss and accumulating back rent, the threat of evictions has grown considerably. The Household Pulse Survey Phase 2, found that the week of April 14, 2021, over 6 million renter households were behind on their rent payments and another 4.2 million were not confident they would be able to make their payment on time. 2.9 million renter households report eviction was likely or somewhat likely in the next two months. Housing instability caused by formal and

informal evictions has significant economic, physical and mental consequences. Research has found eviction protection services, including services such as legal representation, housing navigators, education and outreach, and assistance completing the legal forms to respond to an eviction notice, reduce evictions and increase housing stability for low-income renters. The Eviction Protection Grant Program will provide \$20 million to support eviction protection services in areas with high rates of eviction or probable eviction to low-income tenants at risk of or subject to eviction.

The emergency review is needed to fulfill Congress’ intent for the Eviction

Protection grant program to expeditiously provide funds to meet the need for which Congress appropriated them and reduce the harm these tenants will face without access to eviction protection services.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) If the information will be processed and used in a timely manner;

(3) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(4) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(5) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Anna Guido,

Department Reports Management Officer, Office of the Chief Information Officer.

[FR Doc. 2021-12357 Filed 6-11-21; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7044-N-01]

60 Day Notice of Proposed Information Collection; Production of Material or Provision of Testimony by HUD in Response to Demands in Legal Proceedings Among Private Litigants

AGENCY: Office of the General Counsel, Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* August 13, 2021.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410-5000; telephone 202-402-3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

FOR FURTHER INFORMATION CONTACT: Brian Dupré, Associate General Counsel,

Office of Litigation, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10258, Washington, DC 20410-0500, telephone (202 708-0300) (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Production of Material or Provision of Testimony in Response to Demands in Legal Proceedings Among Private Litigants.

OMB Approval Number: 2510-0014.

Type of Request: Reinstatement of collection.

Form Number: None. Please see 24 CFR 15.203.

Description of the need for the information and proposed use: Section 15.203 of HUD's regulations in 24 CFR specify the manner in which demands for documents and testimony from the Department should be made. Providing the information specified in 24 CFR 15.203 allows the Department to more promptly identify documents and testimony which a requestor may be seeking and determine whether the Department will be able to produce such documents and testimony.

Members of affected public: All types of entities, private and non-profit organizations, individuals and households.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:

Number of respondents	Frequency of response	Hours per response	Total burden hours
106	1	1.5	159

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(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 through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Aaron Santa Anna,

Associate General Counsel for Legislation and Regulations.

[FR Doc. 2021-12429 Filed 6-11-21; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7034-N-30]

30-Day Notice of Proposed Information Collection: Housing Opportunities for Persons With AIDS (HOPWA) Program; OMB Control No. 2506-0133

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date: July 14, 2021.*

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_submission@omb.eop.gov* or *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: Anna P. Guido, Reports Management Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email her at *Anna.P.Guido@hud.gov* or telephone 202-402-5535. This is not a toll-free number. Person with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339. Copies of available documents

submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on Friday October 30, 2020 at 85 FR 68912.

A. Overview of Information Collection

Title of Information Collection: Housing Opportunities for Persons with AIDS (HOPWA): Grant Application Submission, Recordkeeping, and Reporting.

OMB Approval Number: 2506-0133.

Type of Request: Revision of currently approved collection.

Form Number: HUD-40110-B, HUD-40110-C, HUD-40110-D, SF-424, SF424D, SF-LLL, and HUD-2991.

Description of the need for the information and proposed use:

The current Paperwork Reduction Act approval under OMB Control No. 2506-0133 covers reporting, recording keeping, and application requirements for both the HOPWA formula and competitive grant programs. This revision applies to reporting requirements for all HOPWA grantees.

For annual reporting, HOPWA grantees complete reporting forms by providing information on activities undertaken, number of clients served, funds expended, and accomplishments achieved. This information supports program evaluation and the ability to measure program beneficiary outcomes related to: Maintaining housing stability; preventing homelessness; and improving access to care and support. Grantees are required to report on the activities undertaken only, thus there may be components of these reporting requirements that may not be applicable to every grantee.

The data elements in this submission represent the new annual reporting requirements for both HOPWA formula and competitive grantees, and represent a consolidation of the data elements in HUD-40110-C and HUD-40110-D. Compared to the HUD-40110-C and HUD-40110-D, the data elements in this submission represent data additions, deletions, and modifications that further clarify reporting requirements. The addition of new data elements will allow OHH to better respond to data calls from Congress and to make better programmatic decisions based on more relevant grantee annual data.

HUD systematically reviews and conducts data analysis in order to prepare national and individual grantee performance profiles that are not only used to measure program performance against benchmark goals and objectives, but also to communicate the program’s achievement and contributions towards Departmental strategic goals. HUD plans to continue using the data elements in this submission for these purposes.

The currently approved collection also pertains to grant application submission requirements which will be used to rate applications, determine eligibility, and establish grant amounts. HOPWA will continue using application narratives and form HUD-40110-B, HOPWA Competitive Application & Renewal of Permanent Supportive Housing Project Budget Summary, as a component of determining applicant eligibility and establishing grant amounts for competitive grants. HOPWA competitive and renewal application submission also continue to require submission of the following forms currently approved under this collection: SF424 and SF424b assurances; SFLLL; SF-424D; and HUD-2991. Form HUD-2991 is currently covered under OMB approval number 2506-0112.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HOPWA Renewal Application (including HUD-40110-B, narratives, and other requirements listed in the renewal notice) ...	28.00	1.00	28.00	15.00	420.00	\$25.35	\$10,647.00
HOPWA Competitive Application (including HUD-40110-B, narratives, and other requirements listed in the NOFA)	40.00	1.00	40.00	45.00	1800.00	25.35	45,630.00
SF-424	0	0	0	0	0	0	0
SF-424B	0	0	0	0	0	0	0
SF-LLL	0	0	0	0	0	0	0
SF-424D	0	0	0	0	0	0	0
New consolidated data elements (HUD-4155)	244.00	1.00	244.00	40.0	9,760.00	25.35	247,416.00
HUD-40110-C Annual Progress Report (APR)	116.00	1.00	116.00	55.00	6,380.00	25.35	161,733.00
HUD-40110-D Consolidated Annual Performance and Evaluation Report (CAPER)	128.00	1.00	128.00	41.00	5,248.00	25.35	133,036.80

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HUD-4154, HIV Housing Care Continuum Model Report (new competitive SPNS grant only)	26.00	1.00	26.00	20.00	520.00	25.35	13,182.00
HUD-4153, Housing as an Intervention to Fight AIDS (HIFA) Model Report (new competitive SPNS grant only)	26.00	1.00	26.00	40.00	1040.00	25.35	26,364.00
Recordkeeping for Competitive, Renewal, and Formula Grantees	244.00	1.00	244.00	60.00	14640.00	25.35	371,124.00
Grant Amendments (budget change, extension, or early termination)	30.00	1.00	30.00	6.00	180.00	25.35	4,563.00
Total	882.00	.....	882.00	.....	39,988.00	.....	1,013,695.80

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) If the information will be processed and used in a timely manner;

(3) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(4) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(5) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Anna P. Guido,

*Department Reports Management Officer,
Office of the Chief Information Officer.*

[FR Doc. 2021-12433 Filed 6-11-21; 8:45 am]

BILLING CODE 4210-67-P

INTER-AMERICAN FOUNDATION

60-Day Notice for IAF Questions Related to Consultation With Indigenous Grantees and Tribal Nations (PRA)

AGENCY: Inter-American Foundation.

ACTION: Notice.

SUMMARY: The Inter-American Foundation (IAF), as part of its continuing efforts to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and federal

agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps ensure that requested data is provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents is properly assessed.

DATES: Written comments must be submitted to the office listed in the address section below within 60 days from the date of this publication in the **Federal Register**.

ADDRESSES: Send comments to Natalia Mandrus, Inter-American Foundation, via email to nmandrus@iaf.gov and Edward Gracia, Inter-American Foundation, via email to egracia@iaf.gov.

SUPPLEMENTARY INFORMATION: In accordance with President Biden's January 26, 2021 memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, and Executive Order 13175, Consultation and Coordination with Tribal Governments (November 6, 2000), the IAF is committed to engaging in meaningful dialogue with Tribal Leaders. Currently, the IAF is soliciting comments concerning the information collection of organizations that may be Indigenous-led or Indigenous-serving in Latin America, the Caribbean, and the United States. The questions would give such organizations an opportunity to participate in the design and fulfillment of U.S. policies and actions that may impact their interests. Also, the IAF would like to gauge interest on grantee exchanges with Tribal Nations in the United States in order to share best practices.

The IAF is particularly interested in comments which:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Can help the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

A Notice by the Inter-American Foundation on June 3, 2021.

Aswathi Zachariah,
General Counsel.

[FR Doc. 2021-12358 Filed 6-11-21; 8:45 am]

BILLING CODE 7025-01-P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[189D0102DM, DLSN00000.000000, DS6240000, DX62401; OMB Control Number 1084-0010]

Agency Information Collection Activities; Claim for Relocation Payments—Residential, DI-381 and Claim for Relocation Payments—Nonresidential, DI-382

AGENCY: Office of the Secretary, Office of Acquisition and Property Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Acquisition and Property Management are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before August 13, 2021.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to Jeffrey Parrillo, 1849 C Street NW, Washington, DC 20240; or by email to PRA-DOI@ios.doi.gov. Please reference OMB Control Number 1084-0010 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Jeffrey Parrillo, 1849 C Street NW, Washington, DC 20240; by email to PRA-DOI@ios.doi.gov; or by telephone at 202-208-7072. Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), 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.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this 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) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

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: Regulations at 42 U.S.C. 4601, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, require Federal agencies acquiring real estate interests to provide relocation benefits to individuals and businesses displaced as a result of the acquisition. Forms DI-381, Claim For Relocation Payments—Residential, and DI-382, Claim For Relocation Payments—Nonresidential, along with the associated Schedules A, B, C, and D, permit the applicant to present allowable moving expenses and certify occupancy status, after having been displaced because of Federal acquisition of their real property.

The information required is obtained through application made by the displaced person or business to the funding agency for determination as to the specific amount of monies due under the law. The forms, through which application is made, require specific information since the Uniform Relocation Assistance and Real Property Acquisition Act allows for various amounts based upon each actual circumstance. Failure to make application to the agency would eliminate any basis for payment of claims.

Title of Collection: Claim for Relocation Payments—Residential, DI-381 and Claim for Relocation Payments—Nonresidential, DI-382.

OMB Control Number: 1084-0010.

Form Number: Forms DI-381 and DI-382, associated Schedules A, B, C, and D.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals and businesses who are displaced because of Federal acquisitions of their real property.

Total Estimated Number of Annual Respondents: 24.

Total Estimated Number of Annual Responses: 24.

Estimated Completion Time per Response: 50 minutes.

Total Estimated Number of Annual Burden Hours: 20 Hours.

Respondent's Obligation: Required to Obtain or Retain a Benefit.

Frequency of Collection: As needed.
Total Estimated Annual Nonhour Burden Cost: This collection does not have a nonhour cost burden.

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.*).

Jeffrey Parrillo,

Departmental Information Collection Clearance Officer.

[FR Doc. 2021-12407 Filed 6-11-21; 8:45 am]

BILLING CODE 4334-63-P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM-2021-0033]

Atlantic Wind Lease Sale 8 (ATLW-8) for Commercial Leasing for Wind Power on the Outer Continental Shelf in the New York Bight—Proposed Sale Notice

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Proposed sale notice; request for comments.

SUMMARY: This document is the proposed sale notice (PSN) for the sale of commercial wind energy leases on the Outer Continental Shelf (OCS) in the New York Bight. The Bureau of Ocean Energy Management (BOEM) proposes to offer for sale eight lease areas (Lease Areas) using a single factor ascending-bid auction. The PSN contains information pertaining to the areas available for leasing, certain provisions and conditions of the leases, auction details, lease forms, criteria for evaluating competing bids, award procedures, appeal procedures, and lease execution. The issuance of any lease resulting from this sale would not constitute an approval of project-specific plans to develop offshore wind energy. Such plans, if submitted by the lessee, would be subject to subsequent environmental, technical, and public reviews prior to a decision on whether the proposed development should be authorized.

DATES: Comments are due by August 13, 2021. For prospective bidders who want to participate in this lease sale: Unless you have received confirmation from BOEM that you are qualified to participate in a lease sale in the New York Bight, your qualification materials must be submitted during the comment

period and must be postmarked no later than August 13, 2021.

ADDRESSES: You may send written comments on the PSN in one of the following ways:

- *Electronically:* <http://www.regulations.gov>. In the search box near the top of the web page, enter “BOEM–2021–0033” and click “search.” Follow the instructions to submit public comments.
- *Mail or other delivery service:* Enclose your comments in an envelope addressed to “Comments on New York Bight PSN,” Office of Renewable Energy Programs, Bureau of Ocean Energy Management, 45600 Woodland Road, VAM–OREP, Sterling, Virginia 20166.

Qualification Materials: For prospective bidders who have not been qualified by BOEM to participate in a New York Bight lease sale, submit qualification materials, with due regard to the guidance provided at <https://www.boem.gov/Renewable-Energy-Qualification-Guidelines/>, to Luke Feinberg, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM–OREP, Sterling, Virginia 20166, (703) 787–1705, or luke.feinberg@boem.gov.

Instructions: All comments and qualification submissions must include the agency name (*i.e.*, BOEM) and docket number (*i.e.*, BOEM–2021–0033) for this PSN. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided in the comment or submission. For detailed instructions on sending comments, see “Public Participation” at section XX of the **SUPPLEMENTARY INFORMATION**. For treatment of confidential information, see “Protection of Privileged or Confidential Information” at section XXI of the

FOR FURTHER INFORMATION CONTACT: Luke Feinberg, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM–OREP, Sterling, Virginia 20166, (703) 787–1705, or luke.feinberg@boem.gov.

SUPPLEMENTARY INFORMATION:

I. Background

a. *Call for Information and Nominations:* On April 11, 2018, BOEM published a Call for Commercial Leasing for Wind Power on the OCS in the New York (NY) Bight (Call). The Call contained four proposed areas for

development entitled “Fairways North,” “Fairways South,” “Hudson North,” and “Hudson South” (the Call Areas). BOEM received over 130 comments from the general public, Federal agencies, State and local agencies, the fishing industry, industry groups, offshore wind developers, non-governmental organizations, universities, and other stakeholders. The subjects receiving the most comments were commercial fisheries and navigation. Nine offshore wind developers submitted nominations in response to the Call. While each of the Call Areas received at least one nomination, the majority of nominations were concentrated in Hudson South.

b. *Area Identification:* After the close of the Call comment period on July 30, 2018, BOEM initiated the area identification (Area ID) process by reviewing the inputs received. Through the Area ID process, BOEM considered the following non-exclusive list of information: Comments and nominations received on the Call; information from the NY Bight Intergovernmental Task Force; input from New York, New Jersey, Rhode Island, and Massachusetts State agencies; input from Federal agencies; comments from relevant stakeholders, including the maritime community, offshore wind developers, and commercial fishing industry; state and local renewable energy goals; and domestic and global offshore wind market and technological trends.

BOEM also considered multiple existing uses of the NY Bight in developing the Call Areas and subsequent Wind Energy Areas (WEAs). BOEM found that the uses that have the highest potential to interact with offshore wind development in the Call Areas are (i) commercial and recreational fishing; (ii) maritime navigation; and (iii) Department of Defense (DoD) activities. BOEM completed the Area ID on March 29, 2021, by identifying the following five WEAs within the Call Areas: Fairways North, Fairways South, Hudson North, Central Bight, and Hudson South. The Area ID announcement and map of the WEAs are available at: <https://www.boem.gov/NY-Bight/>

c. *Environmental Reviews:* On March 29, 2021, BOEM published a notice to stakeholders (NTS) regarding its intent to prepare an environmental assessment (EA) to consider potential

environmental consequences of site characterization activities (*i.e.*, biological, archeological, geological, and geophysical surveys and core samples) and site assessment activities (*i.e.*, installation of meteorological (met) buoys) associated with issuing wind energy leases in the WEAs. The EA also considers project easements associated with each potential lease issued and grants for subsea cable corridors in the NY Bight. As part of the EA process, BOEM sought comments on the issues and alternatives to be considered in the EA and received approximately 3,000 comments, which can be found at <http://www.regulations.gov>, under Docket No. BOEM–2021–0021.

Concurrently with its preparation of the EA, BOEM is conducting consultations under the Coastal Zone Management Act (CZMA). BOEM will initiate consultations under the Endangered Species Act (ESA) for ESA-listed species under the jurisdiction of the U.S. Fish and Wildlife Service and under the Magnuson-Stevens Fishery Conservation and Management Act for lease issuance, site assessment, and site characterization activities concurrently with the EA. BOEM has initiated consultation for site assessment and site characterization activities for ESA-listed species under National Marine Fisheries Service (NMFS) jurisdiction. These consultation documents will be available at: <https://www.boem.gov/environmental-consultations>.

BOEM prepared and executed a programmatic agreement (PA) to guide its consultations under section 106 of the National Historic Preservation Act. The PA provides for consultations to continue through BOEM’s decision-making process regarding the issuance of leases, rights-of-way grants, and rights-of-use and easements on the OCS. The PA also includes BOEM’s phased identification and evaluation of historic properties.

The EA and associated consultations will be concluded before and inform BOEM’s decision whether to proceed with the final sale notice (FSN). BOEM will solicit comments on the EA before it is finalized.

II. Area Proposed for Leasing:

The areas available for sale are proposed to be auctioned as eight leases, Lease OCS–A 0537 through Lease OCS–A 0544:

Lease area name	Lease area ID	Acres
Central Bight	OCS–A 0537	84,688
Hudson South—B	OCS–A 0538	84,332
Hudson South—C	OCS–A 0539	80,062

Lease area name	Lease area ID	Acres
Hudson South—D	OCS—A 0540	76,148
Hudson South—E	OCS—A 0541	84,688
Hudson South—F	OCS—A 0542	87,890
Hudson South—A	OCS—A 0543	85,755
Hudson North	OCS—A 0544	43,056
<i>Total</i> .....	.....	627,331

The proposed lease areas include the entirety of the Hudson North and Central Bight WEAs, as well as subdivided portions of Hudson South (A, B, C, D, E & F). Hudson South was subdivided so that each proposed lease area:

- Is of roughly equal commercial viability and size;
- includes transit corridors to account for vessel traffic patterns, fisheries, and DoD concerns;
- is laid out in a manner to reduce wake effect; and
- facilitates fair return to the Federal Government pursuant to the OCS Lands Act through robust competition for commercially viable lease areas.

The proposed transit corridor locations were informed by a report based on a workshop convened by New York State Energy Research and Development Authority (NYSERDA), New York State Department of Environmental Conservation, and the Responsible Offshore Development Alliance (RODA). The workshop focused on an analysis of fishing vessels transit and traffic patterns. The width of the proposed corridors would be 2.44 nautical miles.¹ There are some locations where portions of a lease area overlap with a proposed transit corridor. No surface occupancy will be allowed within the areas of overlap.

BOEM is aware of potential conflicts with the U.S. Coast Guard (USCG) and DoD regarding Hudson North (OCS—A 0544) and Lease Area A of Hudson South (OCS—A 0543). BOEM is working closely with USCG and DoD to ensure final lease areas are deconflicted and suitable for offshore wind development. For more information regarding the DoD’s evaluation, please see the December 15, 2020, letter from the DoD Military Aviation and Installation Assurance Siting Clearinghouse to BOEM posted on our website: <https://www.boem.gov/renewable-energy/state-activities/dod-response-new-york-bight-offshore-call-areas>.

¹ The proposed width was calculated using the Permanent International Association of Navigation Congresses (PIANC) report (2018, March). Interaction Between Offshore Wind Farms and Maritime Navigation (MarCom WG Report No. 161–2918). ISBN: 978–2–87223–250–5. Pg. 24.

The Fairways North and South WEAs are not being considered for leasing at this time due, in part, to conflicts with the proposed USCG fairway, maritime traffic concerns, commercial fisheries, State preferences, marine protected species, and commercial viability. Additional detail on our analysis of these WEAs and potential conflicts can be found in the New York Bight Area Identification Memorandum Pursuant to 30 CFR 585.211(b) (see pages 28–32). Fairways North and South may, however, be considered for a future sale and will be analyzed in the EA.

A description of the proposed Lease Areas can be found in addendum “A” of each proposed lease, which BOEM has made available with this notice on its website at: <https://www.boem.gov/NY-Bight/>.

a. *Map of the Area Proposed for Leasing:* A map of the Lease Areas and GIS spatial files X, Y (eastings, northings) UTM Zone 18, NAD83 Datum, and geographic X, Y (longitude, latitude), NAD83 Datum can be found on BOEM’s website at: <https://www.boem.gov/NY-Bight/>.

b. *Potential Future Restrictions for Navigational Safety:*

i. *USCG Navigational Safety Measures:* Potential bidders should note that portions of the Hudson North Lease Area may not be available for future development (*i.e.*, installation of wind facilities) because of navigational safety concerns. In accordance with the Ports and Waterways Safety Act, the USCG has published an Advanced Notice of Proposed Rulemaking (ANPRM), which includes traffic lanes in the vicinity of the New York Bight. This ANPRM included a shipping safety fairway to accommodate vessel traffic traveling across the Bight from the Delaware Bay area to east of Montauk. The shipping safety fairway overlaps with the proposed Hudson North Lease Area. The size and boundaries of the Hudson North Lease Area could change between now and the FSN, depending on the outcome of additional discussions between BOEM and USCG. BOEM may require additional mitigation measures upon review of a Construction and Operations Plan (COP) when the lessee’s site-specific navigational safety risk

assessment is available to inform BOEM’s decision-making.

In addition, in 2020, the USCG announced that it would conduct a Supplemental Port Access Route Study (PARS) for both the seacoast of New Jersey (study conducted by the Fifth USCG District) and the northern NY Bight (study conducted by the First USCG District) that, combined, would include the entirety of the NY Bight. These two PARS may result in additional east/west mitigation measures at the COP review stage.

ii. *Vessel Transit Corridors:* Representatives of the fishing industry have requested that offshore wind facilities be designed in a manner that, among other things, provides for safe transit through facilities to fishing grounds, where relevant. BOEM has identified initial vessel transit corridors within the Hudson South WEAs and seeks comment on those corridors in response to this PSN. BOEM currently does not know if additional transit corridors will be necessary in the remaining Lease Areas, Hudson North and Central Bight. Bidders should be aware that a lease stipulation may be included in the FSN that addresses transit corridors, pending the outcome of additional discussions with stakeholders, including comments submitted in response to this PSN.

c. *Potential Future Restrictions Regarding Department of Defense Activities:* Prospective bidders should be aware of potential conflicts with existing uses of the OCS by the DoD. BOEM coordinates with the DoD throughout our leasing process. A December 2020 letter from the DoD summarizes our most recent consultations and is available at: <https://www.boem.gov/renewable-energy/state-activities/dod-response-new-york-bight-offshore-call-areas>.

i. *Height Restrictions:* Development of Lease Areas in the Hudson South WEA could adversely affect U.S Air Force Weather Divisions NEXRAD weather radar by limiting the ability to track tropical storms moving towards the region if turbine heights exceed 1,000 feet. Mitigation may include restricting turbines in the Hudson South WEA to less than 1,000 ft. above sea level. The

exact restrictions could depend on site specific information, and BOEM is currently working with DoD to refine this evaluation based on the Lease Areas proposed in this PSN.

ii. *Air Surveillance and Radar*: The North American Aerospace Defense Command (NORAD) mission may be affected by the development of the Lease Areas. BOEM will coordinate with DoD and the lessee to de-conflict these potential impacts through the COP review stage. Mitigation measures or terms and conditions of a plan approval may result.

iii. *Hudson South—A (OCS—A 0543)*: The Department of the Navy identified impacts to current and future training activities should the entirety of Lease Area Hudson South—A (OCS—A 0543) be developed. BOEM is continuing to work with DoD to evaluate the impacts and identify potential mitigation measures. However, bidders should be aware that portions of this Lease Area may not be available for development. Additional information will likely be published in the FSN.

III. Participation in the Proposed Lease Sale

a. *Bidder Participation*: Entities which are already qualified to participate in an upcoming sale through their response to the Call or submission of qualification materials are not required to take any additional action to affirm their interest. Those entities are listed below:

Company name	Company No.
Avangrid Renewables, LLC	15019
East Wind LLC	15076
EDF Renewables Development, Inc	15027
Equinor Wind US LLC	15058
Horizon Wind Power LLC	15081
North River Wind, LLC	15096
RWE Offshore Wind Holdings, LLC	15061
PNE USA, Inc	15056
US Mainstream Renewable Power Inc	15089
US Wind Inc	15023
Invenergy Wind Offshore LLC ..	15091

All other entities wishing to participate in the proposed ATLW-8 lease sale must submit the required qualification materials by the end of the 60-day comment period for this notice.

b. *Affiliated Entities*: On the Bidder's Financial Form (BFF) discussed below, eligible bidders must list any other eligible bidders with whom they are affiliated. Affiliated eligible bidders are not permitted to compete against each other in the lease sale and must decide by the start of the auction which eligible bidder (if any) will participate. If two or

more affiliated bidders participate in the auction, BOEM may disqualify some or all such bidders from the auction.

BOEM considers two entities to be affiliated if (a) one entity (or its parent or subsidiary) has or retains any right, title, or interest in the other entity (or its parent or subsidiary), including any ability to control or direct actions with respect to such entity, either directly or indirectly, individually or through any other party; or (b) the entities are both direct or indirect subsidiaries of the same parent company.

