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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2021–0191; Project Identifier AD–2020–01492–E; Amendment 39–21633; AD 2021–14–06]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2019–21–11 and AD 2020–07–02. AD 2019–21–11 applied to all Pratt & Whitney (PW) PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, PW1525G–3, PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines. AD 2020–07–02 applied to all PW PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, and PW1525G–3 model turbofan engines. AD 2019–21–11 required initial and repetitive borescope inspections (BSIs) of the low-pressure compressor (LPC) rotor 1 (R1) and, depending on the results of the inspections, replacement of the LPC. AD 2020–07–02 required the removal from service of certain electronic engine control (EEC) full authority digital electronic control (FADEC) software and the installation of a software version eligible for installation. This AD continues to require repetitive BSIs of certain LPC R1s until replacement of EEC FADEC software with the updated software. This AD also requires a BSI after installation of the updated EEC FADEC software if certain Onboard Maintenance Message fault codes are displayed and meet specified criteria. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 12, 2021.

ADDRESSES: For service information identified in this final rule, contact Pratt & Whitney, 400 Main Street, East Hartford, CT 06118; phone: (800) 565–0140; email: *help24@pw.utc.com;* website: *http://fleetcare.pw.utc.com.* You may view this service information at the Airworthiness Products Section, FAA, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238–7759. It is also available at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2021–0191.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2021–0191; 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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Nicholas Paine, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7116; fax: (781) 238–7199; email: *nicholas.j.paine@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2019–21–11, Amendment 39–19777 (84 FR 57813, October 29, 2019), (AD 2019–21–11) and AD 2020–07–02, Amendment 39–21106 (85 FR 17742, March 31, 2020), (AD 2020–07–02). AD 2019–21–11 applied to certain PW PW1519G, PW1521G, PW1521GA, PW1524G, PW1525G, PW1521G–3, PW1524G–3, PW1525G–3, PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines. AD 2020–07–02 applied to all PW PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G33, PW1525G, and PW1525G33 model turbofan engines.

The NPRM published in the **Federal Register** on March 26, 2021 (86 FR 16137). The NPRM was prompted by reports of in-flight shutdowns due to failure of the LPC R1 and by subsequent findings of cracked LPC R1s during inspection. Additionally, the manufacturer performed further root cause analysis of the LPC R1 failures and determined the need to update the EEC FADEC software to automate rotor speed management and limit the maximum climb and maximum continuous thrust ratings. In the NPRM, the FAA proposed to retain certain requirements of AD 2019–21–11 and none of the requirements of AD 2020–07–02. In the NPRM, the FAA proposed to continue to require a BSI of certain LPC R1s for damage and cracks and, depending on the results of the BSI, replacement of the LPC R1. In the NPRM, the FAA proposed to continue to require repetitive BSIs of certain LPC R1s until replacement of the EEC FADEC software with the updated software. In the NPRM, the FAA also proposed to require a BSI of the LPC R1 after installation of the updated EEC FADEC software if certain Onboard Maintenance Message fault codes are displayed and meet specified criteria.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from two commenters. The commenters were Air Line Pilots Association, International (ALPA) and Delta Air Lines, Inc. (DAL). ALPA supported the proposal without change. DAL supported the proposal but recommended certain changes. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Correct the Effective Date of AD 2019–19–11

DAL requested that the FAA correct the reference to the effective date of AD 2019–19–11, in paragraph (g)(1)(i) of this AD from October 29, 2019, to September 26, 2019 (the effective date of AD 2019–19–11).

The FAA agrees and has revised paragraph (g)(1)(i) of this AD as requested. This change adds no additional burden on any operator who is required to comply with this AD.

Request To Allow Use of Later Revisions of Service Information

DAL requested that the FAA add the phrase ''or later'' after PW Section PW1000G–A–72–00–00–02A–0B5A–A of PW Engine Maintenance Manual (EMM), Issue No. 016, dated January 15, 2021, and PW Section PW1000G–A–72–31–00–00A–312A–D of PW EMM, Issue No. 016, dated January 11, 2021, referenced in Notes 2 and 3 to paragraph (g)(6) of this AD. DAL stated that if a maintenance technician were troubleshooting Onboard Maintenance Message fault code 7100F0029 or 7100F0030, the maintenance technician would be guided to the latest issue of the publication.