IV. Questions for Stakeholders

Stakeholders are encouraged to comment on any matters related to this lease sale that are of interest or concern to them. BOEM has identified certain issues as particularly important in developing this lease sale and encourages comments on how to address these issues through lease terms or stipulations.

a. *Number, size, orientation, and location of the proposed lease areas*. In this PSN, BOEM proposes eight Lease Areas in the NY Bight. BOEM is seeking feedback on the proposed number, size, orientation, and location and welcomes comments on which Lease Areas, if any, should be prioritized for inclusion, or exclusion, from this lease sale or future lease sales.

i. *Lease area size*: During the April 2021 NY Bight Intergovernmental Task Force meeting, BOEM received a comment suggesting that the proposed Lease Areas should be combined to create larger (~160,000 acres) Lease Areas which would capture greater economies of scale. BOEM seeks comments regarding the preferred lease area size and if additional acreage beyond what is proposed is needed for commercial viability.

b. *Transit corridors*: BOEM has proposed an orientation of Lease Areas in the Hudson South WEA that includes vessel transit corridors. BOEM welcomes comments on transit corridor attributes and the degree to which they meet potential users' needs.

Specifically, does the proposed orientation (length, width, etc.) facilitate continuance of existing uses? If not, (a) what are the additional costs of utilizing the proposed transit corridors, and (b) what orientation would better balance any competing needs of renewable energy developers and existing users? BOEM asks commenters to submit technical and scientific data in support of their comments.

c. *Benefits to Underserved Communities*: The January 20, 2021, Executive Order 13985 "Advancing Racial Equity and Support for

Underserved Communities Through the Federal Government" directs advancement of equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. The January 27, 2021, Executive Order 14008 "Tackling the Climate Crisis at Home and Abroad" includes the goal of doubling offshore wind by 2030 while creating good jobs and ensuring robust protection for our lands, waters, and biodiversity.

To the extent that it is consistent and allowable within BOEM's statutory authority and applicable laws, BOEM is considering lease stipulations to direct benefits to underserved communities and to better develop the workforce needed to design, construct, operate, and maintain offshore wind farms. BOEM is soliciting information to develop lease stipulations concerning, but not be limited to:

i. Workforce training and development.

ii. contracting with and supporting the development minority- and women-owned businesses.

iii. programs that promote and deliver environmental justice. The stipulations could, for example, mandate or encourage the use of instruments, with plan reporting requirements to show compliance. Alternatively, BOEM may offer incentives in the form of auction credits or credits towards rent and operating fee obligations for investment in the aforementioned categories where appropriate. These incentives could be in the form of a credit for the amount invested in existing State-run programs with similar goals or the establishment of new programs where appropriate. BOEM invites comment on the appropriate mechanisms, evaluation metrics, and valuation of these additional lease requirements.

Commenters are encouraged to describe how these or similar measures would further development of the proposed Lease Areas and the purposes of OCS Lands Act, and provide references to any studies that support their recommendations.

d. *Creating a Domestic Supply Chain*: To the extent that it is consistent and allowable within BOEM's statutory authority and applicable laws, BOEM is also considering mechanisms such as lease stipulations, auction credits or credits towards rent and operating fee obligations that would incentivize a durable, domestic supply chain conducive to prompt and orderly development of the Lease Area and renewable energy development on the OCS. Commenters are encouraged to

describe how these or similar measures would further development of the proposed Lease Areas and the purposes of OCS Lands Act, and provide references to any studies that support their recommendations.

e. Native American Tribes, Ocean User, and Stakeholder Engagement: In an effort to require early and regular lessee engagement with affected stakeholders, BOEM is proposing a lease stipulation that would require lessees to provide a semi-annual (*i.e.*, every six months) progress report that summarizes engagement with ocean users potentially affected by proposed activities on the lease or proposed project easement. The progress report would identify and describe: All of the existing users; the lessee's engagement with those users; efforts to avoid, minimize or mitigate any conflict between the existing users and the lessee; and any planned next steps to engage those users and address identified conflicts. The lease stipulation specifically would require coordination with the fishing industry and consideration of potential conflicts prior to proposing a wind turbine layout in the COP. BOEM seeks comment on this concept generally, as well as comment on the contents and timing of such reports.

f. Limits on number of lease areas per bidder: BOEM recognizes the dramatic increase in market demand for offshore renewable energy development opportunities and the associated potential for higher lease sale prices. BOEM is proposing to allow each qualified entity to bid for only one lease in any given round and to ultimately acquire only one lease area from the auction. To the extent it reduces competition for individual leases, this would tend to decrease the overall bonus bids. However, a larger number of lessees would tend to increase competition for future energy procurements and drive down the cost of electricity to ratepayers. Additionally, BOEM sees value in increasing the pool of lessees to potentially have more diverse representation of developers. However, BOEM has also contemplated allowing an entity to bid for (and win) up to two lease areas. BOEM is seeking feedback on the proposed one-lease-area per bidder scheme and how different leasing scenarios may influence the advisability of such a limitation (*e.g.*, number of lease areas offered, size of lease areas, etc.).

g. Coordinated Engagement: BOEM has received feedback that the potential addition of eight new OCS wind lessees burdens stakeholders that have limited resources and that are already seeking to

engage with existing lessees. BOEM seeks comment on methods to improve coordination and engagement among lessees, Federally recognized Tribes, ocean users, and stakeholders. Specifically, BOEM is soliciting input on how to improve the frequency, duration, sustainability, and collaborative engagement among these parties, as well as the preferred form it should take (in-person, webinar, facilitated meeting, etc.).

BOEM recognizes its responsibility under Executive Order 13175 to conduct Government-to-Government consultations with Tribal governments. Any coordinated engagement between Federally recognized Tribes and lessees that may be required in a future lease would be in addition to BOEM's responsibilities. To illustrate the intent of this question, one possible lease term to facilitate coordinated engagement could be to require lessees to hold coordination meetings at regular intervals throughout the year (*i.e.*, quarterly, bi-annually, annually, etc.). These meetings would not substitute for Government-to-Government meetings between Tribes and Federal agencies. During these meetings, lessees would share information and updates about their activities with Federally recognized Tribes and stakeholders and solicit feedback/input from the Tribes about the lessee activities.

h. Prescribed Layouts: Should BOEM consider prescribing uniform and aligned turbine layouts for Lease Areas, especially in the Hudson South WEA? Does the establishment of uniform turbine layouts negate the need for established transit corridors?

i. Rent: BOEM is seeking feedback on a proposal to simplify the calculation for rental fees—specifically, rental fees for portions of the lease area not yet authorized for commercial operations. For leases issued in previous sales, rent is computed using a fraction of the total nameplate capacity of the project that is not yet in operation. The simplification would divide the area authorized for commercial operations into acreage that is “generating” and “non-generating” and use the “non-generating” acreage as the basis for the rental calculation.

j. Industry Standards for Environmental Protection: Are there new industry standards (*e.g.*, technology standards, vessel standards, etc.) for environmental protection for any phase of development that BOEM should consider?

V. Deadlines and Milestones

This section describes the major deadlines and milestones in the auction process from publication of this PSN to

execution of the lease pursuant to this sale.

a. The PSN Comment Period:

i. Submit Comments: The public is invited to submit comments during this 60-day period, which will expire on August 13, 2021.

ii. Public Auction Seminar: BOEM will host a public seminar to discuss the lease sale process and the auction format. The time and place of the seminar will be announced by BOEM and published on the BOEM website at <https://www.boem.gov/NY-Bight/>. No registration or RSVP is required to attend.

iii. Submit Qualifications Materials: All qualification materials must be received by BOEM by the end of the 60-day PSN comment period August 13, 2021. This includes materials sufficient to establish a company's legal, technical, and financial qualifications pursuant to 30 CFR 585.106–.107.

b. End of PSN Comment Period to FSN Publication:

i. Review Comments: BOEM will review all comments submitted in response to the PSN during the comment period.

ii. Finalize Qualifications Reviews: Prior to the publication of the FSN, BOEM will complete any outstanding reviews of bidder qualifications materials submitted during the PSN comment period. The final list of eligible bidders will be published in the FSN.

iii. Prepare the FSN: BOEM will prepare the FSN by updating information contained in the PSN where appropriate.

iv. Publish FSN: BOEM will publish the FSN in the **Federal Register**.

c. FSN Waiting Period: During this period, qualified bidders must take several steps to remain eligible to participate in the auction.

i. Bidder's Financial Form: Each bidder must submit a BFF to BOEM in order to participate in the auction. BOEM must receive each bidder's BFF no later than the date listed in the FSN. BOEM will consider extensions to this deadline only if BOEM determines that the failure to timely submit a BFF was caused by events beyond the bidder's control. The BFF can be downloaded at: <https://www.boem.gov/NY-Bight/>. Once BOEM has processed a bidder's BFF, the bidder may log into *pay.gov* and submit a bid deposit. For purposes of this auction, you must submit new BFFs rather than rely on any BFFs submitted for previous lease sales. Until further notice, you may submit your BFF electronically in PDF format to the OREP mailbox at renewableenergy@boem.gov. Digital signatures, affixed to

paper and digital copies, are also acceptable until further notice.

a. Please accompany your submission with a transmittal letter on company letterhead.

b. BOEM would prefer that bidders use a company email address on their BFF. (See instructions below for more details.)

c. The BFF must be executed by an authorized representative listed on the bidder's legal qualifications. Each bidder is required to sign the self-certification in the BFF, in accordance with 18 U.S.C. 1001 (Fraud and False Statements).

d. BOEM will consider the date an emailed submission was sent to OREP's renewableenergy@boem.gov mailbox as the official receipt (filed) date.

ii. *Bid Deposit*: Each bidder must provide a bid deposit of \$5,000,000. Should the FSN allow bidders to win up to two lease areas, a bid deposit of \$10,000,000 would be required to bid on two leases. Bid deposits would be due no later than the date listed in the FSN to participate in the mock auction and the monetary auction. BOEM will consider extensions to this deadline only if BOEM determines that the failure to timely submit the bid deposit was caused by events beyond the bidder's control. Further information about bid deposits can be found in the "Bid Deposit" section of this notice.

d. *Mock Auction*: BOEM will hold a mock auction that is open only to qualified bidders who have met the requirements and deadlines for auction participation, including submission of the bid deposit. Final details of the mock auction will be provided in the FSN.

e. *Conduct the Auction*: BOEM, through its contractor, will hold a monetary auction as described in the FSN. The auction will take place no sooner than 30 days following publication of the FSN in the **Federal Register**. The estimated timeframes described in this PSN assume the auction will take place approximately 45 days after publication of the FSN. Final dates will be included in the FSN. BOEM will announce the provisional winners of the lease sale after the auction ends.

f. *From the Auction to Lease Execution*:

i. *Refund Non-Winners*: Once the provisional winners have been announced, BOEM will provide the non-winners with a written explanation of why they did not win and return their bid deposits.

ii. *Department of Justice (DOJ) Review*: DOJ will have 30 days in which

to conduct an antitrust review of the auction, pursuant to 43 U.S.C. 1337(c).

iii. *Delivery of the Lease(s)*: BOEM will send three copies of the relevant lease to each winner, with instructions on how to execute the lease. The first year's rent is due 45-calendar days after the winner's receipt of the lease copies for execution.

iv. *Return the Lease*: Within 10-business days of receiving the lease copies, the auction winners must post financial assurance, pay any outstanding balance of their bonus bids (*i.e.*, winning monetary bid minus applicable bid deposit), and sign and return the three lease copies. The winners may request extensions to the 10-day deadline, and BOEM may grant such extensions if BOEM determines the delay to be caused by events beyond the requesting winner's control, pursuant to 30 CFR 585.224(e).

v. *Execution of Lease*: Once BOEM has received the signed lease copies and verified that all other required materials have been received, BOEM will make a final determination regarding its issuance of each lease and will execute each lease, if appropriate.

VI. Withdrawal of Blocks

BOEM reserves the right to withdraw all or portions of the Lease Areas prior to executing the leases with the winning bidders.

VII. Lease Terms and Conditions

BOEM has made available the proposed terms, conditions, and stipulations for the OCS commercial wind leases to be offered through this proposed sale. If and when a lease is issued, BOEM reserves the right to require compliance with additional terms and conditions associated with approval of a Site Assessment Plan (SAP) or COP. The proposed lease is on BOEM's website at: <https://www.boem.gov/NY-Bight/>. The lease includes the following seven attachments:

1. Addendum "A" (Description of Leased Area and Lease Activities);
2. Addendum "B" (Lease Term and Financial Schedule);
3. Addendum "C" (Lease Specific Terms, Conditions, and Stipulations);
4. Addendum "D" (Project Easement);
5. Addendum "E" (Rent Schedule Post COP Approval);
6. Appendix A to Addendum "C" (Incident Report: Protected Species Injury or Mortality); and
7. Appendix B to Addendum "C" (Required Data Elements for Protected Species Observer Reports).

Addenda "A," "B," and "C" provide detailed descriptions of lease terms and

conditions. Addendum "D" will be completed at the time of COP approval or approval with modifications. Addendum "E" will be completed after COP approval or approval with conditions. After considering comments on the PSN and proposed leases, BOEM will publish final lease terms and conditions in the FSN.

a. *Required Plans for Potential Development of Executed Leases*: Pursuant to 30 CFR 585.601, if site assessment activities will be conducted, the lessee must submit a SAP within 12 months of lease issuance. If the leaseholder intends to continue its commercial lease with an operations term, the lessee must submit a COP at least 6 months before the end of the site assessment term.

b. *Revised Lease Stipulations*: BOEM is proposing to add or revise the following lease stipulations or provisions as compared with previous commercial leases:

i. *Fisheries Communication Plan*: The requirement for the Fisheries Communication Plan (FCP) has been amended to specify that the FCP must include discussions with fisheries stakeholders regarding any planned facilities within 120 days of lease execution.

ii. *Native American Tribes Communication Plan*: BOEM has added a lease stipulation requiring the lessee to develop a Native American Tribes Communication Plan (NATCP). The NATCP would include a requirement for the lessee to designate a Tribal Liaison responsible for communicating with Federally recognized Tribes, to provide BOEM and Federally recognized Tribes with a draft NATCP, and to meet with Federally recognized Tribes to discuss the NATCP within 120 days of lease execution.

iii. *Protected Species*: In October 2018, BOEM initiated ESA section 7 formal consultation with the NMFS to update the project design criteria (PDCs) and best management practices (BMPs) to be more consistent with recent incidental harassment authorizations (IHAs) issued by NMFS under the Marine Mammal Protection Act for site survey and data collection activities. In January 2020, BOEM and NMFS agreed to convert the formal consultation to a programmatic informal consultation with NMFS limited to surveys and installation of met buoys associated with leases. Activities include geophysical and geotechnical surveys and the installation and decommissioning of met buoys in support of offshore wind energy projects.

Mitigation measures adopted during the consultation rely upon the most up-to-date science and mirror those included in recent IHAs. Adopting these measures would reduce the number of requests by the lessee to modify its lease stipulations to be consistent with their respective NMFS-issued IHAs, which in turn reduces compliance burdens on the lessee and BOEM. Thus, BOEM proposes that the lease stipulations no longer specify exclusion zones for sound propagation from geophysical survey equipment, vessel strike avoidance measures, or protected species observer procedures. BOEM intends to finalize the programmatic informal consultation with NMFS before the FSN.

iv. Site Characterization: BOEM has updated language regarding survey plans and pre-survey meetings (Section 2.1 of addendum C to the proposed lease). BOEM recommends changing the requirement for a pre-survey meeting with the lessor to be at the discretion of BOEM. BOEM also recommends removing the requirement for the lessee to meet with BOEM prior to holding Tribal pre-survey meetings, which would allow more flexibility in scheduling Tribal pre-survey meetings, possibly holding them earlier and allowing for greater opportunity for Tribal input.

v. Siting Conditions: BOEM has included lease stipulations that outline those situations where the lessee may not construct surface facilities.

vi. Operating Fee: BOEM is proposing several simplifications to the operating fee. The changes include eliminating the inflation adjustment, moving from a weighted peak/off-peak power price to a simple hourly average, and eliminating the 10 percent limit to the capacity adjustment every five years. These changes are designed to simplify the operating fee calculation and will have minimal impact on the amount of operating fee revenues paid by developers. BOEM is also proposing to simplify the capacity formulation by utilizing the nameplate capacity in the Fabrication and Installation Report (FIR) rather than the COP for the operating fee calculation.

vii. Project Labor Agreements: BOEM is proposing the addition of a lease stipulation which would require the lessee to make every reasonable effort to enter into a project labor agreement (PLA) covering the construction stage of any project proposed for the leased area. The proposed stipulation is responsive to Executive Order 14008, "Executive Order on Tackling the Climate Crisis at Home and Abroad," and would support

BOEM's achievement of the following OCS Lands Act factors:

- i. Expeditious and orderly development (43 U.S.C. 1332 (3)).
- ii. Safe operations conducted by well-trained personnel (43 U.S.C. 1332 (6)).
- iii. Any activity is carried out in a manner that provides for safety (43 U.S.C. 1337(p)(4)(A)).
- iv. Fair return (43 U.S.C. 1337(p)(2)(A)).

PLAs may support the achievement of these goals—including expeditious development and potentially more years of receipt of operating fees—by assuring labor stability.

viii. Stakeholder and Ocean User Engagement Summary: BOEM is proposing to require the lessee to include a stakeholder and ocean user engagement summary as part of its progress reporting requirements (see section 2.2 of addendum C of the lease). This summary would include a description of all existing users, engagement activities with those users during the reporting period, and a description of efforts to minimize any conflict between the existing users and the lessee.

VIII. Lease Financial Terms and Conditions

This section provides an overview of the annual payments required of the lessee that are fully described in the proposed leases and of the financial assurance requirements that would be associated with those leases.

a. Rent: Pursuant to 30 CFR 585.224(b) and 585.503, the first year's rent payment of \$3 per acre is due within 45-calendar days of the date the lessee receives the lease for execution. Thereafter, annual rent payments are due on the anniversary of the effective date of the lease (Lease Anniversary). Once commercial operations under the lease begin, BOEM will charge rent only for the portions of the leased area not authorized for commercial operations, *i.e.*, not generating electricity. The fraction of the leased area accruing rent will be based on the fraction of the total nameplate capacity of the project that is not yet in operation. This fraction is calculated by dividing the nameplate capacity not yet authorized for commercial operations at the time payment is due by the maximum capacity of project approved in the COP. The annual rent due for a given year is then derived by multiplying this fraction by the amount of rent that would have been due for the lessee's entire lease area at the rental rate of \$3 per acre.

For example: For an 84,688 acre lease (the size of OCS-A 0537), the rent

payment will be \$254,064 per year if no portion of the leased area is authorized for commercial operations. If 514 megawatts (MW) of a project's nameplate capacity is operating (or authorized for operation) and if the approved COP specifies a maximum project capacity of 1,028 MW, the rent payment will be \$127,032. This payment is based on the 514 MW of nameplate capacity BOEM has not yet authorized for commercial operations. For the above example, this would be calculated as follows: 514 MW/1,028 MW × (\$3/acre × 84,688 acres) = \$127,032. If a COP does not propose commercial activities for the entirety of the leased area, rent for the portions of the leased area not included in the COP will be calculated at the rental rate of \$3 per acre.

If BOEM approves the lessee's application for relinquishment of a portion of its leased area, submitted within 45-calendar days following the date that the lessee receives the lease for signature, the lessee owes no rent payment on the relinquished portion of the lease area. Later relinquishments of any portion of the lease area will reduce the lessee's rent payments starting in the year following BOEM's approval of the relinquishment.

The lessee must also pay rent for any project easement associated with the lease, commencing on the date that BOEM approves the COP (or modification thereof) that describes the project easement. Annual rent for a project easement that is 200 feet wide and centered on the transmission cable is \$70 per statute mile. For any additional acreage required, the lessee must also pay the greater of \$5 per acre per year or \$450 per year.

b. Operating Fee: For purposes of calculating the initial annual operating fee payment pursuant to 30 CFR 585.506, BOEM applies an operating fee rate to a proxy for the wholesale market value of the electricity expected to be generated from the project during its first 12 months of operations. This initial payment will be prorated to reflect the period between the commencement of commercial operations and the Lease Anniversary. The initial annual operating fee payment is due within 45 days of the commencement of commercial operations. Thereafter, subsequent annual operating fee payments are due on or before each Lease Anniversary.

The subsequent annual operating fee payments are calculated by multiplying the operating fee rate by the imputed wholesale market value of the projected annual electric power production. For the purposes of this calculation, the

imputed market value is the product of the project's annual nameplate capacity, the total number of hours in the year (8,760), the capacity factor, and the annual average price of electricity

derived from a regional wholesale power price index. For example, the annual operating fee for a 1,028 MW wind facility operating at a 40% capacity (*i.e.*, capacity factor of 0.4) with

a regional wholesale power price of \$40/MWh and an operating fee rate of 0.02 would be calculated as follows:

$$\text{Annual Operating Fee} = 1,028\text{MW} \times 8,760 \frac{\text{hrs}}{\text{year}} \times 0.4 \times \frac{\$40}{\text{MWh}} \text{Power Price} \times 0.02 = \$2,881,689.60$$

i. Operating Fee Rate: The operating fee rate is the share of imputed wholesale market value of the projected annual electric power production due to the Office of Natural Resources Revenue as an annual operating fee. For the Lease Areas, BOEM will set the fee rate at 0.02 (*i.e.*, 2%) for the entire life of commercial operations.

ii. Nameplate Capacity: Nameplate capacity is the maximum rated electric output, expressed in MW, which the turbines of the wind facility under commercial operations can produce at their rated wind speed as designated by the turbine's manufacturer. The nameplate capacity available at the start of each year of commercial operations on the lease will be the capacity provided in the FIR. For example, if the lessee installed 100 turbines as documented in its FIR, and each is rated by the manufacturer at 12 MW, the nameplate capacity of the wind facility is 1,200 MW.

iii. Capacity Factor: The capacity factor relates to the amount of energy delivered to the grid during a period of time compared to the amount of energy the wind facility would have produced at full capacity during that same period of time. This factor is represented as a decimal between zero and one. There are several reasons why the amount of power delivered is less than the theoretical 100% of capacity. For a wind facility, the capacity factor is mostly determined by the availability of wind. Transmission line loss and down time for maintenance or other purposes also affect the capacity factor.

The capacity factor for the year in which the commercial operation date occurs, and for the first six full years of commercial operations on the lease, is set to 0.4 (*i.e.*, 40%). At the end of the sixth year, the capacity factor may be adjusted to reflect the performance over the previous five years based upon the actual metered electricity generation at the delivery point to the electrical grid. Similar adjustments to the capacity factor may be made once every five years thereafter.

iv. Wholesale Power Price Index: Pursuant to 30 CFR 585.506(c)(2)(i), the wholesale power price, expressed in dollars per MW-hour, is determined at the time each annual operating fee payment is due. For the leases offered in this sale, BOEM is proposing to use the simple average of the spot price indices for NYISO New York City (Zone J).

c. Financial Assurance: Within 10-business days after receiving the lease copies and pursuant to 30 CFR 585.515-.516, the provisional winners of the leases must provide an initial, lease-specific bond or other approved means of meeting the initial financial assurance requirements in the amount of \$100,000. The provisional winners may meet financial assurance requirements by posting a surety bond or by setting up an escrow account with a trust agreement giving BOEM the right to withdraw the money held in the account on demand. BOEM encourages the provisional winners to discuss the financial assurance requirement with BOEM as soon as possible after the auction has concluded.

BOEM will base the amount of all SAP, COP, and decommissioning financial assurance on cost estimates for meeting all accrued lease obligations at the respective stages of development. The required amount of supplemental and decommissioning financial assurance will be determined on a case-by-case basis.

The financial terms described above can be found in addendum "B" of the leases, which BOEM has made available with this notice on its website at: <https://www.boem.gov/NY-Bight/>.

IX. Bidder's Financial Form

Each bidder must fill out the BFF referenced in this PSN. BOEM has also made a copy of the form available with this notice on its website at: <https://www.boem.gov/NY-Bight/>. BOEM recommends that each bidder designate an email address in its BFF that the bidder will then use to create an account in *pay.gov* (if it has not already done so). BOEM will not consider BFFs

submitted by bidders for previous lease sales to satisfy this requirement for this auction. BOEM will only consider BFFs submitted after the deadline set in the FSN if BOEM determines that the failure to timely submit the BFF was caused by events beyond the bidder's control. BOEM will only accept an original, executed paper copy of the BFF. The BFF must be executed by an authorized representative listed in the qualifications package on file with BOEM as authorized to bind the company.

X. Bid Deposit

Each qualified bidder must submit a bid deposit no later than the date listed in the FSN. Typically, this deadline is approximately 30-calendar days after the publication of the FSN. BOEM will consider extensions to this deadline only if BOEM determines that the failure to timely submit the bid deposit was caused by events beyond the bidder's control.

Following the auction, bid deposits will be applied against the high bonus bid obligation. If the bid deposit exceeds a bidder's total financial obligation, BOEM will refund the balance of the bid deposit to the bidder. BOEM will refund bid deposits to non-winners once BOEM has announced the provisional winners.

If BOEM offers a lease to a provisional winner who fails to timely return the signed lease, to establish financial assurance, or to pay the balance of its bid, BOEM will retain the provisional winner's bid deposit. In such a circumstance, BOEM reserves the right to determine which bid would have won in the absence of the bid previously determined to be the winning bid and to offer a lease pursuant to this next highest bid.

XI. Minimum Bid

The minimum bid is the lowest bid BOEM will accept as a winning bid, and it is where BOEM will start the bidding in the auction. BOEM proposes a minimum bid of \$100.00 per acre for this lease sale.

XII. Auction Procedures

a. *Ascending Bidding With Cash Bid Variable*: As authorized under 30 CFR 585.220(a)(2) and 585.221(a)(1), BOEM proposes to use an ascending bidding auction with cash as the bid variable for this lease sale. BOEM proposes to start the auction using the minimum bid prices for each of the Lease Areas and increase those prices incrementally until no more than one active bidder per Lease Area remains in the auction.

During the April 2021 NY Bight Intergovernmental Task Force meeting, BOEM learned of interest in a sequential auction format. A sequential auction format would feature separate auctions for each of the Lease Areas, with one area's auction completed before the next one begins. This auction method would introduce a random and opaque valuation for each area auctioned. Sequential auctions are strategically very complex for bidders because bidders need to make final bidding decisions for "early" lease areas without knowledge of "later" lease areas' values. As a result, bidders are likely to overbid or underbid, and the relative prices for different lease areas will not reflect bidders' relative valuations. Furthermore, sequential auctions do not accommodate substitutes or complements. Sequential auctions are also more likely to lead to gamesmanship and inefficient outcomes.

In contrast, the simultaneous ascending clock auction, which BOEM has used in the past, allows the bidder to monitor bidding activity in real time, to adjust its bid and choice of lease areas, and to stop bidding in the auction accordingly. If the price for one area becomes too high, the bidder has the option to focus on a different lease area with a lower price. Simultaneous auctions allow for a rational and beneficial outcome for all parties involved. This method is highly regarded in the academic literature and serves as the best practice for optimal outcomes.

b. *The Auction*: Using an online bidding system to host the auction, BOEM will start the bidding for Leases OCS-A 0537 through 0544, as described below. BOEM is proposing that bidders will be able to bid for one of the offered Lease Areas in each round of the auction, and ultimately acquire only one of the Lease Areas from the auction. However, BOEM is seeking input on this decision, and the auction format in which a bidder can bid on one or two Lease Areas is described below.

i. *If bidders are allowed to bid for and win only one lease area*: The auction

will be conducted in a series of rounds. At the start of each round, BOEM will state an asking price for each lease area. If a bidder is willing to meet the asking price for one of the Lease Areas, it will indicate its intent by submitting a bid equal to the asking price. A bid at the full asking price is referred to as a "live bid." To participate in the next round of the auction, a bidder must have submitted a live bid for one of the Lease Areas (or have a carried-forward bid) in each previous round.

As long as there are two or more live bids (including bids carried forward) for at least one of the Lease Areas, the auction moves to the next round. BOEM will raise the asking price for each of the Lease Areas that has received two or more live bids in the previous round. Asking price increments will be determined based on several factors, including (but not necessarily limited to) the expected time needed to conduct the auction and the number of rounds that have already occurred. BOEM reserves the right to increase or decrease bidding increments as appropriate.

Generally, a bidder that submitted a live bid in the previous round is free to bid on one of the eight Lease Areas in the current round. However, an exception exists. A bidder may switch its live bid from one of the Lease Areas to another in the current round only if its bid from the previous round was contested—e.g., a bidder cannot switch from OCS-A 0537 to OCS-A 0538 unless there was at least one other live bid for OCS-A 0537 in the last round. If the bid was uncontested in the previous round, the bidder cannot switch Lease Areas, and its previous round bid will be carried forward to the next round. If another bidder places a live bid on OCS-A 0537 later in the auction, BOEM will stop automatically carrying forward the previously uncontested bid on that lease area. The bidder that placed the previously carried forward bid is then free to bid on any of the Lease Areas in the next round at the new asking prices.

A bidder remains eligible to participate in the auction if it submitted a live bid in the prior round or had a previously uncontested live bid carried forward by BOEM to the previous round. If a bidder decides to stop bidding further when its bid is contested, there remain circumstances in which the bidder could win (e.g., if the bid is ultimately selected in the winner determination that is described in detail below, or if the winning bid is disqualified at the award stage of the auction). If this happens, the bidder may be bound by its bid and thus obligated to pay the full bid amount. Bidders may

be bound by any of their bids until the auction results are finalized.

Between rounds, BOEM will disclose to all bidders that submitted bids: (1) The number of live bids (including bids carried forward) for each of the Lease Areas in the previous round of the auction (i.e., the level of demand at the asking price); and (2) the asking price for each of the Lease Areas in the upcoming round of the auction.

A bidder is only eligible to continue bidding in the auction if it has submitted a live bid (or had a bid carried forward) in the previous round. In any round after the first round, however, a bidder may submit an "exit bid" (also known as an "intra-round bid"). An exit bid can only be submitted for the same lease area as the bidder's contested live bid in the previous round. An exit bid is a bid that is higher than the previous round's asking price, but less than the current round's asking price for that lease area. An exit bid is *not* a live bid, and it represents the final bid that a bidder may submit in the auction. A bidder may not submit both an exit bid on one of the Lease Areas and a live bid on a different one. During the auction, the exit bid can only be seen by BOEM, and not by other bidders.

A lease area with only exit bids in a given round will not have its asking price raised in the next round because BOEM only raises asking prices when a lease area receives multiple live bids. As soon as each of the Lease Areas has one or zero live bids (including bids carried forward), the auction is over, regardless of the number of exit bids on each area.

After the bidding ends, BOEM will determine the provisionally-winning bids for each lease area by a two-stage procedure. In Stage 1, the highest bid (live bid or exit bid) received for each lease area in the final round will be designated the provisionally-winning bid, if there is a single highest bid. In the event of a tie (i.e., if two or more bidders submitted identical highest exit bids for the same lease area), the selection of one of the highest exit bids will be deferred until Stage 2.

In stage 2, BOEM will consider bids from all bidding rounds for Lease Areas that were not assigned in stage 1 by bidders who were not assigned one of the Lease Areas in stage 1. BOEM will select the combination of such bids that maximizes the sum of the bid amounts of the selected bids, subject to the following constraints: (1) Each lease area that received multiple highest exit bids in the final round (but no live bid) is assigned to one of the bidders that submitted the highest exit bid; (2) at most one bid from each bidder can be

selected; and (3) at most one bid for each lease area can be selected. If there is a unique combination of bids that solves this maximization problem, then these are deemed to be the remaining provisionally winning bids. If two or more combinations of bids tie by producing the same maximized sum of bid amounts, the auction system will select one of the combinations by generating pseudorandom numbers. The provisional winners will pay the amounts of their provisionally winning bids.

ii. *If bidders are allowed to bid for and win two lease areas:* The auction will be conducted in a series of rounds. At the start of each round, BOEM will state an asking price for each of the Lease Areas. If a bidder is willing to meet the asking price for up to two of the Lease Areas (if eligible), it will indicate its intent by submitting a bid equal to the asking price for the selected Lease Areas. A bid for one or more of the Lease Areas at the sum of their full asking prices is referred to as a “live bid.” To participate in the next round of the auction, a bidder must have submitted a live bid for at least one of the Lease Areas (or have a carried-forward bid) in each previous round.

As long as there are two or more live bids (including bids carried forward) for at least one of the Lease Areas, the auction moves to the next round. BOEM will raise the asking price for each of the Lease Areas that has received two or more live bids in the previous round. Asking price increments will be determined based on several factors, including (but not necessarily limited to) the expected time needed to conduct the auction and the number of rounds that have already occurred. BOEM reserves the right to increase or decrease bidding increments as appropriate.

Each bidder is allowed to submit a live bid for up to two of the Lease Areas based on its “eligibility” at the opening of each round. A bidder’s eligibility is either two, one, or zero Lease Areas, and it corresponds to the maximum number of Lease Areas that a bidder may include in a live bid during a single round of the auction. A bidder’s initial eligibility is determined based on the amount of the bid deposit submitted by the bidder prior to the auction. To be eligible to offer a bid on one of the Lease Areas at the start of the auction, a bidder must submit a bid deposit of \$5,000,000. To be eligible to offer a bid on two of the Lease Areas, a bidder must submit a bid deposit of \$10,000,000. A bidder’s bid deposit will be used by BOEM as a down payment on any monetary obligations incurred by the bidder should it be awarded a lease.

As the auction proceeds, a bidder’s eligibility is determined by the number of Lease Areas included in its live bid submitted in the round prior to the current round. That is, if a bidder submitted a live bid on one of the Lease Areas in the previous round, that bidder may submit a bid that includes at most one of the Lease Areas in the current round. If a bidder submitted a live bid that included two Lease Areas in the previous round, the bidder may submit a live bid that includes at most two of the Lease Areas in the current round. When a bidder authorized to submit two bids submits one live bid, the bidder’s eligibility is permanently reduced. Thus, eligibility in successive rounds may stay the same or go down, but it can never go up.

Generally, a bidder that submitted a live bid in the previous round is free to bid on one or two (depending on its eligibility) of the eight areas in the current round. However, an exception exists. A live bid in the previous round is deemed to be uncontested if there were no other live bids by other bidders that included any of the Lease Areas in the live bid. (For example, suppose that a bidder placed a live bid for OCS-A-0537 and OCS-A-0538. If no other bidder placed a live bid that included either OCS-A-0537 or OCS-A-0538, then the bid is deemed to be uncontested.) If a bid was uncontested in the previous round, the bid will be carried forward to the next round, and the bidder cannot place any other bids in that next round. (However, continuing the example, once another bidder places a live bid that includes either OCS-A 0537 or OCS-A 0538 later in the auction, BOEM will stop automatically carrying forward the previously uncontested bid. Starting in the next round, the bidder that placed the previously carried forward bid is then free to place any live bid or intra-round bid permitted by the rules, and the bidder is then not required to stay on either OCS-A-0537 or OCS-A-0538.)

A bidder remains eligible to participate in the auction if it submitted a live bid in the prior round or had a previously uncontested live bid carried forward by BOEM to the current round. If a bidder decides to stop bidding further when its bid is contested, there are still circumstances in which the bidder could win (e.g., if the bid is ultimately selected in the winner determination that is described in detail below or if the winning bid is disqualified at the award stage of the auction). If this happens, the bidder may be bound by its bid and thus obligated to pay the full bid amount. Bidders may

be bound by any of their bids until the auction results are finalized.

Between rounds, BOEM will disclose to all bidders that submitted bids: (1) The number of live bids (including bids carried forward) for each of the Lease Areas in the previous round of the auction (*i.e.*, the level of demand at the asking price); and (2) the asking price for each of the Lease Areas in the upcoming round of the auction.

A bidder is eligible to continue bidding in the auction only if it has submitted a live bid (or had a bid carried forward) in the previous round. In any round after the first round, however, a bidder may submit an “intra-round bid.” An intra-round bid is similar to an “exit bid.” An intra-round bid consists of a single offer price for exactly the same Lease Areas on which the bidder placed a live bid in the previous round. The single offer price must be greater than the sum of the asking prices for the Lease Areas bid on in the previous round and less than the sum of the asking prices for these Lease Areas in the current round. A bidder may not submit an intra-round bid in the current round if its previous round bid was uncontested.

A bidder that has submitted a live bid for two of the Lease Areas in the previous round may choose to submit an intra-round bid in the current round (consisting of those two Lease Areas) and may also submit a live bid at the current round’s asking price on one of the Lease Areas in the bidder’s intra-round bid or on another of the Lease Areas entirely. After a bidder submits an intra-round bid for two Lease Areas, all subsequent bids placed by the bidder can include at most one of the Lease Areas. A bidder that has submitted a live bid for one of the Lease Areas in the previous round may choose to submit an intra-round bid in the current round (consisting of that one lease area). Placing an intra-round bid that includes one of the Lease Area terminates the bidder’s ability to submit subsequent bids.

Intra-round bids are not considered to be live bids for the purpose of determining whether to conclude the auction, for determining whether to increase the asking price for a particular lease area, or for disclosing the demand for a lease area. During the auction, an intra-round bid can only be seen by BOEM, and not by other bidders.

For example, consider the case of a bidder who has bid on two of the Lease Areas in previous rounds and hence is eligible to continue bidding on two areas in the current round. Suppose that the asking prices for Hudson South E and F were \$750,000 and \$600,000 in

the previous round and are now \$800,000 and \$600,000 in the current round, respectively. These results reflect that in the previous round the bidder had competition for Hudson South E (because the asking price was increased in the current round), but not for Hudson South F. The bidder may only enter a single, intra-round bid for both areas that it bid on in the previous round. This single offer price must be more than \$1,350,000 and less than \$1,400,000. If the bidder wishes to continue to place bids in the auction, the bidder must also place a live bid for a single lease area in the same round. The bidder can satisfy this requirement by choosing to submit (along with its intra-round bid) a single live bid of \$800,000 for the Hudson South E or a \$600,000 bid for the Hudson South F area or a single live bid for any of the other Lease Areas. Alternatively, the bidder may choose not to submit any live bid, precluding the ability to place bids in future rounds.

If the bidder had only bid on one of the Lease Areas in the previous round, it may be eligible to submit an intra-round bid during the current round. If its previous round's bid was for Hudson South E, the bidder could submit an intra-round bid for that area of more than \$750,000 and less than \$800,000, reducing its live bid eligibility to zero and precluding bids in subsequent rounds. Alternatively, if the bidder's previous round's bid was on Hudson South F, it cannot submit an intra-round bid (or any other bid), because the previous round's bid was uncontested. In this case, since the bidder had no competition for Hudson South F, its sole bid of \$600,000 from the previous round is automatically recorded by BOEM as a submitted live bid of the same amount in the current round.

After the bidding ends, BOEM will determine the provisionally winning bids in accordance with the process described in this section. This process consists of two stages: Stage 1 and Stage 2, which are described herein. Once the auction ends, nothing further is required of bidders within or between stages 1 and 2. (In practice, the stages of the process will be determined by the auction software, which will analyze the bids, determine the provisional winners, and calculate the applicable prices.)

• Stage 1

In stage 1, a bidder with a live bid in the final round is provisionally assured of winning the Lease Areas included in its final-round live bid, regardless of any other bids. If all of the Lease Areas receive live bids in the final round, they are awarded to bidders with the live bid

in stage 1, and the rest of this determination is not necessary. Otherwise, BOEM will select the combination of final-round bids that maximizes the sum of the bid amounts of the selected bids, subject to the following constraints: (1) A bidder must win all the Lease Areas included in its final-round live bid (if any); (2) either a bidder's live bid or intra-round bid, but not both, can be selected; and (3) the selected bids must be feasible, in that each of the Lease Areas cannot be included in more than one of the selected bids. If there is a unique combination of bids that solves the maximization problem of the previous sentence, then these are deemed to be the qualified bids. If two or more combinations of qualified bids tie by producing the same maximized sum of bid amounts, the tie is broken by: First, bringing each of these combinations forward into the stage 2 and selecting the combination that produces the largest value in the stage 2; and second, if two or more of these combinations tie in producing the largest value, the auction system will select one of the combinations by generating pseudorandom numbers. If any of the Lease Areas is not assigned in stage 1, BOEM will proceed to stage 2 to attempt to assign the remaining Lease Areas.

• Stage 2

In stage 2, BOEM will consider bids from all bidding rounds to determine if the Lease Areas not awarded in stage 1 can be awarded in stage 2. The combination of bids selected in stage 1 are qualified bids. BOEM will select the combination of bids from all bidding rounds that maximizes the sum of the bid amounts of the selected bids, subject to the following constraints: (1) A bidder must win all Lease Areas included in its qualified bid (if any); (2) either a bidder's live bid or intra-round bid from a single bidding round, but not both, can be selected; and (3) the selected bids must be feasible, in that each of the Lease Areas cannot be included in more than one of the selected bids. If there is a unique combination of bids that solves the maximization problem of the previous sentence, then these are deemed to be the provisionally winning bids. If two or more combinations of bids tie by producing the same maximized sum of bid amounts, the auction system will select one of the combinations by generating pseudorandom numbers. The provisional winners will pay the amounts of their provisionally winning bids.

iii. *Provisional winners:* Provisional winners may be disqualified if they are

subsequently found to have violated auction rules or BOEM regulations, or otherwise engaged in conduct detrimental to the integrity of the competitive auction. If a bidder submits a bid that BOEM determines to be a provisionally winning bid, the bidder will be expected to sign the applicable lease documents, establish financial assurance, and submit the cash balance of its bid (*i.e.*, winning bid amount minus the bid deposit) within 10-business days of receiving the lease copies, pursuant to 30 CFR 585.224. BOEM reserves the right not to issue the lease to the provisionally winning bidder if that bidder fails to timely sign and pay for the lease or otherwise comply with applicable regulations or the terms of the FSN. In that case, the bidder would forfeit its bid deposit. BOEM may consider failure of a bidder to timely pay the full amount due to be an indication that the bidder may no longer be financially qualified to participate in other lease sales under 30 CFR 585.106 and 585.107.

BOEM will publish the provisionally winning bids and provisional winners. The bid results, including exit bids, will be published on BOEM's website after review of the results and announcement of the provisional winners.

c. Additional Information Regarding the Auction Format:

i. *Bidder Authentication:* For the online auction, BOEM will require two-factor authentication. After BOEM has processed the bid deposits, the auction contractor will send several bidder authentication packages to the bidders. One package will contain the digital authentication tokens needed to allow access to the auction website. (Note: BOEM may decide to use software tokens instead of hardware tokens, in which case they will not be mailed or included in packages.) As a general practice, tokens are mailed to the primary point of contact indicated on the BFF. This individual is responsible for distributing the tokens to the individuals authorized to bid for that company. Up to three individuals can be selected to bid for each bidder.

ii. *Bidder Tokens:* Bidders are to ensure that each token is returned within three business days following the auction. An addressed, stamped envelope will be provided to facilitate this process. If a bidder fails to submit a bid deposit or does not participate in the auction, BOEM will de-activate that bidder's tokens and login information, and the bidder will be asked to return its tokens. Under certain circumstances (for example, if the authorized bidders are geographically dispersed and the ability for the primary point of contact

to timely distribute the materials is in question), BOEM may send all materials directly to the authorized bidders instead of the primary point of contact.

The second package contains login credentials for authorized bidders. The login credentials are mailed to the address provided in the BFF for each authorized individual. Bidders can confirm these addresses by calling 703-787-1121. BOEM may also utilize separate email to provide login credentials. This package will contain user login information and instructions for accessing the Bidder Manual for the auction system and the Auction System Technical Supplement (ASTS). The login information, along with the tokens, will be tested during the mock auction.

iii. *Timing of Auction:* The FSN will provide specific information regarding when bidders can enter the auction system and when the proposed auction will start.

iv. *Messaging service:* BOEM and the auction contractors will use the auction platform messaging service to keep bidders informed on issues of interest during the auction. For example, BOEM may change the schedule at any time, including during the auction. If BOEM changes the schedule during an auction, it will use the messaging feature to notify bidders that a revision has been made and will direct bidders to the relevant page. BOEM will also use the messaging system for other updates during the auction.

Bidders may place bids at any time during the round. At the top of the bidding page, a countdown clock shows how much time remains in the round. Bidders have until the scheduled time to place bids. Bidders should do so according to the procedures described in this notice and the ASTS. Information about the round results will be made available only after the round has closed; there is no strategic advantage to placing bids early or late in the round.

The ASTS will elaborate on the auction procedures described in the FSN. In the event of an inconsistency between the Bidder Manual, ASTS, and the FSN, the FSN is controlling.

v. *Alternate Bidding Procedures:* It is the responsibility of the bidder to ensure it has a working internet connection and backup procedures in place in case its internet connection goes down during the auction. Such backup procedures can include having redundant internet connections, having more than one individual authorized to place bids on behalf of the company, having one individual who is authorized to bid on behalf of the

company located in a different site (with a different internet connection), and placing bids using a 4G mobile data connection as a backup. It is the responsibility of the bidder to test its backup procedures ahead of time. This can be done during the mock auction, for example.

XIII. Rejection or Non-Acceptance of Bids

BOEM reserves the right and authority to reject any and all bids that do not satisfy the requirements and rules of the auction, the FSN, or applicable regulations and statutes.

XIV. Anti-Competitive Review

Bidding behavior in this sale is subject to Federal antitrust laws. Accordingly, following the auction, but before the acceptance of bids and the issuance of leases, BOEM will “allow the Attorney General, in consultation with the Federal Trade Commission, 30 days to review the results of the lease sale.” 43 U.S.C. 1337(c). If a provisionally winning bidder is found to have engaged in anti-competitive behavior in connection with its participation in the competitive bidding process, BOEM may reject its provisionally winning bid. Compliance with BOEM’s auction procedures and regulations is not an absolute defense to violations of antitrust laws.

Anti-competitive behavior determinations are fact-specific. However, such behavior may manifest itself in several different ways, including, but not limited to:

1. An express or tacit agreement among bidders not to bid in an auction or to bid a particular price;
2. An agreement among bidders not to bid or not to bid on one of the Lease Areas;
3. An agreement among bidders not to bid against each other; or
4. Other agreements among bidders that have the potential to affect the final auction price.

Pursuant to 43 U.S.C. 1337(c), BOEM will decline to award a lease if the Attorney General, in consultation with the Federal Trade Commission, determines that awarding the lease would be inconsistent with the antitrust laws.

For more information on whether specific communications or agreements could constitute a violation of Federal antitrust law, please see <https://www.justice.gov/atr/business-resources> or consult legal counsel.

XV. Process for Issuing the Lease

Once all post-auction reviews have been completed to BOEM’s satisfaction,

BOEM will issue three unsigned copies of the lease to each provisionally winning bidder. Within 10-business days after receiving the copies, the provisionally winning bidders must:

1. Sign and return the lease copies on the bidder’s behalf;
2. File financial assurance as required under 30 CFR 585.515-537; and
3. Pay by electronic funds transfer (EFT) the balance (if any) of the bonus bid (winning bid less the bid deposit). BOEM requires bidders to use EFT procedures (not *pay.gov*, the website bidders used to submit bid deposits) for payment of the balance of the bonus bid, following the detailed instructions contained in the “Instructions for Making Electronic Payments” available on BOEM’s website at: <https://www.boem.gov/NY-Bight/>.

BOEM will not execute a lease until the three requirements above have been satisfied. BOEM may extend the 10-business-day deadline for signing the copies of the lease, filing the required financial assurance, and paying the balance of the bonus bid if BOEM determines the delay was caused by events beyond the provisionally winning bidder’s control.

If a provisionally winning bidder does not meet these requirements or otherwise fails to comply with applicable regulations or the terms of the FSN, BOEM reserves the right not to issue the lease to that bidder. In such a case, the provisionally winning bidder will forfeit its bid deposit. Also in such a case, BOEM reserves the right to identify the next highest bidder who has not won one of the other Lease Areas and to offer the lease to that bidder pursuant to its bid.

Within 45-calendar days of the date that a provisionally winning bidder receives copies of the lease, it must pay the first year’s rent using the *pay.gov* Renewable Energy Initial Rental Payment form available at: <https://www.pay.gov/public/form/start/27797604/>.

Subsequent annual rent payments must be made following the detailed instructions contained in the “Instructions for Making Electronic Payments,” available on BOEM’s website at: <https://www.boem.gov/NY-Bight/>.

XVI. Non-Procurement Debarment and Suspension Regulations

Pursuant to regulations at 43 CFR part 42, subpart C, an OCS renewable energy lessee must comply with the Department of the Interior’s non-procurement debarment and suspension regulations at 2 CFR parts 180 and 1400. The lessee must also communicate this

requirement to persons with whom the lessee does business relating to this lease by including this term as a condition in their contracts and other transactions.

XVII. Final Sale Notice

The development of the FSN will be informed the EA, related consultations and comments received during the PSN comment period. The FSN will provide the final details concerning the offering and issuance of OCS commercial wind energy leases in the New York Bight. The FSN will be published in the **Federal Register** at least 30 days before the lease sale is conducted and will provide the date and time of the auction.

XVIII. Changes to Auction Details

The Program Manager of BOEM's Office of Renewable Energy Programs has the discretion to change any auction detail specified in the FSN, including the date and time, if the Program Manager deems that events outside BOEM's control may interfere with a fair and proper lease sale process. Such events may include, but are not limited to: Natural disasters (e.g., earthquakes, hurricanes, floods, and blizzards), wars, riots, act of terrorism, fire, strikes, civil disorder, Federal Government shutdowns, cyberattacks against relevant information systems, or other events of a similar nature. In case of such events, BOEM will notify all qualified bidders via email, phone, and BOEM's website at: <https://www.boem.gov/NY-Bight/>. Bidders should call 703-787-1121 if they have concerns.

XIX. Appeals

The appeals and reconsideration procedures are provided in BOEM's regulations at 30 CFR 585.225 and 585.118(c). Pursuant to 30 CFR 585.225:

(a) If BOEM rejects your bid, BOEM will provide a written statement of the reasons and refund any money deposited with your bid, without interest.

(b) You will then be able to ask the BOEM Director for reconsideration, in writing, within 15-business days of bid rejection under 30 CFR 585.118(c)(1). The Director will send you a written response either affirming or reversing the rejection.

The procedures for appealing final decisions with respect to lease sales are described in 30 CFR 585.118(c).

XX. Public Participation

BOEM does not consider anonymous comments: Please include your name and address as part of your submittal.

You should be aware that your entire comment, including your name, address, and any other personal identifying information (PII) included in your comment, may be made publicly available. All submissions from identified individuals, businesses, and organizations will be available for public viewing on [regulations.gov](https://www.regulations.gov).

In order for BOEM to withhold from disclosure your PII, you must identify any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequence(s) of the disclosure of information, such as embarrassment, injury or other harm.

BOEM is unable to guarantee that your PII will be protected from public disclosure because a court may determine that the benefits of disclosure about who may influence public policy outweigh possible harms.

XXI. Protection of Privileged or Confidential Information

BOEM will protect privileged or confidential information that you submit, as required by the Freedom of Information Act (FOIA) and 30 CFR 585.113. Exemption 4 of FOIA applies to "trade secrets and commercial or financial information that you submit that is privileged or confidential." 5 U.S.C. 552(b)(4). If you wish to protect the confidentiality of such information, clearly mark it "Contains Privileged or Confidential Information" and consider submitting such information as a separate attachment. BOEM will not disclose such information, except as required by FOIA. Information that is not labeled as privileged or confidential may be regarded by BOEM as suitable for public release. Further, BOEM will not treat as confidential aggregate summaries of otherwise non-confidential information.

a. *Access to Information (54 U.S.C. 307103)*: BOEM is required, after consultation with the Secretary of the Interior, to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, cause a significant invasion of privacy, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities and other interested parties should designate information that they wish to be held as confidential and provide the reasons why BOEM should do so.

Authority: This PSN is published pursuant to section 8(p) of the OCS Lands Act (43 U.S.C. 1337(p)) and the implementing

regulations at 30 CFR part 585, including sections 585.211 and 585.216.

Amanda Lefton,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2021-12442 Filed 6-11-21; 8:45 am]

BILLING CODE 4310-MR-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1167]

Notice of Request for Submissions on the Public Interest; Certain Laparoscopic Surgical Staplers, Reload Cartridges, and Components Thereof

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on June 8, 2021, the presiding administrative law judge ("ALJ") issued an Initial Determination on Violation of Section 337. The ALJ also issued a Recommended Determination on remedy and bonding should a violation be found in the above-captioned investigation. The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public only.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-5453. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds

that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically: A limited exclusion order directed to certain laparoscopic surgical staplers, reload cartridges, and components thereof imported, sold for importation, and/or sold after importation by respondents Intuitive Surgical Inc.; Intuitive Surgical Operations, Inc.; Intuitive Surgical Holdings, LLC; and Intuitive Surgical S. De R.L. De C.V.; and cease and desist orders directed to the same. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ's Recommended Determination on Remedy and Bonding issued in this investigation on June 8, 2021.

Comments should address whether issuance of the recommended remedial orders in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on July 8, 2021.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission's paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (March 19, 2020). Submissions should refer to the investigation number ("Inv. No. 337-TA-1167") in a prominent place on the cover page and/or the first page. See *Handbook for Electronic Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.) Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of 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: June 9, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-12409 Filed 6-11-21; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-850]

Importer of Controlled Substances Application: Usona Institute

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Usona Institute has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplemental Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before July 14, 2021. Such persons may also file a written request for a hearing on the application on or before July 14, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on May 10, 2021, Usona Institute, 2780 Woods Hollow Road, Room 2412, Fitchburg, Wisconsin 53711-5370, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
5-Methoxy-N-N-dimethyltryptamine.	7431	I
Dimethyltryptamine ...	7435	I
Psilocybin	7437	I
Psilocyn	7438	I

The institute plans to import the listed controlled substances to be used for research and analytical purposes. The materials will not be used for clinical trials or bulk manufacture. No

other activity for these drug codes is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2021-12353 Filed 6-11-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-849]

Importer of Controlled Substances Application: Fisher Clinical Services, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Fisher Clinical Services, Inc. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplemental Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before July 14, 2021. Such persons may also file a written request for a hearing on the application on or before July 14, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All request for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on May 17, 2021, Fisher Clinical Services, Inc., 700A-C Nestle Way, Breinigsville, Pennsylvania

18031-1522, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I

The company plans to import the above controlled substance as finished dosage forms for clinical trials. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2021-12350 Filed 6-11-21; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (21-037)]

NASA Astrophysics Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Astrophysics Advisory Committee. This Committee reports to the Director, Astrophysics Division, Science Mission Directorate, NASA Headquarters. The meeting will be held for the purpose of soliciting, from the scientific community and other persons, scientific and technical information relevant to program planning.

DATES: Tuesday, June 29, 2021, 11:00 a.m.-5:00 p.m., Eastern Time; and Wednesday, June 30, 2021, 11:00 a.m.-5:00 p.m., Eastern Time.

FOR FURTHER INFORMATION CONTACT: Ms. KarShelia Henderson, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358-2355, or khenderson@nasa.gov.

SUPPLEMENTARY INFORMATION: The meeting will be virtual and available to the public by WebEx and dial-in teleconference. On Tuesday, June 29, the event address for attendees is:

<https://nasaenterprise.webex.com/nasaenterprise/j.php?MTID=m19281c9d7b875a40a767c1af1f5fd5d4>, the meeting number is 199 024 6323, and meeting password is 2bkHspPS@65. On Wednesday, June 30, the event address for attendees is: <https://nasaenterprise.webex.com/nasaenterprise/j.php?MTID=mc4d6d874b2e677b1e6460c8fb1b8df0a>, the meeting number is 199 642 8616, and meeting password is XZgYwCr2@65. To join by telephone, the numbers are: 1-929-251-9612 or 1-415-527-5035, for each day.

The agenda for the meeting includes the following topics:

- Astrophysics Division Update
- Updates on Specific Astrophysics Missions
- Reports from the Program Analysis Groups
- Report on Science Activation Program

The agenda will be posted on the Astrophysics Advisory Committee web page: <https://science.nasa.gov/researchers/nac/science-advisory-committees/apac>.

The public may submit and upvote comments/questions ahead of the meeting through the website <https://arc.cnf.io/sessions/qgpt/#!/dashboard> that will be opened for input on June 14, 2021.

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2021-12446 Filed 6-11-21; 8:45 am]

BILLING CODE 7510-13-P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meeting

The National Science Board's ad hoc Committee on Nominating NSB Class of 2022-2028 (NOMS), hereby gives notice of the scheduling of a teleconference for the transaction of National Science Board business, as follows:

TIME AND DATE: Thursday, June 17, 2021, from 11:30 a.m.-12:00 p.m. EDT.

PLACE: This meeting will be held by teleconference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The agenda of the teleconference is: To review the master list of NSB Nominees, discuss review and rating guidance, and receive reviewing assignments.

CONTACT PERSON FOR MORE INFORMATION:

Point of contact for this meeting is: Chris Blair, cblair@nsf.gov, 703/292-7000. Meeting information and updates may be found at <http://www.nsf.gov/nsb/meetings/notices.jsp#sunshine>. Please refer to the National Science Board website www.nsf.gov/nsb for general information.

Chris Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2021-12529 Filed 6-11-21; 4:15 pm]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 70-7003; NRC-2021-0058]

American Centrifuge Operating, LLC; American Centrifuge Plant

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering the amendment submitted by the American Centrifuge Operating, LLC (ACO) of Special Nuclear Materials (SNM) License SNM-2011 for the American Centrifuge Plant (ACP), a proposed commercial uranium enrichment facility to be located in Piketon, Ohio. The NRC has prepared an environmental assessment (EA) for this proposed license amendment in accordance with its regulations. Based on the EA, the NRC has concluded that a finding of no significant impact (FONSI) is appropriate. The NRC is also conducting a safety evaluation of the proposed license amendment.

DATES: The EA and FONSI referenced in this document are available on June 14, 2021.

ADDRESSES: Please refer to Docket ID NRC-2021-0058 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0058. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

FOR FURTHER INFORMATION CONTACT: Jean Trefethen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0867; email: Jean.Trefethen@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Introduction**

The NRC is considering a license amendment request (LAR) for license SNM-2011 for the ACP located on the U.S. Department of Energy (DOE) reservation in Piketon, Ohio (ADAMS Accession Nos. ML20139A097 and ML20139A098). The licensee, ACO, is requesting authorization to enrich uranium-235 up to the level necessary to produce High-Assay Low-Enriched Uranium (HALEU) pursuant to a contract with DOE. Under the 3-year term of the DOE contract, ACO would operate a cascade consisting of 16 centrifuges for the purpose of demonstrating the commercial viability of HALEU production for potential future use in advanced reactors.

The NRC staff has prepared a final EA as part of its review of this LAR request in accordance with the requirements of Part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions." Based on the final EA, the NRC has determined that an environmental impact statement (EIS) is not required for this proposed action and a FONSI is appropriate. The NRC is also conducting a safety evaluation of the proposed license amendment pursuant to 10 CFR part 70, and the results will be documented in a separate Safety Evaluation Report (SER). If ACO's request is approved, the NRC will issue the license amendment following publication of this final EA and FONSI and the SER in the **Federal Register**.

II. Final Environmental Assessment Summary

ACO is requesting an amendment to license SNM-2011 to authorize the enrichment of uranium-235 to the level necessary to produce HALEU in a demonstration cascade pursuant to a contract with DOE. The NRC has assessed the potential environmental impacts of the proposed action and the no-action alternative. The results of the NRC's environmental review can be found in the final EA (ADAMS Accession No. ML21085A705). The NRC staff performed its environmental review in accordance with the requirements in 10 CFR part 51. In conducting the environmental review, the NRC considered information in the LAR; communications with the Ohio State Historic Preservation Office; as well as information provided by the Ohio Ecological Services Field Office of Fish and Wildlife, the Ohio Department of Health, and the Environmental Protection Agency Region V.

III. Finding of No Significant Impact

Based on its review of the proposed action in the EA, in accordance with the requirements in 10 CFR part 51, the NRC has concluded that the proposed action, amendment of NRC license SNM-2011 for the American Centrifuge Co., LLC, located in Piketon, Ohio, will not significantly affect the quality of the human environment. Therefore, the NRC has determined, pursuant to 10 CFR 51.31, that preparation of an EIS is not required for the proposed action and a FONSI is appropriate.

Dated: June 8, 2021.

For the Nuclear Regulatory Commission.

Stacey F. Imboden,

Acting Chief, Environmental Review Materials Branch, Division of Rulemaking, Environment, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2021-12356 Filed 6-11-21; 8:45 am]

BILLING CODE 7590-01-P

PENSION BENEFIT GUARANTY CORPORATION**Submission of Information Collection for OMB Review; Comment Request; Survey of Nonparticipating Single Premium Group Annuity Rates**

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for extension of OMB approval, with modifications.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget

(OMB) extend approval, under the Paperwork Reduction Act, of a collection of information with modifications. The purpose of this information collection is to survey insurance companies that provide group annuities for premium rates and related information to calibrate actuarial interest rate assumptions. The American Council of Life Insurers conducts this voluntary survey for PBGC. This notice informs the public of PBGC's request and solicits public comment on the collection.

DATES: Comments must be submitted by July 14, 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.

A copy of the request will be posted on PBGC's website at <https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment>. It may also be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC, 1200 K Street NW, Washington, DC 20005-4026; faxing a request to 202-326-4042; or, calling 202-326-4040 during normal business hours (TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-326-4040). The Disclosure Division will email, fax, or mail the information to you, as you request.

FOR FURTHER INFORMATION CONTACT: Hilary Duke (duke.hilary@pbgc.gov), Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026, 202-229-3839; or Gregory Katz (katz.gregory@pbgc.gov), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026, 202-229-3829. TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-229-3839 or 202-229-3829.

SUPPLEMENTARY INFORMATION: PBGC's regulations prescribe actuarial valuation methods and assumptions (including interest rate assumptions) to be used to determine the actuarial present value of benefits under single-employer plans in involuntary or distress terminations (29 CFR part 4044) and the value of benefits

and certain assets under multiemployer plans that undergo a mass withdrawal of contributing employers (29 CFR part 4281). In each month immediately preceding the start of a new calendar quarter, PBGC publishes the interest rates to be used under those regulations for plans terminating or undergoing mass withdrawal during the next quarter.

The interest rates are intended to reflect current conditions in the annuity markets. To determine these interest rates, PBGC gathers premium rate data from insurance companies that are providing group annuity contracts to terminating pension plans through a quarterly survey. The American Council of Life Insurers (ACLI) distributes the survey and provides PBGC with "blind" data (*i.e.*, PBGC is unable to match responses with the insurance companies that submitted them). PBGC also uses the information from the survey in determining the interest rates it uses to value benefits payable to participants and beneficiaries in PBGC-trusteed plans for purposes of PBGC's financial statements.

PBGC is proposing several changes to the survey distributed by ACLI:

- Addition of a question asking for specific information about the interest assumptions underlying the annuity premium rates reported in parts I and II of the survey. This information is needed to allow PBGC to better analyze annuity price data provided in the survey.
- Increases to the dollar ranges in the questions on respondents' group annuity business in part III to allow the survey to continue to capture the variability and range of business accepted by respondents as the prices of plan termination annuity contracts increase with inflation.
- Changes to the instructions to clarify that respondents should provide pricing information only for full plan terminations (and transactions priced consistently with full plan terminations), that the annuity premium rates provided should include reductions for investment expenses but exclude administrative expenses, and that respondents should assume that plan provisions are straightforward and do not contain significant levels of anti-selection, expensive options, or subsidies.

- Addition of a confirmation that administrative expenses are excluded from pricing information and an option to comment on any exceptions. This is needed for PBGC to compare pricing information amongst survey responses when respondents are unable to

completely exclude administrative expenses from pricing information.

- Consolidation and simplification of former parts III and IV into a new part III and elimination of questions asking for information PBGC no longer uses. These changes streamline and simplify the response process.

- Modification of a question asking for the volume of respondents' plan termination annuity business so that it requests annual data instead of quarterly data to reduce volatility in survey responses.

- Addition of a question soliciting feedback on how PBGC could improve the survey process.

- Addition of flexibility to conduct the survey electronically.

This voluntary survey is directed at insurance companies most, if not all, of which are members of ACLI. The survey is conducted quarterly and approximately 20 insurance companies will be asked to participate.

The existing collection of information was approved under OMB control number 1212-0030 (expires August 31, 2021). On April 1, 2021, PBGC published in the **Federal Register** (at 86 FR 17217) a notice informing the public of its intent to request an extension of this collection of information, as modified. No comments were received. PBGC is requesting that OMB extend approval of the collection (with modifications) for three years. 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.

PBGC estimates that about 6 insurance companies will respond to the survey each quarter, and that each survey will require approximately 30 minutes to complete and return. The total burden is estimated to be 12 hours (30 minutes per survey × 4 surveys per year × 6 respondents per quarter).

Issued in Washington, DC.

Hilary Duke,

Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2021-12362 Filed 6-11-21; 8:45 am]

BILLING CODE 7709-02-P

PENSION BENEFIT GUARANTY CORPORATION

Submission of Information Collections for OMB Review; Comment Request; Reportable Events; Notice of Failure To Make Required Contributions

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for OMB approval of modifications to currently-approved information collections.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget (OMB) approve, under the Paperwork Reduction Act, collections of information under PBGC's regulation on Reportable Events and Certain Other Notification Requirements with modifications. This notice informs the public of PBGC's request and solicits public comment on the collections.

DATES: Comments must be submitted on or before July 14, 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.

A copy of the request will be posted on PBGC's website at <https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment>. It may also be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC, 1200 K Street NW, Washington, DC 20005-4026; faxing a request to 202-326-4042; or, calling 202-326-4040 during normal business hours (TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-326-4040). The Disclosure Division will email, fax, or mail the information to you, as you request.

FOR FURTHER INFORMATION CONTACT: Stephanie Cibinic, Deputy Assistant General Counsel for Regulatory Affairs (cibinic.stephanie@pbgc.gov; 202-229-6352), Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026. TTY users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-229-6352.

SUPPLEMENTARY INFORMATION: Section 4043 of the Employee Retirement Income Security Act of 1974 (ERISA) requires plan administrators and plan sponsors to report certain plan and employer events to PBGC. The reporting requirements give PBGC notice of events that indicate plan or employer financial problems. PBGC uses the information provided in determining what, if any, action it needs to take. For example, PBGC might need to institute proceedings to terminate a plan (placing

it in trusteeship) under section 4042 of ERISA to ensure the continued payment of benefits to plan participants and their beneficiaries or to prevent unreasonable increases in PBGC's losses.

The provisions of section 4043 of ERISA have been implemented in PBGC's regulation on Reportable Events and Certain Other Notification Requirements (29 CFR part 4043).

Form 10

Subparts B and C of the regulation deal with reportable events. PBGC has issued Forms 10 and 10-Advance and related instructions under subparts B and C (approved under OMB control number 1212-0013). PBGC is modifying the Form 10 for the "Failure to make required contributions" reportable event to provide that if payment was made to satisfy a missed contribution, the filer must submit documentation of that payment, e.g., a copy of the cancelled check or wire transfer, etc.

Documentation is needed to give evidence that the missed contribution was made up and no risk to the plan remains before PBGC closes the event.

PBGC estimates that it will receive 573 reportable event notices per year under subparts B and C of the reportable events regulation using Forms 10 and 10-Advance and that the average annual burden of this collection of information is 1,800 hours and \$426,885.

Form 200

Section 303(k) of the Employee Retirement Income Security Act of 1974 (ERISA) and section 430(k) of the Internal Revenue Code of 1986 (Code) impose a lien in favor of an underfunded single-employer plan that is covered by PBGC's termination insurance program if (1) any person fails to make a required payment when due, and (2) the unpaid balance of that payment (including interest), when added to the aggregate unpaid balance of all preceding payments for which payment was not made when due (including interest), exceeds \$1 million. (For this purpose, a plan is underfunded if its funding target attainment percentage is less than 100 percent.) The lien is upon all property and rights to property belonging to the person or persons that are liable for required contributions (i.e., a contributing sponsor and each member of the controlled group of which that contributing sponsor is a member).

Only PBGC (or, at its direction, the plan's contributing sponsor or a member of the same controlled group) may perfect and enforce this lien. ERISA and the Code require persons that fail to make payments to notify PBGC within

10 days of the due date whenever there is a failure to make a required payment and the total of the unpaid balances (including interest) exceeds \$1 million.

PBGC Form 200, Notice of Failure to Make Required Contributions, and related instructions implement the statutory notification requirement. Submission of Form 200 is required by 29 CFR 4043.81 (Subpart D of PBGC's regulation on Reportable Events and Other Notification Requirements, 29 CFR part 4043). PBGC currently requires filers to report the due date of the required payment that triggered the notification to PBGC and to calculate the cumulative amount of unpaid balances. PBGC is modifying the form to include a separate field showing the payment amount that triggered the notification in order to better track missed contributions and identify the amount by which liens associated with missed contributions must be updated.

PBGC estimates that it will receive 88 Form 200 filings per year and that the average annual burden of this collection of information is 88 hours and \$63,800.

Method of Filing

PBGC's reportable events and certain other notification requirements regulation (29 CFR part 4043) provides that reportable event notices required under this part must be filed electronically in accordance with the instructions posted on PBGC's website. Those instructions currently provide two options for electronic filing:

- Using the 4043 module of PBGC's e-filing portal, or
- Emailing a completed form and any required attachments to post-event.report@pbgc.gov.

PBGC's e-filing portal, which has been available since 2016, offers a secure application for submitting Form 200 and Form 10 and 10-Advance information. The e-filing portal allows filers to review filings and generate a list of omissions and inconsistencies prior to submission to ensure completeness; save a partially completed filing; modify information any time prior to submission; pre-populate a filing with data from a previously submitted filing; route the filing as needed to facilitate e-certifications; and review prior filings submitted via the e-filing portal. PBGC is eliminating the email option for filings due after September 30, 2021. In other words, starting in October 2021, these filings would be submitted via PBGC's e-filing portal.

PBGC also is making other editorial changes to the forms and instructions in these collections.

OMB approval of the information collection under control number 1212-

0013 expires March 31, 2023, and of the information collection under control number 1212-0041 expires February 28, 2022. On November 5, 2019, PBGC published in the **Federal Register** (at 84 FR 59660) a notice informing the public of its intent to request approval of modifications to these currently-approved information collections. No comments were received. PBGC is requesting that OMB extend its approval of these information collections for three years, with modifications. 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.

Issued in Washington, DC.

Stephanie Cibinic,

Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2021-12427 Filed 6-11-21; 8:45 am]

BILLING CODE 7709-02-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2021-99 and CP2021-102]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 16, 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
- II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The

request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.¹

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s):* MC2021-99 and CP2021-102; Filing Title: USPS Request to Add Priority Mail Contract 706 to Competitive Product List and Notice of Filing Materials Under Seal; Filing Acceptance Date: June 8, 2021; Filing Authority: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; Public Representative: Kenneth R. Moeller; Comments Due: June 16, 2021.

¹ See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).

This Notice will be published in the **Federal Register**.

Erica A. Barker,
Secretary.

[FR Doc. 2021-12408 Filed 6-11-21; 8:45 am]

BILLING CODE 7710-FW-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, June 17, 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.

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: June 10, 2021.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2021-12565 Filed 6-10-21; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92130; File No. 4-757]

Joint Industry Plan; Notice of Designation of a Longer Period for Commission Action on a Proposed National Market System Plan Regarding Consolidated Equity Market Data

June 9, 2021.

On August 11, 2020, Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Cboe Exchange, Inc., Investors Exchange LLC, Long Term Stock Exchange, Inc., MEMX LLC, Nasdaq BX, Inc., Nasdaq ISE, LLC, Nasdaq PHLX LLC, Nasdaq Stock Market LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc., NYSE National, Inc., and Financial Industry Regulatory Authority, Inc. filed with the Securities and Exchange Commission (“Commission”) a proposed new single national market system plan governing the public dissemination of real-time consolidated equity market data for national market system stocks (the “CT Plan”). The proposed CT Plan was published for comment in the **Federal Register** on October 13, 2020.¹

On January 11, 2021, the Commission instituted proceedings to determine whether to approve or disapprove the CT Plan.² On April 8, 2021, pursuant to Rule 608(b)(2)(i) of Regulation NMS,³ the Commission extended the period within which to conclude proceedings regarding the proposed CT Plan to 240 days from the date of publication of the Notice.⁴

Rule 608(b)(2)(ii) of Regulation NMS provides that the time for conclusion of

¹ See Notice of Filing of a National Market System Plan Regarding Consolidated Equity Market Data, Securities Exchange Act Release No. 90096 (Oct. 6, 2020), 85 FR 64565 (Oct. 13, 2020) (File No. 4-757) (“Notice”). Comments received in response to the Notice can be found on the Commission’s website at <https://www.sec.gov/comments/4-757/4-757.htm>.

² See Order Instituting Proceedings to Determine Whether to Approve or Disapprove a National Market System Plan Regarding Consolidated Equity Market Data, Securities Exchange Act Release No. 90885 (Jan. 11, 2021), 86 FR 4142 (Jan. 15, 2021) (File No. 4-757).

³ See 17 CFR 242.608(b)(2)(i).

⁴ See Securities Exchange Act Release No. 91504 (Apr. 8, 2021), 85 FR 19667 (Apr. 14, 2021) (File No. 4-757).

proceedings to determine whether a national market system plan or proposed amendment should be disapproved may be extended for an additional period up to 60 days (up to 300 days from the date of notice publication) if the Commission determines that a longer period is appropriate and publishes the reasons for such determination or the plan participants consent to the longer period.⁵ The 240th day after publication of the Notice for the proposed CT Plan is June 10, 2021. The Commission is extending this 240-day period.

The Commission finds that it is appropriate to designate a longer period within which to conclude proceedings regarding the proposed CT Plan so that it has sufficient time to consider the complex and important issues raised by proposed CT Plan and the extensive public comments received. Accordingly, pursuant to Rule 608(b)(2)(ii) of Regulation NMS,⁶ the Commission designates August 9, 2021, as the date by which the Commission shall conclude the proceedings to determine whether to approve or disapprove the proposed CT Plan (File No. 4-757).

By the Commission.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-12439 Filed 6-11-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting; Cancellation

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 86 FR 30342, June 7, 2021.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Thursday, June 10, 2021 at 2:00 p.m.

CHANGES IN THE MEETING: The Closed Meeting scheduled for Thursday, June 10, 2021 at 2:00 p.m., has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Dated: June 10, 2021.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2021-12509 Filed 6-10-21; 4:15 pm]

BILLING CODE 8011-01-P

⁵ See 17 CFR 242.608(b)(2)(ii).

⁶ *Id.*

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92125; File No. SR-DTC-2021-008]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Distributions Guide To Accommodate Participants’ Tax Reporting and Withholding Obligations

June 8, 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 June 1, 2021, The Depository Trust Company (“DTC”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been primarily prepared by the clearing agency. DTC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act ³ and Rule 19b-4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency’s Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change ⁵ would amend the Procedures ⁶ set forth in the Distributions Guide to accommodate Participants’ tax reporting and withholding obligations under Section 1.1446(f)-4 (“IRS Regulation”) ⁷ of the final regulations of the Internal Revenue Service (“IRS”), by setting forth DTC’s proposed Procedure relating to distribution of certain Participant tax forms and related information to DTC’s Participants, in accordance with the IRS

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)(6).

⁵ Each capitalized term not otherwise defined herein has its respective meaning as set forth in the Rules, By-Laws and Organization Certificate of The Depository Trust Company (the “DTC Rules”), available at <http://www.dtcc.com/legal/rules-and-procedures.aspx>, and the DTC Corporate Actions Distributions Service Guide (“Distributions Guide”), available at <http://www.dtcc.com/-/media/Files/Downloads/legal/service-guides/Service%20Guide%20Distributions.pdf>.

⁶ Pursuant to the Rules, the term “Procedures” means the Procedures, service guides, and regulations of DTC adopted pursuant to Rule 27, as amended from time to time. See Rule 1, Section 1, *supra* note 5. DTC’s Procedures are filed with the Commission. They are binding on DTC and each Participant in the same manner as they are bound by the Rules. See Rule 27, *supra* note 5.

⁷ See 26 CFR 1.1446(f)-4, available at [https://www.law.cornell.edu/cfr/text/26/1.1446\(f\)-4](https://www.law.cornell.edu/cfr/text/26/1.1446(f)-4).

Regulation, as described in greater detail below.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would amend the Procedures set forth in the Distributions Guide to accommodate Participants' tax reporting and withholding obligations under the IRS Regulation. In this regard, the proposed rule change would set forth DTC's Procedure relating to distribution of certain Participant tax forms and related information to DTC's Participants, in accordance with the IRS Regulation, as discussed below.

(a) Distributions Service

The Distributions Service includes the announcement, collection, allocation and reporting by DTC, on behalf of its Participants, of dividend, interest and principal payments for Eligible Securities held by Participants at DTC. This centralized processing provides efficiency for Participants for their receipt of (i) payment information and (ii) payments on distributions covered by Announcements ("Distribution Event"),⁸ from multiple issuers and agents.⁹

Also as part of the Distributions Service, DTC also provides tax services ("Tax Services") to facilitate Participant compliance with tax obligations, including international tax regulations, tax treaty provisions and withholding tax reporting requirements, including Tax Event Announcements, U.S. Tax Withholding, Tax Relief and Tax Info Services relating to distributions

⁸ Distribution Events covered by Announcements include cash dividends, interest, principal, capital gains, sale of rights on American depository receipts, return of capital, dividend with option, stock splits, stock dividends, automatic dividend reinvestments, spinoffs, rights distributions, pay in kind, and liquidation. See Distributions Guide, *supra* note 5 at 12.

⁹ See Distributions Guide, *supra* note 5 at 9.

processed by DTC.¹⁰ Procedures relating to Tax Services are set forth in the Distributions Guide.¹¹

Tax Forms

In connection with its use of the DTC's services, each Participant must submit to DTC the applicable IRS tax form ("Tax Form").¹² The information in these forms, which includes the Participant's name, federal tax identification number and certain certifications by the Participant facilitates DTC's ability to provide Tax Services related to tax reporting and withholding by facilitating DTC's ability to determine the status of each Participant ("Tax Status") with respect to the type of reporting, and any rate of withholding, that may be required under federal tax regulations with respect to distributions.

In this regard, Participants that are U.S. persons provide DTC with a valid IRS Form W-9 ("Form W-9").¹³ Each non-U.S. Participant submits a valid IRS Form W-8,¹⁴ as applicable ("Form W-8").¹⁵ The form must be (1) valid for the type of entity; (2) filled out completely; and (3) signed by an authorized signatory of the entity.¹⁶ U.S. branches of foreign banks must also submit the appropriate W-8 Form.¹⁷

IRS Regulation

The IRS Regulation sets forth requirements relating to tax withholding and information reporting obligations on Participants with respect to the transfer of a publicly traded partnership interests.¹⁸ In addition, Section 1.1446(f)-4(a)(5)¹⁹ of the IRS Regulation provides that, when such withholding requirement is applicable, the U.S. clearing organization (e.g., DTC) may act as an agent for the selling Participant for purposes of furnishing the selling Participant's Tax Form to the buying Participant, provided the clearing organization notifies the selling Participant and such Participant has the ability to opt-out. DTC understands that

¹⁰ See DTC Disclosure Framework for Covered Clearing Agencies and Financial Market Infrastructures, available at https://www.dtcc.com/-/media/Files/Downloads/legal/policy-and-compliance/DTC_Disclosure_Framework.pdf at 9.

¹¹ See Distributions Guide, *supra* note 5.

¹² See Distributions Guide, *supra* note 5 at 25.

¹³ See IRS Form W-9, available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>.

¹⁴ See IRS. "About Instructions for the Requester of Forms W-8 BEN, W-8 BEN-E, W-8 ECI, W-8 EXP, and W-8 IMY", available at <https://www.irs.gov/forms-pubs/about-form-w-8>.

¹⁵ See Distributions Guide, *supra* note 5 at 25.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ See 26 CFR 1.1446(f)-4, *supra* note 7.

¹⁹ *Id.*

Section 1.1446(f)-4(a)(5)²⁰ of the IRS Regulation is intended to address concerns about the difficulty of Participants obtaining documentation to determine whether tax withholding or reporting applies on certain transaction to other Participants processed through DTC's systems. In this regard, the IRS has issued guidance on use of the Tax Forms for determining a payee's tax status such that a payor would be able to properly report of affected payments and apply the correct withholding rate.²¹ In accordance with the IRS Regulation, DTC proposes to implement a method to share Tax Forms and related information among Participants.

Proposal

Pursuant to the proposed rule change, DTC would make each Participant's Tax Forms available to all Participants in accordance with the IRS Regulation. DTC would make the Tax Forms available for download by Participant on the DTC system to facilitate tax withholding and reporting obligations related to dispositions of partnership interests. Also, in accordance with the IRS Regulation, Participants would be able to opt-out of having their Tax Form(s) made available for other Participants to download, as described below.

In this regard, beginning on or about August 31, 2021, Participants' Tax Forms would be made available for download in DTC's Corporate Actions Web browser ("CA Web"). Tax Forms would be available through the "Instructions" tab on CA Web, under "TaxInfo, Country of Investment: United States." To find, view, and download another Participants' tax form, a Participant would access CA Web as described above, and scroll to the relevant Participant Tax Form to download.

As an interim step, to facilitate Participants' ability to develop their internal procedures and processes to comply with their tax reporting and withholding requirements under the IRS Regulation, beginning on June 15, 2021, DTC would make available on CA Web tax status information ("Tax Status Information"). The Tax Status Information for each Participant would indicate (i) the type of Tax Form provided by the Participant to DTC (i.e., either Form W-9 or the type of Form W-8 provided (e.g., Form W-8 IMY, W-8BEN-E or W-8ECI)), and (ii) for Participants that provided Form W-8 IMY, whether the Participant indicated

²⁰ *Id.*

²¹ See IRS 2021 Publication 515, available at <https://www.irs.gov/pub/irs-pdf/p515.pdf> at 46-47.

on the Form W-8 IMY that it is (a) Qualified Intermediary, (b) non-Qualified Intermediary, (c) U.S. Branch—Treated as a U.S. Person or (d) U.S. Branch—not-treated as a U.S. Person.

The Tax Status Information would be made available in the same location on CA Web as the Tax Forms would be located, as described above.

Pursuant to the proposed rule change, Participants would be able to elect to opt-out of having their Tax Forms and Tax Status Information posted to CA Web for other Participants to download. Participants would use an opt-out form (“Opt-Out Form”) and submit their elections (“Opt-Out Election”) to opt-out electronically to DTCC’s Account Administration department using a mechanism provided at a link to be set forth in the Distributions Guide. Each Opt-Out Election would remain in place indefinitely until DTC is in receipt of a duly authorized written notice from the Participant rescinding this Opt-Out Election.

Text of Proposed Rule Change

In this regard, DTC would add the following text to the Distributions Guide in the “Other Services” section, just after the subsection titled “Undistributed Long-Term Capital Gains” and before the subsection titled “Claims”.

“Tax Form Repository

Beginning on June 15, 2021, to facilitate Participants’ ability to comply with tax withholding and reporting regulations relating to the disposition of partnership interests, and in furtherance of DTC’s role as a “clearing organization” in accordance with Section 1.1446(f)–4(a)(5) of the final regulations of the Internal Revenue Service, Participant tax status information (“Tax Status Information”) from the Tax Forms of Participants shall be made available to Participants in the “Instructions” tab of CA Web, within “TaxInfo, Country of Investment: United States.” Tax Status Information will no longer be available once Tax Forms become available for download from CA Web, as described below.

Beginning on or about August 31, 2021, to facilitate Participants’ ability to comply with tax withholding and reporting regulations relating to the disposition of partnership interests, and in accordance with Section 1.1446(f)–4(a)(5) of the final regulations of the Internal Revenue Service, Participant tax forms (*i.e.*, IRS Forms W-9 and W-8) (“Tax Forms”) shall be available for Participants to view and download. Tax Forms shall be available in the “Instructions” tab of CA Web, within

“TaxInfo, Country of Investment: United States.

Opt-Out

Effective immediately, a Participant may submit an election (“Opt-Out Election”) to DTC to opt-out of having its Tax Form and Tax Status Information posted to CA Web, by electronically submitting a form (“Opt-Out Form”) made available by DTC for this purpose. The Opt-out Form, as well as the mechanism for completing, electronically signing and submitting the form, is available at <https://na2.docusign.net/Member/PowerFormSigning.aspx?PowerFormId=854f0396-16aa-4fbb-bf67-c694274c04cf&env=na2&acct=642629e5-740a-442a-b744-d7655d9a1f21&v=2>.” Any Opt-Out Election will only be considered valid if it is (i) fully completed and electronically signed by an authorized signer of the Participant using the Opt-Out Form and (ii) submitted through the mechanism made available through this link. An Opt-Out Election will become effective as of a date designated by the Participant on the Opt-Out Form. For this purpose, a Participant may designate its account activation date (for new Participants of DTC), or a future date, for its Opt-Out Election to become effective. Each Opt-Out Election will remain in place indefinitely until DTC is in receipt of a duly authorized written notice from the Participant rescinding this Opt-Out Election.

Please contact your Relationship Manager with any questions regarding Opt-Out Elections.”

Effective Date

The proposed rule change would be effective upon filing with the Commission. The proposed rule change would not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

2. Statutory Basis

DTC believes that the proposed rule change is consistent with the requirements of the Act, and the rules and regulations thereunder applicable to DTC, in particular Section 17A(b)(3)(F)²² of the Act.

Section 17A(b)(3)(F) of the Act²³ requires, *inter alia*, that the rules of the clearing agency be designed to foster cooperation and coordination with persons engaged in the clearance and

settlement of securities transactions. As described above, the proposed rule change would amend the Distributions Guide, as described above, to accommodate Participants’ tax reporting and withholding obligations relating to transactions subject to the IRS Regulation. Specifically, DTC understands, when a non-U.S. Participant Delivers a Security (acting on behalf of a seller) representing a publicly traded partnership interest to another Participant (acting on behalf of a buyer), the Participant acting on behalf of the buyer may be required to withhold tax and/or perform reporting to the IRS relating the proceeds realized by a selling non-U.S. Participant.²⁴ DTC believes that the sharing of Participant Tax Forms and Tax Status Information would accommodate compliance by Participants with the IRS Regulation for such transactions for such transfers between them because the Tax Form and Tax Status Information contain information that would facilitate Participants’ ability to determine if they have an obligation for tax withholding and reporting under the IRS Regulation.²⁵ Therefore, because the proposed rule change would accommodate the exchange of Tax Forms and Tax Status Information between Participants, and this would facilitate compliance with certain tax requirements for certain activity they transact among themselves, as described above, DTC believes that the proposed rule change would foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions, consistent with the requirements of the Act, in particular Section 17A(b)(3)(F) of the Act, cited above.

(B) Clearing Agency’s Statement on Burden on Competition

DTC believes that the proposed rule change, as described above, could impose a burden on competition, because by requiring Participants to opt-out if they do not wish to have their Tax Status Information and Tax Status Forms shared with other Participants, a Participant would affirmatively need to submit an Opt-Out Form, which is an action that they do not need to perform today.

To the extent the proposed rule change may impose a burden on competition, DTC believes it would be necessary and appropriate in furtherance of the purposes of the Act,²⁶

²⁴ See *supra* note 7.

²⁵ *Id.*

²⁶ 15 U.S.C. 78q–1(b)(3)(I).

²² 15 U.S.C. 78q–1(b)(3)(F).

²³ *Id.*

because the proposed rule change would (i) accommodate Participants' tax reporting and withholding obligations under the IRS Regulation (ii) and facilitate Participants' ability to comply with applicable DTC Rules.²⁷ In this regard, the proposed rule change would set forth DTC's Procedure relating to the distribution of certain Participant tax forms and related information to DTC's Participants, in accordance with the IRS Regulation, and DTC is not aware of an alternative method available to Participants to share Tax Forms and Tax Status Information among each other in a centralized facility as contemplated by the IRS Regulation.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

DTC has not solicited and does not intend to solicit written comments regarding the proposed rule change. DTC has not received any unsolicited written comments from interested parties. To the extent DTC receives written comments on the proposed rule change, DTC will forward such comments to the Commission.

During outreach on the proposal by DTC to Participants, Participants have indicated to DTC that receiving Tax Forms and Tax Status Information through DTC would facilitate their ability to comply with their tax withholding obligations. DTC is not aware of any Participants indicating that they would prefer that these forms and information not be shared among Participants.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act²⁸ and Rule 19b-4(f)(6)²⁹ thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)³⁰ normally does not become operative prior to 30 days after the date of the filing. However, pursuant

to Rule 19b-4(f)(6)(iii),³¹ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. DTC has requested that the Commission waive the 30-day operative delay under Rule 19b-4(f)(6)(iii)³² so that the proposed rule change may become effective and operative on June 15, 2021. DTC states that the proposal is intended to amend the Distributions Guide to allow DTC to provide tax information and facilitate Participants' compliance with tax reporting and withholding obligations relating to the disposition of partnership interests, in accordance with the IRS Regulation. DTC further states that implementation of the proposed rule change within a shorter timeframe would facilitate Participants' ability to make necessary adjustments to their internal processes and systems to timely comply with the IRS Regulation, and therefore facilitate their ability to comply with applicable U.S. tax reporting and withholding requirements on behalf of themselves and their customers that invest in partnership interests. Accordingly, DTC believes that the prompt implementation of these changes would be consistent with the public interest and the protection of investors.

The Commission believes that delaying the operation of the proposed rule change for 30 days would impede DTC's ability to begin to provide tax information and facilitate Participants' ability to comply with tax reporting and withholding obligations relating to the disposition of partnership interests, in accordance with the IRS Regulation which will become effective on January 1, 2022. Moreover, the Commission believes that the proposed rule change would not significantly affect the protection of investors or the public interest or impose a significant burden on competition because the changes are designed to facilitate compliance with the IRS regulation and do not affect the rights of Participants or impose any new costs on Participants. Accordingly, the Commission waives the operative delay and designates the proposed rule change as effective and operative on June 15, 2021.³³

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-DTC-2021-008 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR-DTC-2021-008. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the 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 DTC and on DTCC's website (<http://dtcc.com/legal/sec-rule-filings.aspx>). 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-DTC-

²⁷ Pursuant to Rule 2, Section 8, in connection with their use of the Corporation's services, Participants must comply with all applicable laws, including but not limited, to all applicable laws relating to taxation. See Rule 2, *supra* note 5.

²⁸ 15 U.S.C. 78s(b)(3)(A).

²⁹ 17 CFR 240.19b-4(f)(6).

³⁰ *Id.*

³¹ 17 CFR 240.19b-4(f)(6)(iii).

³² *Id.*

³³ DTC satisfied the five-day pre-filing requirement. For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

2021–008 and should be submitted on or before July 6, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁴

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021–12338 Filed 6–11–21; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF STATE

[Public Notice: 11440]

Notice of Public Meeting

As required by the Federal Advisory Committee Act, Public Law 92–463, the Department of State gives notice of a meeting of the Advisory Committee on International Postal and Delivery Services. This Committee will meet virtually on Thursday, July 15, 2021, from 1:00 p.m. to 5:00 p.m. Eastern Time, hosted on a Webex platform, meeting number 199 494 5652, code ddMnU572653 (33668572 from phones).

Members of the public interested in providing input to the meeting should contact Ms. Shereece Robinson, whose contact information is listed below (see the **FOR FURTHER INFORMATION** section of this notice). Individuals providing oral input are requested to limit their comments to five minutes. Requests to be added to the speakers list must be received in writing (by email) prior to the close of business on Thursday, July 8, 2021; written comments from members of the public for distribution at this meeting must reach Ms. Robinson by email on this same date. Requests received after that date, including any requests for reasonable accommodation, will be considered but might not be able to be fulfilled.

The agenda of the meeting will focus on U.S. positions on issues for the 27th Congress of the Universal Postal Union, currently scheduled for August 9–27 in Abidjan, Cote d'Ivoire. Issues under consideration at the Congress include modifications to the rules of procedure

to allow hybrid (*i.e.*, mixed virtual and physically present) Congresses, the opening of the UPU to wider postal sector actors, reform of the system of member states' contributions, and interpretation of the 2019 Geneva accord on compensation for E-format items.

FOR FURTHER INFORMATION CONTACT: Please contact Ms. Shereece Robinson of the Office of Specialized and Technical Agencies (IO/STA), Bureau of International Organization Affairs, U.S. Department of State, at tel. (202) 538–4442 or by email at *RobinsonSA2@state.gov*.

Zachary A. Parker,
Director, Office of Directives Management,
U.S. Department of State.

[FR Doc. 2021–12434 Filed 6–11–21; 8:45 am]

BILLING CODE 4710–19–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 682 (Sub-No. 12)]

2020 Tax Information for Use in the Revenue Shortfall Allocation Method

AGENCY: Surface Transportation Board.
ACTION: Notice.

SUMMARY: The Board is publishing, and providing the public an opportunity to comment on, the 2020 weighted average state tax rates for each Class I railroad, as calculated by the Association of American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

DATES: Comments are due by July 14, 2021. If any comments opposing AAR's calculation are filed, AAR's reply will be due by August 3, 2021. If no comments are filed by July 14, 2021, AAR's calculation of the 2020 weighted average state tax rates will be automatically adopted by the Board, effective July 15, 2021.

ADDRESSES: Comments should be filed with the Surface Transportation Board via e-filing on the Board's website.

FOR FURTHER INFORMATION CONTACT: Nathaniel Bawcombe at (202) 245–0376. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's Simplified Standards for Rail Rate Cases, EP 646 (Sub-No. 1), slip op. at 10 (STB served Sept. 5, 2007),¹ as further revised in Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method (Simplified Standards—Taxes in RSAM), EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the average markup that the railroad would need to collect from all of its “potentially captive traffic” (traffic with a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C. 10704(a)(2) (*i.e.*, earn a return on investment equal to the railroad industry cost of capital). Simplified Standards—Taxes in RSAM, EP 646 (Sub-No. 2), slip op. at 1. In Simplified Standards—Taxes in RSAM, EP 646 (Sub-No. 2), slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. Id. at 5–6.

Pursuant to 49 CFR 1135.2, AAR is required to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad for the previous year. On May 28, 2021, AAR filed its calculation of the weighted average state tax rates for 2020, listed below for each Class I railroad:

WEIGHTED AVERAGE STATE TAX RATES

Railroad	2020 (%)	2019 (%)	% Change
BNSF Railway Company	5.119	5.234	–0.115
CSX Transportation, Inc	5.101	5.097	0.004
Grand Trunk Corporation	8.124	8.129	–0.005
The Kansas City Southern Railway Company	5.139	5.711	–0.572
Norfolk Southern Combined Railroad Subsidiaries	5.713	5.697	0.016
Soo Line Corporation	8.122	8.181	–0.059

³⁴ 17 CFR 200.30–3(a)(12).

¹ Aff'd sub nom. *CSX Transp., Inc. v. STB*, 568 F.3d 236 (D.C. Cir. 2009), vacated in part on reh'g, 584 F.3d 1076 (D.C. Cir. 2009).

WEIGHTED AVERAGE STATE TAX RATES—Continued

Railroad	2020 (%)	2019 (%)	% Change
Union Pacific Railroad Company	5.598	5.714	-0.116

Any party wishing to comment on AAR's calculation of the 2020 weighted average state tax rates should file a comment by July 14, 2021. See 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due by August 3, 2021. Id. If any comments are filed, the Board will review AAR's submission, together with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. Id. If no comments are filed by July 14, 2021, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 15, 2021. Id.

Decided: June 9, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2021-12440 Filed 6-11-21; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land Use Assurance; Rogue Valley International-Medford Airport, Medford, Oregon

AGENCY: Federal Aviation Administration, (FAA), DOT.

ACTION: Notice.

SUMMARY: Notice is being given that the FAA is considering a proposal from the County of Jackson Airport Director to change certain portions of the airport from aeronautical use to non-aeronautical use at Rogue Valley International-Medford Airport, Medford, Oregon. The proposal consists of portions of certain parcels located northwest and southwest of the airfield.

DATES: Comments are due within 30 days of the date of the publication of this notice in the **Federal Register**. Emailed comments can be provided to Ms. Mandi M. Lesauis, Program Specialist, Seattle Airports District Office, mandi.lesauis@faa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry Brienza, Airport Director, County of 1000 Terminal Loop Parkway,

Medford, OR 97504; or Mandi M. Lesauis, Program Specialist, Seattle Airports District Office, 2200 S 216 St., Des Moines, WA, 98198, mandi.lesauis@faa.gov, (206) 231-4140. Documents reflecting this FAA action may be reviewed at the above locations.

SUPPLEMENTARY INFORMATION: Under the provisions of Title 49, U.S.C. 47153(c), and 47107(h)(2), the FAA is considering a proposal from the Airport Director, County of Jackson, to change a portion of the Rogue Valley International-Medford Airport from aeronautical use to non-aeronautical use. The proposal consists of 8.1 acres of Parcel APE 2-01, 1.5 acres of Parcel 2-02 and 1.6 acres of Parcel 2-03 located off of Lawnsdale and Bullock Roads and 6 acres of Parcel 3-01 and 2.3 acres of Parcel 3-02 located off of Biddle Road. The partial parcels are vacant, landlocked and do not have airfield access. The proposed property will be developed for commercial purposes. The FAA concurs that the parcels are no longer needed for aeronautical purposes. The proposed use of this property is compatible with other airport operations in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in **Federal Register** on February 16, 1999.

Issued in Des Moines, Washington, on June 9, 2021.

Warren D. Ferrell,
Acting Manager, Seattle Airports District Office.

[FR Doc. 2021-12421 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Availability of the Draft Environmental Impact Statement for the El Camino Real Roadway Renewal Project, in San Mateo County, California

AGENCY: Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

ACTION: Notice of Availability (NOA) of a Draft Environmental Impact Statement (Draft EIS) for the El Camino Real Roadway Renewal Project.

SUMMARY: The Federal Highway Administration (FHWA), on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that a Draft EIS is available for the El Camino Real Roadway Renewal Project (ECR Project), a proposed highway project on State Route 82 in San Mateo County, California.

DATES: This notice will be accompanied by a minimum 45-day public comment period from June 18, 2021, to August 2, 2021. The deadline for public comments is 5:00 p.m. (PST) on August 2, 2021. Caltrans will be holding an online meeting on Wednesday, July 14, 2021 from 5:30 to 7:30 p.m. In addition, an on-site public meeting will be held on Friday, July 16, 2021 at the Burlingame High School Athletic Field, 1 Mangini Way, Burlingame, California 94010 from 5:30 to 7:30 p.m. The link to the online meeting will be on the project website: <https://dot.ca.gov/caltrans-near-me/district-4/d4-projects/d4-san-mateo-82-el-camino-real-project> or www.ElCaminoRealProject.com. Through the project website, the public will be able to link to a downloadable version of the Draft EIS, view ECR Project exhibits and simulations of the Build and No Build Alternatives, and access links to previous public outreach materials and presentations. Questions or comments during the online meeting will not be considered public comments on the Draft EIS, but comments will be accepted separately in writing through email at ECRproject@dot.ca.gov or USPS at the address below. Comments received in writing during the public comment period will become part of the ECR Project administrative record and will be addressed in the Final EIS, scheduled for Spring 2022.

The ECR Project setting includes, but is not limited to, the Howard-Ralston Eucalyptus Tree Rows, and other historic resources in the project area that are on, or eligible for, the National Register of Historic Places.

The Draft EIS will disclose the range of alternatives considered, those that were eliminated from further study, and the Build Alternative being considered along with the No Build Alternative. The Draft EIS will summarize the public scoping process, a summary of the public comments received, and

information inclusive of those comments. The Draft EIS will disclose potential impacts, including cumulative impacts to environmental resources; avoidance and minimization measures to reduce potential impacts, and proposed mitigation measures to offset environmental impacts.

A public notice of availability for the Draft EIS will be printed in a local newspaper, a copy of which will also be available on the project website. In addition, notifications, such as E-blasts, will be distributed to the public based on information collected during the Notice of Intent (NOI) public scoping process and other outreach efforts, including city, county, and state officials with jurisdiction in the project area. The newspaper ad, E-blasts, and project website will provide information on the on-site and online public meetings. The project website is: www.ElCaminoRealProject.com or <https://dot.ca.gov/caltrans-near-me/district-4/d4-projects/d4-san-mateo-82-el-camino-real-project>.

The public can submit formal comments on the ECR Project Draft EIS through email at ECRproject@dot.ca.gov, or via USPS at the contact information listed below.

To request the DEIS in alternative formats or alternative language translation services, please call or leave a voicemail message with Alejandro Lopez, Public Information Officer, at (510) 385-6856.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Contact Yolanda Rivas, Senior Environmental Planner, Caltrans District 4, P.O. Box 23660, MS-8B, Oakland, CA 94623-0660, telephone (510) 506-1461, or email yolanda.rivas@dot.ca.gov. For FHWA, contact David Tedrick, telephone (916) 498-5024, or email david.tedrick@dot.gov.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans as the assigned National Environmental Policy Act (NEPA) agency, has prepared a Draft EIS on a proposal for 3.6-mile roadway rehabilitation project in San Mateo County, California. The project limits extend from East Santa Inez Avenue in the City of San Mateo to Millbrae Avenue in the City of Millbrae.

The project is needed to address the overall condition of the existing roadway by correcting the following deficiencies: The pavement is currently rated as poor, with moderate alligator cracking and very poor ride quality indicating roadway structural inadequacy; water ponding, and

frequent localized flooding occurs due to uneven roadway surfaces and inadequate or impacted drainage systems; pedestrian access is impaired due to lack of updated curb ramps and uneven sidewalks; pedestrian infrastructure is not compliant with state and federal Americans with Disabilities Act requirements; existing sidewalks lack accessible pedestrian signals (APS) systems, countdown pedestrian systems (CPS), high-visibility striping, or current devices; and pavement markings.

The purpose of the project is to preserve and extend the life of the roadway and improve ride quality, improve drainage efficiency to reduce localized flooding, improve visibility for all users, and enhance pedestrian infrastructure by bringing it into compliance with Title II of the Americans with Disabilities Act.

The Draft EIS is considering either taking no action (No Build Alternative) on the 3.6-mile segment of El Camino Real, or proceeding with the Build Alternative with Design Option. The Build Alternative with Design Option would rehabilitate the roadway; upgrade roadway drainage facilities to address localized flooding; and replace sidewalks, install curb ramps, and upgrade traffic signals to meet ADA requirements. The Design Option includes the possibility of keeping utilities overhead or relocating them underground. The potential environmental effects under either option are disclosed in the Draft EIS. Avoidance, minimization, and mitigation measures are also discussed in the Draft EIS.

The only anticipated Federal approval includes a permit under the National Pollutant Discharge Elimination System (NPDES). Other Federal administrative activities include coordination with the Department of the Interior under Section 4(f) of the Department of Transportation Act (1966) and the Advisory Council on Historic Preservation under Section 106 of the National Historic Preservation Act (1966).

Since June 2019, Caltrans has been in consultation under Section 106 of the National Historic Preservation Act to evaluate potential effects to the Howard-Ralston Eucalyptus Tree Rows, a historic property listed on the National Register of Historic Places (NRHP), and to evaluate potential effects to other historic properties determined eligible for the NRHP. Notifications have been sent to appropriate State, tribal governments, local agencies, private organizations, and citizens who have

previously expressed or are known to have interest in this proposal.

The project team anticipates reviewing all public comments received during the public comment period. The Draft EIS, which was approved on June 3, 2021, will be available for public and agency review and comment prior to the public meetings to ensure that the full range of issues related to this proposed action are addressed and all significant issues are identified, and comments and suggestions are received from interested parties. Caltrans will respond to all the public comments received in writing during the public comment period in the Final EIS, expected in Spring 2022.

Following circulation for public review and consideration of comments received, Caltrans will issue a combined Final EIS and Record of Decision document unless statutory criteria or practicability considerations preclude such issuance. Comments or questions concerning this proposed action and the Draft EIS should be directed to Caltrans at the address indicated above for further information.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: June 8, 2021.

Rodney Whitfield,

Director, Financial Services, Federal Highway Administration, California Division.

[FR Doc. 2021-12342 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–1999–5748; FMCSA–2000–7363; FMCSA–2000–8398; FMCSA–2001–9258; FMCSA–2002–12432; FMCSA–2002–12844; FMCSA–2003–14223; FMCSA–2003–14504; FMCSA–2004–17984; FMCSA–2004–19477; FMCSA–2005–20560; FMCSA–2006–26066; FMCSA–2007–27333; FMCSA–2007–27515; FMCSA–2007–28695; FMCSA–2008–0021; FMCSA–2008–0174; FMCSA–2008–0231; FMCSA–2008–0340; FMCSA–2008–0398; FMCSA–2009–0054; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2010–0187; FMCSA–2010–0287; FMCSA–2011–0124; FMCSA–2012–0104; FMCSA–2012–0214; FMCSA–2013–0022; FMCSA–2013–0025; FMCSA–2013–0030; FMCSA–2014–0003; FMCSA–2014–0010; FMCSA–2014–0301; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0350; FMCSA–2016–0206; FMCSA–2016–0214; FMCSA–2017–0014; FMCSA–2017–0016; FMCSA–2018–0014; FMCSA–2019–0004; FMCSA–2019–0005; FMCSA–2019–0008; FMCSA–2019–0009]

Qualification of Drivers; Exemption Applications; Vision

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 59 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions are applicable on the dates stated in the discussions below and will expire on the dates provided below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, fmcsamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:**I. Public Participation***A. Viewing Comments*

To view comments go to www.regulations.gov. Insert the docket

number, FMCSA–1999–5748, FMCSA–2000–7363, FMCSA–2000–8398, FMCSA–2001–9258, FMCSA–2002–12432, FMCSA–2002–12844, FMCSA–2003–14223, FMCSA–2003–14504, FMCSA–2004–17984, FMCSA–2004–19477, FMCSA–2005–20560, FMCSA–2006–26066, FMCSA–2007–27333, FMCSA–2007–27515, FMCSA–2007–28695, FMCSA–2008–0021, FMCSA–2008–0174, FMCSA–2008–0231, FMCSA–2008–0340, FMCSA–2008–0398, FMCSA–2009–0054, FMCSA–2010–0082, FMCSA–2010–0114, FMCSA–2010–0187, FMCSA–2010–0287, FMCSA–2011–0124, FMCSA–2012–0104, FMCSA–2012–0214, FMCSA–2013–0022, FMCSA–2013–0025, FMCSA–2013–0030, FMCSA–2014–0003, FMCSA–2014–0010, FMCSA–2014–0301, FMCSA–2014–0302, FMCSA–2014–0304, FMCSA–2014–0305, FMCSA–2015–0350, FMCSA–2016–0206, FMCSA–2016–0214, FMCSA–2017–0014, FMCSA–2017–0016, FMCSA–2018–0014, FMCSA–2019–0004, FMCSA–2019–0005, FMCSA–2019–0008, or FMCSA–2019–0009, in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

B. Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.transportation.gov/privacy.

II. Background

On April 29, 2021, FMCSA published a notice announcing its decision to renew exemptions for 59 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (86 FR 22760). The public comment period ended on June 1, 2021, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with the current regulation § 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in § 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based on its evaluation of the 59 renewal exemption applications and comments received, FMCSA confirms its decision to exempt the following drivers from the vision requirement in § 391.41(b)(10).

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of June and are discussed below. As of June 4, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 53 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (64 FR 40404, 64 FR 66962, 65 FR 45817, 65 FR 77066, 65 FR 78256, 66 FR 16311, 67 FR 10475, 67 FR 54525, 67 FR 68719, 67 FR 71610, 68 FR 2629, 68 FR 8794, 68 FR 10301, 68 FR 13360, 68 FR 19596, 68 FR 19598, 68 FR 33570, 69 FR 26206, 69 FR 33997, 69 FR 61292, 69 FR 64806, 69 FR 64810, 69 FR 71100, 70 FR 2705, 70 FR 8659, 70 FR 12265, 70 FR 16886, 70 FR 17504, 70 FR 25878, 70 FR 30997, 71 FR 26602, 71 FR 55820, 71 FR 63380, 72 FR 185, 72 FR 1050, 72 FR 1053, 72 FR 5489, 72 FR 11426, 72 FR 12666, 72 FR 18726, 72 FR 25831, 72 FR 27624, 72 FR 28093, 72 FR 46261, 72 FR 54972, 73 FR 15567, 73 FR 27015, 73 FR 27017, 73 FR 38498, 73 FR 38499, 73 FR 46973, 73 FR 48273, 73 FR 54888, 73 FR 65009, 73 FR 75803, 73 FR 75806, 73 FR 76440, 74 FR 981, 74 FR 6207, 74 FR 6209, 74 FR 7097, 74 FR 8302, 74 FR 11988, 74 FR 11991, 74 FR 15584, 74 FR 15586, 74 FR 19270, 74 FR 20253, 74 FR 21427, 74 FR 60021,

75 FR 19674, 75 FR 25917, 75 FR 27621, 75 FR 34210, 75 FR 39727, 75 FR 39729, 75 FR 44051, 75 FR 47883, 75 FR 47888, 75 FR 52063, 75 FR 57105, 75 FR 63257, 75 FR 69737, 75 FR 77951, 75 FR 80887, 76 FR 1499, 76 FR 4413, 76 FR 4414, 76 FR 8809, 76 FR 11215, 76 FR 15361, 76 FR 17483, 76 FR 21796, 76 FR 25762, 76 FR 29026, 76 FR 34136, 76 FR 55463, 76 FR 70210, 77 FR 23797, 77 FR 27847, 77 FR 36338, 77 FR 38386, 77 FR 40945, 77 FR 46153, 77 FR 46793, 77 FR 52388, 77 FR 59245, 77 FR 60010, 77 FR 74730, 77 FR 74733, 77 FR 76167, 78 FR 797, 78 FR 12813, 78 FR 12815, 78 FR 12822, 78 FR 16761, 78 FR 18667, 78 FR 22596, 78 FR 22602, 78 FR 26106, 78 FR 30954, 78 FR 41975, 78 FR 56986, 78 FR 66099, 79 FR 14571, 79 FR 23797, 79 FR 28588, 79 FR 29495, 79 FR 37843, 79 FR 46153, 79 FR 46300, 79 FR 51642, 79 FR 51643, 79 FR 52388, 79 FR 64001, 79 FR 65760, 79 FR 72756, 79 FR 73689, 79 FR 74168, 80 FR 3305, 80 FR 3723, 80 FR 6162, 80 FR 12248, 80 FR 12547, 80 FR 14223, 80 FR 15859, 80 FR 16500, 80 FR 16502, 80 FR 20558, 80 FR 20562, 80 FR 22773, 80 FR 25766, 80 FR 26320, 80 FR 29152, 80 FR 33011, 80 FR 45573, 80 FR 80443, 81 FR 14190, 81 FR 20435, 81 FR 28138, 81 FR 39100, 81 FR 60115, 81 FR 71173, 81 FR 72642, 81 FR 80161, 81 FR 81230, 81 FR 96165, 81 FR 96180, 81 FR 96196, 82 FR 12678, 82 FR 13043, 82 FR 13048, 82 FR 15277, 82 FR 17736, 82 FR 18818, 82 FR 18949, 82 FR 18954, 82 FR 22379, 82 FR 26224, 82 FR 28734, 83 FR 28325, 83 FR 28332, 83 FR 33292, 83 FR 40638, 83 FR 53724, 83 FR 54644, 83 FR 56902, 84 FR 2311, 84 FR 2314, 84 FR 5550, 84 FR 10389, 84 FR 12665, 84 FR 16320, 84 FR 16327, 84 FR 16333, 84 FR 21393, 84 FR 21397, 84 FR 21401, 84 FR 27688):

Vilas R. Adank (MN)
Lance S. Binner (MN)
Gary W. Brockway (IA)
Willie Burnett, Jr. (FL)
William R. Chisley (MD)
David R. Cox (OR)
Anthony C. Curtis (WA)
Terry J. Dare (IN)
Bryan K. DeBorde (WA)
Donald D. Dunphy (VA)
Lester M. Ellingson, Jr. (ND)
John K. Fank (IL)
Sean O. Feeny (FL)
Robert A. Ferrucci (FL)
Kelly L. Foster (UT)
Gilbert J. Graybill (OK)
Kelly M. Greene (FL)
William M. Hanes (OH)
Alan L. Helfer (IL)
William D. Holt (AZ)
George R. House (MO)
Arlan T. Hrubes (TX)
Lowell E. Jackson (MO)
Timothy L. Kelly (TX)

Kelly R. Konesky (AZ)
Craig M. Landry (LA)
Joseph A. Leigh, Jr. (NC)
Gene A. Leshner, Jr. (WV)
John Lucas (NC)
Jason E. Mallette (MS)
Roberto E. Martinez (WA)
Michael E. McAfee (KY)
John B. Middleton (OH)
Timothy L. Miller (IA)
Steven M. Montalbo (CA)
Dennis R. O'Dell, Jr. (OK)
Neville E. Owens (NC)
Jerry W. Parker (OH)
Eric D. Pohlmann (MN)
Daniel S. Rebstad (FL)
Daniel C. Reichert (GA)
Michael Renzetti (CT)
Myriam Rodriguez (CA)
James E. Russell (AZ)
James A. Smith (WA)
Randy G. Spilman (OH)
Nelson J. Stokke (CA)
Mark E. Studer (KS)
David Tavarez (NJ)
Steven M. Tewhill (AR)
Janusz Tyrpien (FL)
Donald Wallace (IL)
Raymond White (NC)

The drivers were included in docket numbers FMCSA-1999-5748, FMCSA-2000-7363, FMCSA-2000-8398, FMCSA-2002-12432, FMCSA-2002-12844, FMCSA-2003-14223, FMCSA-2003-14504, FMCSA-2004-17984, FMCSA-2004-19477, FMCSA-2005-20560, FMCSA-2006-26066, FMCSA-2007-27333, FMCSA-2007-28695, FMCSA-2008-0021, FMCSA-2008-0174, FMCSA-2008-0231, FMCSA-2008-0340, FMCSA-2008-0398, FMCSA-2009-0054, FMCSA-2010-0082, FMCSA-2010-0114, FMCSA-2010-0187, FMCSA-2010-0287, FMCSA-2011-0124, FMCSA-2012-0104, FMCSA-2012-0214, FMCSA-2013-0022, FMCSA-2013-0030, FMCSA-2014-0003, FMCSA-2014-0010, FMCSA-2014-0301, FMCSA-2014-0302, FMCSA-2014-0304, FMCSA-2014-0305, FMCSA-2015-0350, FMCSA-2016-0206, FMCSA-2016-0214, FMCSA-2017-0014, FMCSA-2017-0016, FMCSA-2018-0014, FMCSA-2019-0004, FMCSA-2019-0005, and FMCSA-2019-0008. Their exemptions are applicable as of June 4, 2021, and will expire on June 4, 2023.

As of June 6, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Enes Milanovic (MI) has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (78 FR 20376, 78 FR 34141, 80 FR 29149, 82 FR 22379, 84 FR 21397).

This driver was included in docket number FMCSA-2013-0025. The

exemption is applicable as of June 6, 2021, and will expire on June 6, 2023.

As of June 13, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), David K. Boswell (TN) has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (72 FR 21313, 72 FR 32703, 74 FR 23472, 76 FR 32017, 78 FR 32708, 80 FR 29154, 82 FR 37499, 84 FR 21397).

This driver was included in docket number FMCSA-2007-27515. The exemption is applicable as of June 13, 2021, and will expire on June 13, 2023.

As of June 22, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Jerry L. Hofer (NM) has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (84 FR 23629, 84 FR 47047).

This driver was included in docket number FMCSA-2019-0009. The exemption is applicable as of June 22, 2021, and will expire on June 22, 2023.

As of June 26, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (66 FR 17743, 66 FR 33990, 68 FR 35772, 70 FR 33937, 72 FR 32705, 74 FR 26464, 76 FR 34135, 78 FR 34140, 80 FR 33009, 82 FR 37499, 84 FR 21397):

James P. Jones (ME); Larry J. Lang (MI); and David B. Speller (MN)

The drivers were included in docket number FMCSA-2001-9258. Their exemptions are applicable as of June 26, 2021, and will expire on June 26, 2023.

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2021-12341 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2021–0048]

Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Intellistop, Inc.**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of application for exemption; request for comments.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) requests public comment on an application for exemption from Intellistop, Inc (Intellistop) to allow motor carriers to operate all commercial motor vehicles (CMVs), including flatbed trailers and straight trucks, equipped with Intellistop's module which pulses the rear clearance, identification and brake lamps from a lower level lighting intensity to a higher-level lighting intensity 4 times in 2 seconds.

DATES: Comments must be received on or before July 14, 2021.**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA–2021–0048 using any of the following methods:

- *Website:* <http://www.regulations.gov>.

Follow the instructions for submitting comments on the Federal electronic docket site.

- *Fax:* 1–202–493–2251.

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

- *Hand Delivery or Courier:* Bring comments to Docket Operations in Room W12–140 of the West Building Ground Floor, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday–Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Docket Operations.

Instructions: All submissions must include the Agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the exemption process, see the “Public Participation” heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any

personal information provided. Please see the “Privacy Act” heading for further information.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to Docket Operations in Room W12–140, U.S. Department of Transportation, West Building Ground Floor, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Docket Operations.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

Public participation: The <http://www.regulations.gov> website is generally available 24 hours each day, 365 days each year. You may find electronic submission and retrieval help and guidelines under the “help” section of the <http://www.regulations.gov> website as well as the DOT's <http://docketsinfo.dot.gov> website. If you would like notification that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgment page that appears after submitting comments online.

FOR FURTHER INFORMATION CONTACT: Mr. José R. Cestero, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC–PSV, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–5541, jose.cestero@dot.gov.

SUPPLEMENTARY INFORMATION:**I. Public Participation and Request for Comments**

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2021–0048), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but

please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comments online, go to <https://www.regulations.gov/document/FMCSA-2021-0048>, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31315(b) to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request. The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.315(c) and 49 CFR 381.300(b)).

III. Intellistop's Application for Exemption

The FMCSRs require all exterior lamps (both required lamps and any additional lamps) to be steady-burning,

except for turn signal lamps, hazard warning signal lamps, school bus warning lamps, amber warning lamps or flashing warning lamps on tow trucks and CMVs transporting oversized loads, and warning lamps on emergency and service vehicles authorized by State or local authorities. Intellistop has applied for an exemption from 49 CFR 393.25(e) to allow motor carriers to operate all CMVs, including flatbed trailers and straight trucks, equipped with Intellistop's module which pulses the rear clearance, identification and brake lamps from a lower level lighting intensity to a higher-level lighting intensity 4 times in 2 seconds. A copy of the application is included in the docket referenced at the beginning of this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b)(6), FMCSA requests public comment from all interested persons on Intellistop's application for an exemption from 49 CFR 393.25(e). All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2021-12379 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0023]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: EL GATO DOS (Motor); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations

for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0023 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0023 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0023, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel EL GATO DOES is:

—*Intended Commercial Use of Vessel:*

“High end, limited load Sportfishing.”

—*Geographic Region Including Base of Operations:* “California” (Base of Operations: San Diego, CA)

—*Vessel Length and Type:* 43' Sportfisher

The complete application is available for review identified in the DOT docket as MARAD 2021-0023 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0023 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime

Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12392 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0005]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: SAILFUTURE (Motor); Invitation for Public Comments

AGENCY: Maritime Administration, Transportation (DOT).

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-

flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0005 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0005 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0005, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel SAILFUTURE is:

—*Intended Commercial Use of Vessel:* “Commercial charter for 12 passengers.”

—*Geographic Region Including Base of Operations:* “Florida, Georgia, South Carolina, North Carolina, Maryland, New York, Massachusetts, Maine.” (Base of Operations: St. Petersburg, FL)

—*Vessel Length and Type:* 105' Motor Yacht

The complete application is available for review identified in the DOT docket

as MARAD 2021-0005 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0005 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the

basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12399 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0009]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: HAPPY TIME (Sail); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.
ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0009 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0009 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0009, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel HAPPY TIME is:

- Intended Commercial Use of Vessel:* “Captained charters.”
- Geographic Region Including Base of Operations:* “Florida, Puerto Rico (a waiver has already been issued for this vessel in Puerto Rico).” (Base of Operations: Key West, FL)
- Vessel Length and Type:* 42’ Sailing Catamaran

The complete application is available for review identified in the DOT docket as MARAD 2021-0009 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel

in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0009 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without

edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12397 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0004]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: VALERE (Motor); Invitation for Public Comments

AGENCY: Maritime Administration, Transportation (DOT).

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0004 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0004 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0004, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel VALERE is:

—*Intended Commercial Use of Vessel:* “Recreational charters.”

—*Geographic Region Including Base of Operations:* “Delaware, Florida, Georgia, North and South Carolina, Virginia, Maryland, Pennsylvania, New Jersey, and New York.” (Base of Operations: Cary, NC)

—*Vessel Length and Type:* 78.6' Motor yacht

The complete application is available for review identified in the DOT docket as MARAD 2021-0004 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments

should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0004 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their

organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12404 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0120]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: HU LING (Sail); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.
ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0120 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0120 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0120, 1200 New Jersey Avenue SE, West

Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application the intended service of the vessel name HU LING is:

—*Intended Commercial Use of Vessel:* “Islands National Lakeshore. Carrying of passengers for chartered cruises.”

The vessel will be docked in Bayfield, Wisconsin and used seasonally for captained sightseeing and tourism sails in the immediate surrounding area on Lake Superior and in the Apostle

—*Geographic Region Including Base of Operations:* “Wisconsin” (Base of Operations: Bayfield WI)

—*Vessel Length and Type:* 33' Sail

The complete application is available for review identified in the DOT docket as MARAD 2021-0120 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0120 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide

comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12403 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0020]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: TACO (Barge, Motor); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0020 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0020 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0020, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel TACO is:

—*Intended Commercial Use of Vessel:*

“For use in maintenance service business in and around harbor and waterway.”

—*Geographic Region Including Base of Operations:* “California primarily, however would like to also request, Oregon, Washington, and Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound].” Base of Operations: Newport Beach, CA)

—*Vessel Length And Type:* 32' Barge, Motor.

The complete application is available for review identified in the DOT docket as MARAD 2021-0020 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0020 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide

comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12387 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0015]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: BLACKBIRD (Power Catamaran); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0015 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Search MARAD-2021-0015 and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0015, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel BLACKBIRD is:

—*Intended Commercial Use of Vessel:*

“Hourly crewed sightseeing excursions.”

—*Geographic Region Including Base of Operations:* “California.” (Base of Operations: Marina del Rey, CA)

—*Vessel Length and Type:* 34.5’ Motor (power catamaran)

The complete application is available for review identified in the DOT docket as MARAD 2021-0015 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even

days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0015 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12395 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0042]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: DAWN PATROL (Motor); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0042 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0042 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0042, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel DAWN PATROL is:

—*Intended Commercial Use of Vessel:* “6-Pack Charter Fishing”

—*Geographic Region Including Base of Operations:* “California” (Base of Operations: Marina del Rey, CA)

—*Vessel Length and Type:* 33’ Motor

The complete application is available for review identified in the DOT docket as MARAD 2021-0042 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0042 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12390 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD–2021–0029]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: Vessel BIG KAHUNA (Power Catamaran); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2021–0029 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD–2021–0029 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2021–0029, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on

submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–459, Washington, DC 20590. Telephone 202–366–5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel BIG KAHUNA is:

—*Intended Commercial Use of Vessel:* “Commercial charter fishing (6 pack).”

—*Geographic Region Including Base of Operations:* “Florida” (Base of Operations: Yankeetown, FL)

—*Vessel Length and Type:* 36' Power Catamaran

The complete application is available for review identified in the DOT docket as MARAD 2021–0029 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD–2021–0029 or visit the Docket Management Facility (see **ADDRESSES** for

hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021–12388 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD–2021–0011]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: ANGELICA (Motor Yacht); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.
ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2021–0011 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD–2021–0011 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2021–0011, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–459, Washington, DC 20590. Telephone 202–366–5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel ANGELICA is:

—*Intended Commercial Use of Vessel:* “Private vessel charters, passengers only.”

—*Geographic Region Including Base of Operations:* “California, Oregon, Washington and Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling—including the North Gulf and Prince William Sound).” (Base of Operations: Newport Beach, CA)

—*Vessel Length and Type:* 76’ Motor (motor yacht)

The complete application is available for review identified in the DOT docket as MARAD 2021–0011 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD–2021–0011 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021–12394 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD–2021–0077]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: Vessel PA860–1 (Motor Vessel); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2021–0077 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD–2021–0077 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2021–0077, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on

submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Meade, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–459, Washington, DC 20590. Telephone 202–366–5723, Email James.Meade@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel PA860–1 is:

—*Intended Commercial Use of Vessel:* “OUPV 6 pack fishing and whale watching”

—*Geographic Region Including Base of Operations:* “California” (Base of Operations: Dana Point, CA)

—*Vessel Length and Type:* 28’ Motor Vessel

The complete application is available for review identified in the DOT docket as MARAD 2021–0077 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD–2021–0077 or visit the Docket Management Facility (see **ADDRESSES** for

hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021–12393 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD–2021–0013]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: DON'T BLINK (Sail); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.
ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD–2021–0013 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD–2021–0013 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2021–0013, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–459, Washington, DC 20590. Telephone 202–366–5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel DON'T BLINK is:

—*Intended Commercial Use of Vessel:* “This vessel will primarily be used for crewed charters of 6 passengers or less as well as for sailing instruction activities.”

—*Geographic Region Including Base of Operations:* “Florida.” (Base of Operations: Key West, FL)

—*Vessel Length and Type:* 35.96' Sailing vessel

The complete application is available for review identified in the DOT docket as MARAD 2021–0013 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD–2021–0013 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that

you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021–12396 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD–2021–0008]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: WILDING (Sail); Invitation for Public Comments****AGENCY:** Maritime Administration, Transportation (DOT).**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2021–0008 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD–2021–0008 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2021–0008, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on

submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–459, Washington, DC 20590. Telephone 202–366–5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel WILDING is:

- Intended Commercial Use of Vessel:* “I hope to use this vessel for multi-day charters for photography, wildlife and nature viewing.”
- Geographic Region Including Base of Operations:* “Alaska, Washington, Oregon, California.” (Base of Operations: Petersburg, AK).
- Vessel Length and Type:* 45’ Sailing vessel.

The complete application is available for review identified in the DOT docket as MARAD 2021–0008 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search

MARAD–2021–0008 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021–12405 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD-2021-0012]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: TESH (Sail); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0012 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0012 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0012, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel TESH is:—*Intended Commercial Use of Vessel:* “Charter vessel for passengers only.”—*Geographic Region Including Base of Operations:* “Florida” (Base of Operations: Key West, FL)—*Vessel Length and Type:* 44’ Sailing vessel

The complete application is available for review identified in the DOT docket as MARAD 2021-0012 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation*How do I submit comments?*

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0012 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12389 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD-2021-0089]****Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: Vessel JANUARY (Motor Yacht); Invitation for Public Comments****AGENCY:** Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0089 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0089 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0089X, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the

intended service of the vessel JANUARY is:

—*Intended Commercial Use of Vessel:* “Intended use is for Charter rental services in Marina Del Rey up to 12 passengers. Primary activity will be harbor cruises.”

—*Geographic Region Including Base of Operations:* “California” (Base of Operations: Marina del Rey, CA)

—*Vessel Length and Type:* 59’ Motor Yacht

The complete application is available for review identified in the DOT docket as MARAD 2021-0089 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel’s coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter’s interest in the application, and address the eligibility criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0089 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal

identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12391 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0007]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: MAVIS (Sail); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is

authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0007 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0007 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0007, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel MAVIS is:

—*Intended Commercial Use of Vessel:* “OUPV charter operations.”

—*Geographic Region Including Base of Operations:* “OUPV chartering in ME, MA, RI, NY (except NY Harbor), NJ,

CT, MD, DE, VA, NC, SC, GA, FL, TX, LA, AL.” (Base of Operations: West Sayville, NY)

—*Vessel Length and Type:* 34' Sailing Catamaran

The complete application is available for review identified in the DOT docket as MARAD 2021-0007 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0007 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the

information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12398 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2021-0006]

Coastwise Endorsement Eligibility Determination for a Foreign-Built Vessel: SHEARWATER (sail); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.
ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to issue coastwise endorsement eligibility determinations for foreign-built vessels which will carry no more than twelve passengers for hire. A request for such a determination has been received by MARAD. By this notice, MARAD seeks comments from interested parties as to any effect this

action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. Information about the requestor's vessel, including a brief description of the proposed service, is listed below.

DATES: Submit comments on or before July 14, 2021.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2021-0006 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2021-0006 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2021-0006, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

James Mead, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-459, Washington, DC 20590. Telephone 202-366-5723, Email James.Mead@dot.gov.

SUPPLEMENTARY INFORMATION: As described in the application, the intended service of the vessel SHEARWATER is:

—*Intended Commercial Use of Vessel:*

“Passenger max 6 guests San Francisco Bay private sailing charters.”

—*Geographic Region Including Base of Operations:* “California.” (Base of Operations: San Francisco, CA).

—*Vessel Length and Type:* 36' Sailing vessel.

The complete application is available for review identified in the DOT docket

as MARAD 2021-0006 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the employment of the vessel in the coastwise trade to carry no more than 12 passengers will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, MARAD will not issue an approval of the vessel's coastwise endorsement eligibility. Comments should refer to the vessel name, state the commenter's interest in the application, and address the eligibility criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2021-0006 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the

basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-12400 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2021-0026; Notice 1]

Spartan Motors USA, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Spartan Motors USA, Inc. (Spartan), has determined that certain model year (MY) 2005 2012;2020 Spartan Diamond, Gladiator, and MetroStar emergency response vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 121, *Air Brake Systems*. Spartan filed an original noncompliance report dated November 4, 2019, and later amended it on November 11, 2019. Subsequently, Spartan petitioned NHTSA on December 2, 2019, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of Spartan's petition.

DATES: Send comments on or before July 14, 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 2012;78).

FOR FURTHER INFORMATION CONTACT: Ahmad Barnes, Safety Compliance Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366-7236.

SUPPLEMENTARY INFORMATION:

I. Overview

Spartan has determined that certain MY 2005 2012;2020 Spartan Diamond, Gladiator, and MetroStar emergency response vehicles do not fully comply with the requirements of paragraph S5.1.2.1 of FMVSS No. 121, *Air Brake Systems* (49 CFR 571.121). Spartan filed an original noncompliance report dated November 4, 2019, and later amended it on November 11, 2019, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. In the November 11, 2019 noncompliance report, Spartan indicated that the vehicles at issue had air reservoirs with a capacity of 2,068 cubic inches without describing how this capacity was insufficient to meet the requirements of S5.1.2.1 of FMVSS No. 121. Spartan subsequently petitioned NHTSA on December 2, 2019, 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 Spartan'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 3,583 MY 2005-2020 Spartan Diamond, Gladiator, and MetroStar emergency response vehicles, manufactured between October 18, 2004, and October 1, 2019, are potentially involved.

III. Noncompliance

Spartan described the noncompliance as combined volume of air in the service and supply reservoirs in the air brake system does not meet the required minimum of twelve times the combined volume of air from all service brake

chambers as in paragraph S5.1.2.1 of FMVSS No. 121.

IV. Rule Requirements

Paragraph S5.1.2.1 of FMVSS No. 121 includes the requirements relevant to this petition. The combined volume of all service reservoirs and supply reservoirs shall be at least 12 times the combined volume of all service brake chambers.

V. Summary of Spartan's Petition

The following views and arguments presented in this section, "V. Summary of Spartan's Petition," are the views and arguments provided by Spartan. They have not been evaluated by the Agency and do not reflect the views of the Agency. Spartan describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Spartan submitted the following reasoning:

1. There are 3,227 chassis cabs affected by this condition, which are equipped with T-30 brake chambers on the steer axle and T-30 brake chambers on the drive axle. In using the values in Table V of FMVSS No. 121, the cumulative air capacity of these brake chambers would be 356 cu. in. Multiplying by 12, the needed air reservoir capacity would be 4,272 cu. in. The actual air reservoir capacity on these vehicles is 4,152 cu. in.

There are 356 chassis cabs affected by this condition, which are equipped with T-30 brake chambers on the steer axle, T-30 brake chambers on the drive axle, and T-30 brake chambers on the tandem axle. In using the values in Table V of FMVSS No. 121, the cumulative air capacity of these brake chambers would be 534 cu. in. Multiplying by 12, the needed air reservoir capacity would be 6,408 cu. in. The actual air reservoir capacity on these vehicles is 6,236 cu. in.

2. *Air Compressor Cut-In Pressure:* In paragraph S5.1.1 of FMVSS No. 121, the vehicle is to be equipped with an air compressor of sufficient capacity to increase air pressure in the supply and service reservoirs from 85 psi to 100 psi when the engine is operating at the vehicle manufacturer's maximum recommend rpm within a time, in seconds, determined by the quotient ((Actual reservoir capacity × 25)/ Required reservoir capacity). In using this equation, in vehicles subject to the noncompliance, the air pressure would be required to go from 85 psi to 100 psi within 24.14 seconds ((4152*25)/4272). Using the same equation and the required air reservoir capacity of 4,272 cu. in., the air pressure would need to

increase from 85 psi to 100 psi within 25 seconds. Vehicles subject to the condition that has resulted in the noncompliance to paragraph S5.1.2.1 could increase air pressure from 85 psi to 100 psi in less than 6 seconds, well within the requirement of 24.14 seconds. Further, vehicles subject to this condition have a cut in pressure set at, or greater than, the minimum requirement of 100 psi.

The impact of having 2.7% to 2.8% less air reservoir capacity than required, the difference in the cut in pressure requirement of only 1 second, would appear to have an adverse consequence of a slight increase in air compressor cycling. However, this would be dependent on application of the service brakes.

3. *Emergency Vehicle Duty Cycle:* The vocational duty cycle of a fire apparatus requires the emergency vehicle to respond to emergency situations that are predominantly short distances away, notwithstanding trips to a dealer or service provider. The number of times will vary between fire departments; however, the duty cycle for a fire apparatus is intermittent when compared to an over-the-road vehicle. While the braking applications in these short distances may be frequent, the air compressor would be able to maintain adequate air pressure in the air reservoir system. With the minimal lowered capacity, with the slightly less than a 1 second difference in filling the air reservoir system, the slightly lower than required capacity would likely not be noticeable to the driver.

4. *Vocational Requirements:* The National Fire Protection Association (NFPA) promulgates a vocational standard that defines requirements specific to the vocational aspect of the emergency vehicle. Within NFPA 1901 Standard for Automotive Fire Apparatus (NFPA 1901), emergency vehicles subject to the requirements of the standard are required to be equipped with a quick build up section in the air reservoir system so that if the vehicle has a completely discharged air system, the apparatus would be able to be moved within 60 seconds. For those emergency vehicles that cannot be equipped with the quick build up section, they are required to be equipped with an on-board automatic electric compressor or shoreline hook up.

Additionally, NFPA 1901 requires all vehicles that have a gross vehicle weight rating (GVWR) greater than 36,000 pounds be equipped with an auxiliary braking system. This may be, depending on the option of the purchaser, a transmission retarder, an inline retarder,

or exhaust restriction device. All but 16 vehicles subject to this noncompliance have a GVWR of more than 36,000 pounds.

5. *Air System Warning:* The completed emergency vehicles subject to this condition are equipped with two air gauges that monitor the air system pressure in both System 1 and System 2. In addition to the air gauges, there are both a warning light and audible alarm to alert the driver of a low air condition.

6. *Conclusion:* The actual air reservoir capacity in the affected emergency response chassis cabs and emergency vehicles may be between 2.7% and 2.8% less than the calculated required amount. However, due to the duty cycle of an emergency vehicle, the vocational requirements, and the air compressor cycling that is well within the required time using the equation from FMVSS No. 121, Spartan believes the noncompliance is inconsequential to motor vehicle safety. The less-than-required capacity does not appear to impact vehicle braking performance (e.g., stopping distance, brake application, and release timing). The completed vehicles are equipped with dual air gauges and a visual and audible warning system to alert the driver to a loss of air in the air brake system.

Spartan concludes 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 Spartan 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 Spartan 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. 2021–12339 Filed 6–11–21; 8:45 am]
BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2021–0019]

Pipeline Safety: Request for Special Permit; Tennessee Gas Pipeline Company, 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 Tennessee Gas Pipeline Company, LLC (TGP). 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 July 14, 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 TGP, a subsidiary of Kinder Morgan, Inc., seeking a waiver from the requirements of 49 CFR 192.611(a) and (d): Change in class location: 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 reduction, or new pressure tests for seven (7) special permit segments totaling 9,544.37 feet (approximately 1.808 miles) of pipeline. The TGP pipeline special permit segments consist of the following:

- Harris County, Texas—3,819.26 feet of 30-inch diameter Line 100—2 Pipeline, Class 1 to 3 location change, operates at a maximum allowable operating pressure (MAOP) of 750 pounds per square inch gauge (psig) and was constructed in 1948.

- Sabine Parish, Louisiana—39.30 feet of 30-inch diameter Line 100—2 Pipeline, Class 1 to 3 location change, operates at a MAOP of 750 psig and was constructed in 1949.

- Ouachita Parish, Louisiana—355.33 feet of 30-inch diameter Line 100—3 Pipeline, Class 1 to 3 location change, operates at a MAOP of 750 psig and was constructed in 1949.

- Ouachita Parish, Louisiana—347.46 feet of 30-inch diameter Line 100—4 Pipeline, Class 1 to 3 location change, operates at a MAOP of 750 psig and was constructed in 1951.

- Cheatham County, Tennessee—1,496.23 feet of 30-inch diameter Line 500—1 Pipeline, Class 1 to 3 location change, operates at a MAOP of 936 psig and was constructed in 1959.

- Lewis County, Tennessee—647.49 feet of 36-inch diameter Line 557—3 Pipeline, Class 1 to 3 location change, operates at a MAOP of 938 psig and was constructed in 1972.

- Barren County, Kentucky—2,839.30 feet of 30-inch diameter Line 800—1 Pipeline, Class 1 to 3 location change, operates at a MAOP of 936 psig and was constructed in 1959.

The special permit request, proposed special permit with conditions, and Draft Environmental Assessment (DEA) for the above listed TGP pipeline segments are available for review and public comments in Docket No. PHMSA—2021—0019. 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 May 19, 2021, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2021—12363 Filed 6—11—21; 8:45 am]

BILLING CODE 4910—60—P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT—OST—2021—0056]

Extension of the Comment Deadline Date; Request for Information on Transportation Equity Data

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice of extension for request for information (RFI).

SUMMARY: On May 25, 2021, DOT published in the **Federal Register** a request for information (RFI) regarding an potential data and assessment tools that could assist in the ongoing and continuous evaluation of Federal policies and programs concerning equitable services and safety in the transportation sector. The RFI is assisting the DOT in responding to the Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government" (Equity E.O.). This notice extends the deadline date for receiving comments until July 22, 2021 at 5:00 p.m. (ET).

DATES: Responses to the RFI must be received by July 22, 2021, no later than 5:00 p.m. (ET) to ensure consideration of your views.

ADDRESSES: Written comments may be submitted using any one of the following methods:

- *Electronic mail:* Email comments to transportationequity@dot.gov. Responses must be provided as attachments to an email. It is recommended that attachments with file sizes exceeding 25MB be compressed (*i.e.*, zipped) to ensure message delivery. Responses must be provided as a Microsoft Word (.docx) attachment to the email, and be no more than 5 pages in length, with 12-point font and 1-inch margins.

- *Internet:* To submit comments electronically, go to the Federal regulations website at <http://www.regulations.gov>. Search by using the docket number (DOT—OST—2021—0056). Follow the online instructions for submitting comments.

Respondents may answer as many or as few questions (see the questions below) as they wish.

Responses are preferred in one file submission, in a question and response manner. DOT will not respond to individual submissions but will publish publicly a compendium of responses. A response to this RFI will not be viewed as a binding commitment to develop or pursue the ideas proposed.

Respondents are requested to provide the following information at the beginning of their response to this RFI:

- Contact name/Institution name
- Institution contact
- Address, phone number, and email address

DOT looks forward to your submission in response to this notice.

FOR FURTHER INFORMATION CONTACT: The monitored inbox at transportationequity@dot.gov. You may also contact Maya Sarna at maya.sarna@dot.gov or (202) 366-5811.

Please reference “RFI for Transportation Equity Data” in the subject line when submitting your email.

SUPPLEMENTARY INFORMATION:

Notice of Public Webinar

On June 18, 2021 DOT will hold a public webinar to broadly discuss the actions DOT has taken to respond to the Equity E.O. Details of the public webinar are noted below. The public webinar requires registration and will be open to the first 500 unique registrants. The DOT requests that multiple participants from the same organization wishing to attend the public webinar limit registration to no more than 10 participants.

Date: Friday, June 18, 2021

Time: 2:00 p.m.–3:00 p.m. (ET)

Registration Link:

www.transportation.gov/equity

DOT invites the public, transportation equity thought leaders, advocacy groups and stakeholders to provide input on the critical first steps in this process. This notice is not a Solicitation, and it does not seek the submission of formal, binding quotations/proposals. In the event OST-P determines that services will be procured, a formal Request for Quote/Proposal will be issued. OST-P cannot and will not reimburse any organization for its time, effort, or costs expended in responding to this RFI.

Issued on: June 8, 2021.

Irene Marion,

Director, Office of Civil Rights.

[FR Doc. 2021-12328 Filed 6-11-21; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Process for Eligible Businesses Requesting Support Under the Aviation Manufacturing Jobs Protection (AMJP) Program

AGENCY: U.S. Department of Transportation.

ACTION: Solicitation of applications.

SUMMARY: The U.S. Department of Transportation (DOT) is hereby announcing the process for eligible businesses to apply for payroll assistance under the “Aviation Manufacturing Jobs Protection” (AMJP) program, established by the “American Rescue Plan Act of 2021” (ARPA), which was enacted on March 11, 2021. This notice contains critical deadlines, definitions, requirements, and processes for applicants. DOT does not plan to publish any further notice about this program in the **Federal Register**.

Additional information for potential applicants will be published on the DOT program web page at <https://www.transportation.gov/AMJP>. See further details within the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: 5:00 p.m. prevailing Eastern time on June 22, 2021 to submit any questions regarding the application process. 5:00 p.m. prevailing Eastern time on July 13, 2021 to submit applications in accordance with the instructions contained in this Notice.

FOR FURTHER INFORMATION CONTACT: Alexis Jenkins-Reid, by phone at (202) 366-5112 or email AMJP@dot.gov.

SUPPLEMENTARY INFORMATION:

This notice announces the process for eligible businesses to apply for payroll assistance under the “Aviation Manufacturing Jobs Protection” (AMJP) program, established by the “American Rescue Plan Act of 2021” (ARPA), which was enacted on March 11, 2021.¹ DOT does not plan to publish any further notice and no docket will be established. Instead, DOT will maintain a list of Frequently Asked Questions (FAQs) and answers on a dedicated web page (see related information below).

This application process was the subject of a prior notice in the **Federal Register**, on April 14, 2021 (86 FR 1965), as required by the Paperwork Reduction Act. The information collection requirement associated with the application process has been approved by OMB under OMB Control Number 2106-0048. Public reporting burden for the certification is estimated to average 28 hours per response,

including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

The remainder of this notice includes:

1. Deadlines
2. Summary of Funding Opportunity
3. Eligibility Requirements and Definitions of Key Terms
4. How to Apply for Assistance Under This Program
5. Data and Documentation Required for the Application Process
6. Subsequent Steps and Associated Issues
7. Preservation of Safety-Related Responsibilities
8. Other Information

1. Deadlines

Deadline #1: Any questions regarding the application process must be submitted to AMJP@dot.gov by 5:00 p.m. prevailing Eastern time on June 22, 2021. DOT will not reply directly to questions, but will consider all questions received by this deadline and update the FAQs as appropriate on the web page at <https://www.transportation.gov/AMJP>.

Questions received after this deadline will be addressed to the extent possible.

Deadline #2: Applications must be submitted in accordance with the instructions contained in this Notice, by 5:00 p.m. prevailing Eastern time on July 13, 2021. DOT will not consider any applications received after this deadline. Applicants are strongly urged to complete the application process at least 24 hours prior to the deadline and retain the official confirmation notification. Any problems related to telecommunications, connectivity, system compatibility, or any other technical issues will be the sole responsibility of the applicant, and DOT will not be able to accept or consider applications that are late, incomplete, or submitted through any other channels.

Applicants are strongly discouraged from contacting DOT outside of the established procedure for submitting questions (see Deadline #1, above) or the formal application process. DOT will not use information provided through any other mechanism. Additional contacts via telephone, email, letters, or requests for in-person meetings will add unnecessary burden,

¹Public Law (Pub. L.) 117-2, §§ 7201-7202.

and delay the overall process for all applicants.

To be eligible, businesses must meet all the requirements set forth in “Eligibility Requirements and Key Definitions” and “Other Restrictions,” below. Eligible businesses that wish to be considered for this program must comply with the deadlines and requirements in this notice and the online application system.

Only established business entities that meet the eligibility requirements are eligible to apply for and receive funding under the AMJP. Neither any other type of organization nor individual employees (including contract employees) are eligible to apply for assistance under this program.

DOT has established a dedicated web page containing information on the AMJP program. This web page is publicly available at <https://www.transportation.gov/AMJP>. DOT strongly recommends that all interested businesses monitor this web page frequently for any new or updated information regarding the AMJP program.

2. Summary of Funding Opportunity

The statute allows DOT to enter into agreements with eligible business entities for a period of up to six months.² During that timeframe, DOT can provide up to 50 percent of the funding for the sole purpose of continuation of employee wages, salaries, and benefits, to maintain the Total Compensation Level³ for the Eligible Employee Group (EEG)⁴ for the duration of the agreement, and to facilitate the retention, rehire, or recall of employees of the applicant business, except that such funds may not be used for back pay of returning rehired or recalled employees.⁵

As a condition of an agreement with DOT, the employer commits to refrain from conducting any involuntary layoffs, furloughs,⁶ or reductions in pay or benefits for the EEG, from the date of application and continuing until at least the expiration date of the agreement⁷ and receipt of Federal funds provided thereunder. Other restrictions and requirements will apply as well, including a requirement to provide

² Where possible, DOT will strive to work with recipients to align the term of the agreement with the recipient’s payroll schedule, in order to simplify the supporting documentation, reporting and subsequent audit reviews.

³ See definition of “Total Compensation Level” (below).

⁴ See definition of “EEG” (below).

⁵ Public Law 117–2, § 7202(b).

⁶ DOT interprets the term “furlough” to include reductions in working days or hours.

⁷ Or September 30, 2021, whichever is later.

immediate notice and justification to the Secretary⁸ of involuntary furloughs or layoffs exceeding 10 percent of the workforce that is not included in the EEG.⁹

The statute appropriated \$3,000,000,000 for this program, and allows up to one (1) percent of the funds to be used for program administration. If eligible requests exceed the available funds, then DOT will reduce the funds provided, on a pro rata basis.¹⁰ If DOT has to pro-rate the funds, then DOT will use the total compensation level for each eligible applicant’s EEG as the basis to calculate each eligible applicant’s resulting share.

Because of the pro-rata statutory requirement, DOT is conducting a single application and review process, with the intent of identifying all eligible recipients. This will enable DOT to determine whether funds need to be pro-rated, before entering into any agreements.

In the event of pro-ration, the funding agreements will cite two figures: First, the maximum eligible amount for the recipient; and second, the estimated amount that DOT would pay to the recipient, which would be lower than the maximum eligible amount. If any funds are recovered after the pro rata allocation, then DOT may allocate those funds, pro rata, among the remaining eligible recipients without any further solicitation for the \$3,000,000,000 described in this notice. Moreover, DOT may reduce the amount of the Public Contribution that is actually disbursed to the recipient, to match the actual Private Contribution paid by the recipient, for documented compensation costs actually incurred for the allowable purpose (to retain or rehire employees within the EEG).

The “Eligibility Requirements and Definitions of Key Terms” section (below) reflects the criteria established in the statute, along with key clarifications. DOT does not have the authority to add other discretionary criteria in administering this program.

DOT intends to review all applications as quickly as possible after Deadline #2, in order to determine the amount of funding that can be made available to each eligible applicant.

3. Eligibility Requirements and Definitions of Key Terms

This section outlines several key requirements and definitions. The

⁸ Wherever the term “Secretary” appears in this notice, it refers to the Secretary of Transportation.

⁹ Public Law 117–2, § 7201(2)(F).

¹⁰ Public Law 117–2, § 7202(d).

online application process will provide more detailed instructions.

Eligible businesses. The statute establishes three categories of businesses that are eligible to receive payroll assistance under this program. To be eligible, a business must meet at least one of the following three criteria:¹¹

- Businesses that actively manufacture an aircraft, aircraft engine, propeller, or a component, part, or systems of an aircraft or aircraft engine under a Federal Aviation Administration (FAA) production approval. The term “active” is defined in FAA Order 8120.23A, Sec. 3–3(b), and means that “FAA has issued a new production approval, or the [production approval holder] PAH has produced and/or shipped products or articles within the past 12 months.”

- Businesses that hold a certificate issued under Title 14, Code of Federal Regulations (CFR), part 145, for maintenance, repair, and overhaul of aircraft, aircraft engines, components, or propellers.

- Businesses that operate a process certified under SAE AS9100¹² related to the design, development, or provision of an aviation product or service, including a part, component, or assembly.¹³

There are several other requirements for eligibility. To be eligible, businesses must also meet all of the following:

- The business has been established, created, or organized in the United States or under the laws of the United States.¹⁴

- The business generated at least 50 percent of its 2019 operating revenues from aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services based in the United States (including its territories or possessions).¹⁵

- Of the employees engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services as of April 1, 2020, at least 50 percent were based in the United States (including its territories or possessions).¹⁶

¹¹ Public Law 117–2, § 7201(2)(A).

¹² For information about SAE AS9100, see <https://www.sae.org/standards/content/as9100/>.

¹³ It is not sufficient simply to be in the aviation manufacturing business, even if the business meets other criteria such as ISO certification. To be eligible, the business must meet the criteria set forth in the statute as of the date the application is submitted.

¹⁴ Public Law 117–2, § 7201(2)(B)(i).

¹⁵ Public Law 117–2, § 7201(2)(B)(ii).

¹⁶ Public Law 117–2, § 7201(2)(B)(ii).

- The business must have involuntarily¹⁷ furloughed or laid off at least 10 percent of its total workforce in 2020 as compared to 2019, or have experienced at least a 15 percent decline in 2020 total operating revenues compared to 2019. The applicant will be required to provide either aggregate numbers of personnel as of December 31, 2019 and December 31, 2020, or data demonstrating the aggregate number of furlough days imposed between those dates, or total operating revenues for the tax-years ending 2019 and 2020.¹⁸

- The business must identify an EEG and the “total compensation level” for the EEG. (See separate definitions, below.)

- The business must be able to commit to funding its share (the “Private Contribution”) of the total compensation level for the EEG, for the duration of the agreement.¹⁹

- The business must be able to commit to provide immediate notice and justification to the Secretary of any involuntary furloughs or layoffs exceeding 10 percent of the workforce that is not included in the EEG for the duration of the agreement and receipt of Federal funds provided thereunder.²⁰

- The business cannot conduct involuntary furloughs or reduce pay rates or benefits for the EEG between the date of application and the date on which the applicant enters into an agreement with the Secretary.²¹

- The business must commit that it will not conduct involuntary layoffs or furloughs, or reduce pay rates and benefits, for the EEG, from the date of agreement at least until the expiration date of the agreement.²² This commitment does not impede the employer’s right to discipline or terminate specific employees for reasons related to performance or conduct, in accordance with the employer’s established policies.²³

- The business cannot have been allowed a credit against applicable employment taxes under section 2301 of the CARES Act (26 U.S.C. 3111 note) for the calendar quarter ending immediately before entering into an agreement with DOT.²⁴ Because DOT anticipates establishing these

agreements during the quarter ending September 30, 2021, this means the business cannot have been allowed such credits for the quarter ending June 30, 2021.²⁵

- The business cannot have received financial assistance under section 4113 of the CARES Act (15 U.S.C. 9073).²⁶

- The business cannot be expending financial assistance under the paycheck protection program established under section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as of the date the employer submits an application under the AMJP.²⁷

No entity (including any government agency or subdivision) may submit an application on behalf of another entity. There is no provision for sub-awards. Only eligible businesses (as defined above) may apply.

Employee. The statute authorizing the AMJP defines “employee” based on section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203). This refers to Title 29 United States Code, § 203(e)(1), which states in pertinent part that “the term ‘employee’ means any individual employed by an employer.” There are other provisions contained in § 203(e) that are not relevant in the context of this program. In addition, DOT has determined that a contract employee (*i.e.*, any individual who provides services but is compensated through fees reported on IRS Form 1099 rather than through salary or wages reported on IRS Form W2) may not be counted as an “employee” for purposes of this program, unless they are themselves an established business entity that meets all of the eligibility criteria, in which case they may apply for the program directly.

Eligible Employee Group (EEG). Each applicant must define its EEG based on the following parameters:

- Includes only employees that were engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services as of April 1, 2020.²⁸ The term “engaged in” means employees who spent at least 50 percent of their time actually conducting technical engineering design, design oversight,

and/or the physical steps involved in creating aircraft parts or components, or conducting inspections, maintenance or repair work on aircraft or aircraft components;

- Cannot exceed 25 percent of the employer’s total United States workforce as it existed on April 1, 2020;²⁹ and

- Can only include employees with a total compensation level³⁰ of \$200,000 or less per year as of April 1, 2020.³¹

Total compensation level. The term “total compensation level” means the level of total base compensation and benefits being provided to EEG employees, as of April 1, 2020, excluding overtime and premium pay, and excluding any Federal, State, or local payroll taxes paid by the employer.³²

If an employee’s base salary was \$180,000 and their additional benefits equated to \$21,000, then that employee cannot be included in the “EEG” even though the employee may pay Federal, State, or local income tax on that compensation, and therefore the employee’s *net* compensation from the employer was less than \$200,000.

United States workforce. For purposes of this program, DOT defines “United States workforce” to include employees who are legal residents of the United States or its territories (including U.S. citizens, lawful permanent residents, or others who were legally permitted to work in the United States as of April 1, 2020, and are still legally permitted to work in the United States as of the date the application is submitted), and whose primary duty location is physically located within the United States or its territories. It does not include employees whose primary duty location is physically located outside of the United States, even if they are employed by a U.S.-based employer.

Public Contribution. The term “Public Contribution” means the amount of funding available from the Federal Government under this program, to provide up to 50 percent of the EEG’s total compensation level.

Private Contribution. The term “Private Contribution” means the amount funded by the employer, to maintain at least 50 percent of the EEG’s total compensation level. If DOT has to pro-rate the Public Contribution, then the applicant must adjust the Private Contribution accordingly.

¹⁷ The terms “involuntary” and “involuntarily” mean that the employer has made and implemented a unilateral decision to either lay off or furlough employees (as opposed to the employees offering to be laid off or furloughed).

¹⁸ Public Law 117–2, § 7201(2)(C).

¹⁹ Public Law 117–2, § 7201(2)(E).

²⁰ Public Law 117–2, § 7201(2)(F).

²¹ Public Law 117–2, § 7201(2)(G).

²² Or September 30, 2021, whichever is later.

²³ Public Law 117–2, § 7201(2)(H).

²⁴ Public Law 117–2, § 7202(c).

²⁵ DOT anticipates awarding agreements under the AMJP by the end of September 2021, in which case this provision would mean the applicant cannot have received the referenced credits during the quarter ending June 30, 2021. If an applicant has received such credits during that quarter, and wishes to forego such credits in the quarter ending September 30, 2021, then DOT may still be able to consider entering into an agreement after October 1, 2021.

²⁶ Public Law 117–2, § 7202(c).

²⁷ Public Law 117–2, § 7202(c).

²⁸ Public Law 117–2, § 7201(1)(C).

²⁹ Public Law 117–2, § 7201(1)(A).

³⁰ “Total compensation level” is defined below.

³¹ Public Law 117–2, § 7201(1)(B).

³² Public Law 117–2, § 7201(8).

4. How To Apply for Assistance Under This Program

DOT has published Assistance Listing #20.114 online at sam.gov. However, all applicants must complete the online application at <https://www.transportation.gov/AMJP/apply>, in strict accordance with Deadline #2 as stated above. Applicants must provide all required data and supporting documentation, and complete all required certifications, based on the instructions accompanying the online application system. DOT will provide system-related support through an online help desk. However, DOT cannot assist applicants with substantive questions about the application process beyond what is stated in this notice, subsequent supplemental notices, or what may be posted on DOT's official AMJP program web page in the form of FAQs.

Prospective applicants are strongly urged to complete the application at least 24 hours prior to Deadline #2. Any problems related to telecommunications, connectivity, system compatibility, or any other technical issues will be the sole responsibility of the applicant, and DOT will not be able to accept or consider applications that are late, incomplete, or submitted through any other channels.

5. Data and Documentation Required for the Application Process

Applicants are required to provide the following data and supporting documentation (in electronically searchable documents) through the designated online application system, including but not limited to financial reports and redacted payroll reports where applicable. Please refer to the "Eligibility Requirements and Definitions of Key Terms" section for further information on terms used throughout this section. This is not a comprehensive listing. The online application system will provide additional detailed instructions:

- Legal name of the applicant (*i.e.*, the legal name of the business entity), as well as any other identities under which the applicant may be doing business.
- Address, telephone, and email contact information for the applicant.
- Business structure and ownership. The form of the applicant's organization (*e.g.*, Corporation, S Corporation, Limited Liability Company, Sole Proprietorship, Partnership, etc.), along with the state(s) in which the applicant is organized, and the date of incorporation or organization.
- Name and title of the authorized representative of the applicant (who will attest to the required certifications).

- If the applicant chooses to authorize any external parties to assist in the online preparation of their application (such as outside accountants, attorneys, or auditors), those parties must register in the online application system and be authorized by the applicant to provide information on behalf of the applicant. However, the applicant will retain full responsibility for certifying that all data provided is complete and accurate.

- The specific statutory criteria that the applicant meets for eligibility under this program. The statute defines eligible applicants to include a corporation, firm, or other business entity that "(i) actively manufactures an aircraft, aircraft engine, propeller, or a component, part, or systems of an aircraft or aircraft engine under a Federal Aviation Administration production approval; (ii) holds a certificate issued under part 145 of title 14, Code of Federal Regulations, for maintenance, repair, and overhaul of aircraft, aircraft engines, components, or propellers; or (iii) operates a process certified to SAE AS9100³³ related to the design, development, or provision of an aviation product or service, including a part, component, or assembly." The application system requires applicants to identify which of these categories they meet, and how. The system also requires applicants to upload supporting documentation, including reference numbers and copies of certificates or authorizations issued by either the FAA or SAE.

- Other identification numbers, including but not limited to the Employer/Taxpayer Identification Number (EIN/TIN), Data Universal Numbering System (DUNS) number, Unique Entity Identifier under 2 CFR part 25. All applicants must have registered with the System for Award Management (SAM) at <https://sam.gov/SAM/>.³⁴ For purposes of the AMJP program, it is not necessary to be registered to pursue Federal contracts (which takes longer to process). Instead, when asked "Why are you registering this entity to do business with the U.S. government?" applicants for the AMJP need only select the option that reads, "I only want to apply for federal assistance opportunities like grants,

loans, and other financial assistance programs."

- Quantitative data demonstrating how the applicant's business operations meet the requirements regarding significant operations (and a majority of its employees engaged) in aviation manufacturing based in the United States. This will include the number (and percentage) of employees who were engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services, and the percentage of those employees who were based in the United States, as of April 1, 2020.

- Details sufficient to demonstrate how the applicant meets the requirement to have "involuntarily furloughed or laid off at least 10 percent of its total workforce in 2020 as compared to 2019, or has experienced at least a 15 percent decline in 2020 revenues as compared to 2019." Failure to provide sufficient detail addressing the key criteria may result in a determination that the entity is ineligible or unresponsive. The burden of meeting the statutory criteria falls on the applicant.

- Certification that the applicant has not received a credit against applicable employment taxes under section 2301 of the CARES Act (26 U.S.C. 3111 note) for the immediately preceding calendar quarter ending before such agreement is entered into, or financial assistance under section 4113 of the CARES Act (15 U.S.C. 9073) (providing payroll support to air carriers and contractors), and is not currently expending financial assistance under the paycheck protection program established under section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as of the date the employer submits an application under the AMJP. If a business entity meets any of these criteria, there is no provision in the statute that would allow the business to return those funds in order to qualify for the AMJP.

- Definition of the applicant's "EEG," identifying the job categories and numbers of personnel in each category as of April 1, 2020.

- The total cost of compensation for the EEG for the six-month period ending on April 1, 2020. DOT will require a breakdown of the compensation costs (*e.g.*, aggregate base wages and salaries, and major benefit categories).

Applicants will be required to provide supporting documentation in sufficient detail to substantiate the preceding costs, but specifically excluding any Personally Identifiable Information (PII) for any individual employees. This may include financial reports and redacted payroll reports, or such additional

³³ See <https://www.sae.org/standards/content/as9100/>.

³⁴ As required by 2 CFR part 25.200(b), applicants must also "Maintain an active SAM registration with current information, including information on a recipient's immediate and highest level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable, at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency."

supporting documentation as DOT may require.

- The amount of Public Contribution the applicant is requesting (which may be equal to half the total compensation level (or less) for the EEG as of April 1, 2020), and whether the applicant is requesting the funds to rehire or retain employees, or a combination.

- Whether the applicant business entity is currently engaged in any legal proceeding that could jeopardize its ability to fulfill the legal commitments required in statute as conditions for receiving funds under the AMJP. Examples of such proceedings could include (but are not limited to) any process related to the United States Bankruptcy Code, potential merger or acquisition discussions, or current litigation against the applicant. The application system will request that applicants identify any such issues at a high level, but avoid including unnecessary details in the application. Such circumstances would not necessarily, on their own, render an applicant ineligible. However, DOT would consider such circumstances in a risk-based approach to oversight, and may include additional conditions in the agreement, including but not limited to continuing disclosure and supplemental reporting requirements.

- Whether the applicant is delinquent on any debt to any Federal agency, along with supporting details. Such circumstances would not necessarily, on their own, render an applicant ineligible. However, DOT may be required to coordinate with other Federal agencies to ensure resolution of these circumstances before processing disbursements under the AMJP.

- Certification by the applicant that they can and will enter into a legal agreement with DOT, that will require the applicant to (1) provide the Private Contribution (which means the remainder of the total compensation costs associated with the EEG that is not funded by assistance under the AMJP); and (2) not conduct any involuntary layoffs, furloughs, or reductions in pay rates or benefits for the EEG during the term of the agreement with DOT.

- Although DOT may verify the accuracy of these certifications, possibly using a risk-based approach to verification, applicants are legally responsible for ensuring the accuracy of these certifications.

- After DOT determines eligibility and enters into an agreement with the applicant (referred to hereafter as “the recipient”), DOT may also require the recipient to provide updated information to DOT on the actual aggregate total cost of compensation for

the EEG during the period of the agreement with DOT, if DOT determines it is necessary in order to review and approve actual disbursements pursuant to the agreement. Recipients will be required to provide supporting documentation in sufficient detail to substantiate the actual costs, specifically excluding any Personally Identifiable Information (PII) for any individual employees.

- Recipients will also be required to provide additional supporting information and certifications in support of disbursement requests.

- Sworn certification as to the complete and accurate nature of all information provided, including all supporting documentation and any information provided by other parties such as outside accountants, auditors or attorneys, subject to civil or criminal penalties. The specific certification language will include: “I certify under penalty of perjury that the information and certifications provided in the application and its attachments are true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil penalties. (18 U.S.C. 287, 1001; 31 U.S.C. 3729, 3802).”

In making its eligibility determinations, DOT will not consider any other factors, such as financial stability, financial need, economic impacts of the business, magnitude of lost revenues, size of the business, or regional considerations. DOT will make eligibility determinations based solely on the statutory criteria, as set forth in this notice.

Even if an applicant wishes to rely upon an outside entity to prepare the entire application on their behalf, an authorized representative of the applicant (which must be an owner, officer or employee of the applicant) must make all the required certifications as outlined above, after verifying that all of the information provided in the application is complete and accurate.

Likewise, if an applicant relies upon an outside entity to assist in the application process, the responsibility for meeting the deadline remains with the applicant, including all required documentation and certifications in the online system. DOT will not consider any application that is either incomplete or submitted after Deadline #2.

DOT may seek additional supporting documentation from any applicant at any time, either during the application review process or subsequently. However, DOT shall not be under any obligation to allow an applicant to

modify its supporting information after Deadline #2 has passed. Any materially incorrect, incomplete, or misleading information provided in support of the application may be grounds for cancellation of the agreement and recovery of any funds already disbursed or in process of disbursement.

6. Subsequent Steps and Associated Issues

After all applications have been received, DOT will review and validate the applications, make final eligibility determinations, and determine the resulting allocation of funds. DOT cannot predict how long this will take. The duration will depend heavily on the number of applications received.

Once an agreement is in place, DOT may require continuing disclosure and reporting in support of disbursement requests. If an approved recipient experiences natural attrition within the EEG, or terminates any employee in the eligibility employee group due to performance or conduct issues in accordance with employer policy,³⁵ DOT will not require the recipient to backfill vacancies. However, the recipient will be required to disclose any reduction in the total compensation costs for the EEG and DOT may make comparable reductions in the actual disbursements to the recipient.

If the recipient backfills such vacancies during the term of the agreement, then the recipient may include the associated compensation costs in subsequent disbursement requests. However, any resulting increase in total compensation costs will not increase the Public Contribution.

The statute requires recipients to refrain from conducting involuntary layoffs or furloughs among the EEG during the term of the agreement.³⁶ DOT’s expectation is that this assistance program would also reduce the need for businesses to consider layoffs or furloughs after the term of the agreement has ended. Therefore, the agreement may include disclosure requirements, and may state that the prohibition on furloughs or layoffs among the EEG does not restrict the employer from providing notice, during the term of the agreement, of actions that may occur after the term of the agreement.

DOT anticipates making an initial disbursement shortly after awarding each agreement. Recipient companies will be required to submit updated

³⁵ § 7201(2)(H).

³⁶ Or until September 30, 2021, whichever is later.

information, supporting documentation, and further certifications of compliance prior to receiving any subsequent disbursement(s), including comprehensive closeout documentation. As noted above, if award amounts have to be reduced on a pro rata basis but then any funds are recovered from other recipients, then DOT may make supplemental disbursements to the remaining eligible recipients.

In accordance with 2 CFR 200.333 (“Retention requirements for Records”), recipients will be required to retain all supporting documentation for three (3) years after submitting the final expenditure report. If any litigation, claim, or audit is started before the expiration of the three-year period, then the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

If a recipient enters an agreement under this program but then cannot fulfill its statutory and contractual obligations under that agreement, including (but not limited to) funding the Private Contribution), then DOT will seek appropriate remedies, including (but not limited to) termination of the agreement and/or recovery of any funds already disbursed. All recipients may be subject to audits by DOT or other oversight agencies, and any funds improperly used may have to be returned to the government.

If a recipient enters an agreement under this program but then files for protection under any process related to the United States Bankruptcy Code, then DOT may terminate the agreement and seek appropriate remedies, including recovery of any funds already disbursed.

If a recipient enters an agreement under this program but is then acquired by (or merges with) another business in a manner that affects eligibility or compliance with the agreement, then DOT may terminate the agreement and seek appropriate remedies, including recovery of any funds already disbursed. The agreement will address related requirements for notification to the government and assignment.

7. Preservation of Safety-Related Responsibilities

DOT will not make any substantive judgment about the job categories that an applicant does or does not include in defining the EEG. DOT will only verify that the EEG meets the requirements set forth in this notice. Nothing in DOT’s determination of eligibility in any way relieves the applicant of its responsibilities, including all safety-related responsibilities pursuant to

certificates issued by the FAA, or compliance obligations under federal regulations and any other legal obligations.

8. Other Information

Financial assistance under this program is subject to the requirements of 2 CFR part 170, in accordance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109–282), as amended by section 6202 of Public Law 110–252. The agreements will include corresponding requirements, including the requirements pertaining to executive compensation. Before providing financial assistance under this program greater than the simplified acquisition threshold, DOT is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS³⁷) (see 41 U.S.C. 2313). An applicant may, at its option, 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. DOT 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 as described in 2 CFR 200.206.

As noted previously, DOT strongly recommends that all interested businesses monitor the official DOT program web page frequently for any new or updated information regarding the AMJP program.

Signed in Washington, DC, on June 8, 2021.

Brian Elliott Black,

Director, Aviation Manufacturing Jobs Protection Program, U.S. Department of Transportation.

[FR Doc. 2021–12374 Filed 6–11–21; 8:45 am]

BILLING CODE 4910–9X–P

³⁷ Federal Awardee Performance and Integrity Information System.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Fair Credit Reporting; Affiliate Marketing

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

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the renewal of an information collection as required by the Paperwork Reduction Act of 1995 (PRA). An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of an information collection titled, “Affiliate Marketing.” The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be submitted on or before July 14, 2021.

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

- *Email:* prainfo@occ.treas.gov.
- *Mail:* Chief Counsel’s Office, Attention: Comment Processing, 1557–0230, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 465–4326.

Instructions: You must include “OCC” as the agency name and “1557–0230” 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 disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

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.

You may review comments and other related materials that pertain to this information collection¹ following the close of the 30-day comment period for this notice 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 “1557–0230” or “Fair Credit Reporting: Affiliate Marketing.” 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.

FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, OCC Clearance Officer, (202) 649–5490, Chief Counsel’s Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from OMB for each collection of information that they conduct or sponsor.

“Collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks that OMB extend its approval of this collection.

OMB Control No.: 1557–0230.

Type of Review: Regular.

Frequency of Response: On occasion.

Affected Public: Businesses or other for-profit.

Estimated Number of Respondents: 97,723.

Total Annual Burden: 10,281 hours.

Description: Section 214 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act),² which added section

624 to the Fair Credit Reporting Act (FCRA),³ generally prohibits a person from using certain information received from an affiliate to solicit a consumer for marketing purposes, unless the consumer is given notice and an opportunity and simple method to opt out of such solicitations.

Twelve CFR 1022.20–1022.27 require financial institutions to issue notices informing consumers about their rights under section 214 of the FACT Act. Consumers use the notices to decide if they want to receive solicitations for marketing purposes or opt out. Financial institutions use consumers’ opt-out responses to determine the permissibility of making a solicitation for marketing purposes.

If a person receives certain consumer eligibility information from an affiliate, the person may not use that information to solicit the consumer about its products or services, unless the consumer is given notice and a simple method to opt out of such use of the information, and the consumer does not opt out. Exceptions include a person using eligibility information: (1) To make solicitations to a consumer with whom the person has a pre-existing business relationship; (2) to perform services for another affiliate subject to certain conditions; (3) in response to a communication initiated by the consumer; or (4) to make a solicitation that has been authorized or requested by the consumer. A consumer’s affiliate marketing opt-out election must be effective for a period of at least five years. Upon expiration of the opt-out period, the consumer must be given a renewal notice and an opportunity to renew the opt-out before information received from an affiliate may be used to make solicitations to the consumer.

On March 22, 2021, the OCC published a 60-day notice for this information collection, 86 FR 15288. No comments were received. Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC’s estimate of the information collection burden;

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

(d) Ways to minimize the burden of the collection 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.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2021–12330 Filed 6–11–21; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies Under Section 312 of the Fair and Accurate Credit Transactions Act of 2003

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OCC is soliciting comment concerning the renewal of its information collection titled, “Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transactions Act of 2003.” The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by July 14, 2021.

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

- *Email:* prainfo@occ.treas.gov.

- *Mail:* Chief Counsel’s Office, Attention: Comment Processing, 1557–0238, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

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

- *Fax:* (571) 465–4326.

¹ On March 22, 2021, the OCC published a 60-day notice for this information collection, 86 FR 15288.

² Public Law 108–159, 117 Stat. 1952 (December 4, 2003).

³ 15 U.S.C. 1681 *et seq.*

Instructions: You must include “OCC” as the agency name and “1557–0238” 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 disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

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.

You may review comments and other related materials that pertain to this information collection¹ following the close of the 30-day comment period for this notice 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 “1557–0238” or “Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transactions Act of 2003.” 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.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, OCC Clearance Officer, (202) 649–5490, Chief Counsel’s Office, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal

agencies must obtain approval from OMB for each collection of information that they conduct or sponsor. “Collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests and requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks that OMB extend its approval of this collection.

Title: Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act).

OMB Control No.: 1557–0238.

Type of Review: Regular.

Description: Pursuant to section 312 of the FACT Act, the OCC issued guidelines for use by furnishers regarding the accuracy and integrity of the information about consumers that they furnish to consumer reporting agencies and prescribed regulations that require furnishers to establish reasonable policies and procedures for implementing the guidelines. Section 312 also required the issuance of regulations identifying the circumstances under which a furnisher must reinvestigate disputes about the accuracy of information contained in a consumer report based on a direct request from a consumer.

Twelve CFR 1022.42(a) requires furnishers to establish and implement reasonable written policies and procedures regarding the accuracy and integrity of consumer information that they provide to a consumer reporting agency (CRA).

Twelve CFR 1022.43(a) requires a furnisher to conduct a reasonable investigation of a dispute initiated directly by a consumer in specified circumstances and with specified requirements. Duties of furnishers after they receive a direct dispute notice include conducting a reasonable investigation and responding to the consumer within the time period applicable if the consumer had elected to dispute the information through the CRAs.

Twelve CFR 1022.43(f)(2) incorporates the statutory requirement that a furnisher must notify a consumer by mail or other means (if authorized by the consumer) not later than five business days after making a determination that a dispute is frivolous or irrelevant. Twelve CFR 1022.43(f)(3) incorporates the statute’s content requirements for the notices.

Affected Public: Businesses or other for-profit.

Estimated Number of Respondents: 1,032 respondents.

Estimated Total Annual Burden: 185,603 hours.

On March 12, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14178. No comments were received. Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC’s estimate of the burden of the collection of information;

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

(d) Ways to minimize the burden of the collection 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.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2021–12331 Filed 6–11–21; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Customer Complaint Form

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

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC 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. The OCC is soliciting comment concerning the renewal of an existing collection titled “Customer Complaint Form.” The OCC

¹ On March 12, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14178.

also is giving notice that it has sent the collection to OMB for review.

DATES: You should submit written comments by July 14, 2021.

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

- *Email:* prainfo@occ.treas.gov.
- *Mail:* Chief Counsel's Office,

Attention: Comment Processing, 1557-0232, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

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

- *Fax:* (571) 465-4326.

Instructions: You must include "OCC" as the agency name and "1557-0232" 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 disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

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.

You may review comments and other related materials that pertain to this information collection¹ following the close of the 30-day comment period for this notice 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 "1557-0232" or "Consumer Complaint Form." 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.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks that OMB extend its approval of this collection.

Title: Customer Complaint Form.

OMB Control No.: 1557-0232.

Description: The customer complaint form was developed as a courtesy for customers who contact the OCC's Consumer Assistance Group (CAG) and wish to file a formal, written complaint. The form offers a template for consumers to use to focus their issues and identify the information necessary to provide a complete picture of their concerns. Use of the form is entirely voluntary; however, use of the form does help avoid the processing delays associated with incomplete complaints and allows CAG to process complaints more efficiently.

CAG uses the information included in a completed form to create a record of the consumer's contact, capture information that can be used to resolve the consumer's issues, and provide a database of information that is incorporated into the OCC's supervisory process.

Type of Review: Regular.

Affected Public: Individuals.

Number of Respondents: 10,000

Total Annual Responses: 10,000.

Frequency of Response: On occasion.

Total Annual Burden Hours: 3,300.

On March 17, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14682. No comments were received. Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information shall have practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

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

(d) Ways to minimize the burden of the collection 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.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2021-12333 Filed 6-11-21; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Registration of Mortgage Loan Originators

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

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and respondents are not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, "Registration of Mortgage Loan Originators." The OCC also is giving notice that it has sent the collection to OMB review.

DATES: You should submit written comments by: July 14, 2021.

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

- *Email:* prainfo@occ.treas.gov.
- *Mail:* Chief Counsel's Office,

Attention: Comment Processing, 1557-0243, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

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

- *Fax:* (571) 465-4326.

Instructions: You must include "OCC" as the agency name and "1557-

¹ On March 17, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14682.

0243” 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 disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

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.

You may review comments and other related materials that pertain to this information collection¹ following the close of the 30-day comment period for this notice 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 “1557–0243” or “Registration of Mortgage Loan Originators.” 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.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, OCC Clearance Officer, (202) 649–5490, Chief Counsel’s Office, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor.

“Collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or

requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks that OMB extend its approval of this collection.

Title: Registration of Mortgage Loan Originators.

OMB Control No.: 1557–0243.

Description: The Secure and Fair Enforcement for Mortgage Licensing Act (the S.A.F.E. Act or Act)² requires an employee of a Federally-regulated bank, savings association, credit union, or farm credit institution and their subsidiaries (collectively, institutions) who engages in the business of a residential mortgage loan originator (MLO) and does not qualify for the *de minimis* exception to register with the Nationwide Mortgage Licensing System and Registry (Registry) and obtain a unique identifier. Further, the S.A.F.E. Act provides that institutions must require their employees who act as MLOs to comply with the Act’s registration requirements and obtain a unique identifier. Institutions must also adopt and follow written policies and procedures to ensure compliance with these requirements.

Among other things, the Registry is intended to aggregate and improve the flow of information to and between regulators; provide increased accountability and tracking of mortgage loan originators; enhance consumer protections; reduce fraud in the residential mortgage loan origination process; and provide consumers with easily accessible information at no charge regarding the employment history of, and the publicly adjudicated disciplinary and enforcement actions against, MLOs.

Along with the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Farm Credit Administration, the OCC issued a final rule implementing the S.A.F.E. Act.³ The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), Public Law 111–203, later provided for the transfer of this rule to the Consumer Financial Protection Bureau (CFPB), and the CFPB republished this rule as 12 CFR part 1007.⁴ However, the OCC retains enforcement authority for national banks, Federal savings associations and Federal branches and agencies of foreign

² The S.A.F.E. Act was enacted as part of the Housing and Economic Recovery Act of 2008, Public Law 110–289, Division A, Title V, sections 1501–1517, 122 Stat. 2654, 2810–2824 (July 30, 2008), *codified at* 12 U.S.C. 5101–5116.

³ 75 FR 44656 (July 28, 2010), as corrected in 75 FR 51623 (Aug. 23, 2010).

⁴ 76 FR 78487 (Dec. 19, 2011).

banks with total assets of \$10 billion or less.⁵

MLO Reporting Requirements

Except in situations where the *de minimis* exception applies, 12 CFR 1007.103 requires an employee of an institution who acts as an MLO to register with the Registry, obtain a unique identifier, and maintain and update such registration. This section also requires institutions to require their MLO employees to comply with these requirements. Section 1007.103(d) sets forth the categories of information that an institution must require each MLO employee to submit to the Registry or submit on the employee’s behalf. This section also requires each MLO employee to submit to the Registry an attestation as to the correctness of the information submitted and an authorization for the Registry and the employing institution to obtain certain additional information related to the employee.

MLO Disclosure Requirement

Twelve CFR 1007.105(a) requires institutions to make the unique identifier(s) of its registered MLOs available to consumers in a manner and method practicable to the institution. Section 1007(b) requires MLOs to provide their unique identifier to a consumer upon request, before acting as an MLO, and through the originator’s initial written communication with a consumer, if any, whether on paper or electronically.

Financial Institution Reporting Requirements

Section 1007.103(e) specifies the institution-related and employee information an institution must submit to the Registry in connection with the initial registration of one or more MLOs and annually thereafter. The institution also must update this information within 30 days of the date that this information becomes inaccurate. Employees of the institution who submit information to the Registry on behalf of the institution must verify their identity and attest that they have the authority to enter data on behalf of the institution, that the information submitted is correct, and that the covered financial institution will keep the required information current and will file accurate supplementary information on a timely basis.

⁵ See section 1025 of the Dodd-Frank Act, *codified at* 12 U.S.C. 5515.

¹ On March 17, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14678.

Financial Institution Disclosure Requirements

Section 1007.105(a) requires the institution to make the unique identifiers of its MLO employees available to consumers in a manner and method practicable to the institution.

Financial Institution Recordkeeping Requirements

Section 1007.104 requires that an institution that employs one or more MLOs to adopt and follow written policies and procedures to, at a minimum, address certain specified areas related to MLO registration. These policies must be appropriate to the

nature, size and complexity of the institution's mortgage lending activities.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals; Businesses or other for-profit.

Estimated Number of Respondents: 85,353.

Estimated Total Annual Burden: 51,384 hours.

On March 17, 2021, the OCC published a 60-day notice for this information collection, 86 FR 14678. No comments were received. Comments continue to be invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical

utility; (b) The accuracy of the OCC's estimate of the burden of the collection of information; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; (d) Ways to minimize the burden of the collection 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.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2021-12332 Filed 6-11-21; 8:45 am]

BILLING CODE 4810-33-P

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