The FAA disagrees to add the phrase ''or later'' to the required actions section as requested by DAL. Notes 2 and 3 to paragraph (g)(6) of this AD, which contain references to the sections of the EMM specified by DAL, provide guidance for both determining the N1 Exceedance duration and for performing the BSI. This AD does not mandate the use of specific manual revisions for purposes of compliance with the required actions.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting the AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information

The FAA reviewed Pratt & Whitney Service Bulletin (SB) PW1000G–A–72–00–0125–00A–930A–D, Issue No. 002, dated October 24, 2019; Pratt & Whitney SB PW1000G–A–72–00–0075–00B–930A–D, Issue No. 003, dated October 24, 2019; Pratt & Whitney SB PW1000G–A–73–00–0044–00A–930A–D, Issue No. 004, dated February 23, 2021; and Pratt & Whitney SB PW1000G–A–73–00–0023–00B–930A–D, Issue No. 002, dated February 22, 2021. The FAA also reviewed Section PW1000G–A–72–00–00–02A–0B5A–A of Pratt & Whitney EMM, Issue No. 016, dated January 15, 2021; and Section PW1000G–A–72–31–00–00A–312A–D of Pratt & Whitney EMM, Issue No. 016, dated January 11, 2021.

Pratt & Whitney SBs PW1000G–A–72–00–0125–00A–930A–D, Issue No. 002, dated October 24, 2019, and PW1000G–A–72–00–0075–00B–930A–D, Issue No. 003, dated October 24, 2019, describe procedures for performing initial and repetitive BSI of certain LPC R1s. Pratt & Whitney SB PW1000G–A–73–00–0044–00A–930A–D, Issue No. 004, dated February 23, 2021, describes procedures for replacing or modifying the EEC to incorporate EEC FADEC software version V2.11.10.4. Pratt & Whitney SB PW1000G–A–73–00–0023–00B–930A–D, Issue No. 002, dated February 22, 2021, describes procedures for replacing or modifying the EEC to incorporate EEC FADEC software version V9.5.6.7.

Section PW1000G–A–72–00–00–02A–0B5A–A of Pratt & Whitney EMM, Issue No. 016, dated January 15, 2021, describes procedures for inspecting the engine for possible engine damage after receiving notification of an N1 or N2 overspeed operation. Section PW1000G–A–72–31–00–00A–312A–D of Pratt & Whitney EMM, Issue No. 016, dated January 11, 2021, describes procedures for performing a BSI of the LPC.

Interim Action

The FAA considers this AD to be an interim action. If final corrective action is later identified, the FAA might consider additional rulemaking.

Costs of Compliance

The FAA estimates that this AD affects 94 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace EEC FADEC software	2 work-hours × $85 per hour = $170	$0	$170	$15,980
BSI per inspection cycle	2 work-hours × $85 per hour = $170	0	170	15,980

The FAA estimates the following costs to do any necessary replacements that would be required based on the results of the inspection. The agency has no way of determining the number of aircraft that might need this replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace LPC R1	40 work-hours × $85 per hour = $3,400	$156,000	$159,400
BSI of the LPC R1 if Onboard Maintenance Message fault codes are displayed.	2 work-hours × $85 per hour = $170	0	170

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

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 has determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

(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 Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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:

■ a. Removing Airworthiness Directive AD 2019–21–11, Amendment 39–19777 (84 FR 57813, October 29, 2019); and AD 2020–07–02, Amendment 39–21106 (85 FR 17742, March 31, 2020); and

■ b. Adding the following new airworthiness directive:

2021–14–06 Pratt & Whitney: Amendment 39–21633; Docket No. FAA–2021–0191; Project Identifier AD–2020–01492–E.

(a) Effective Date

This airworthiness directive (AD) is effective August 12, 2021.

(b) Affected ADs

This AD replaces AD 2019–21–11, Amendment 39–19777 (84 FR 57813, October 29, 2019); and AD 2020–07–02, Amendment 39–21106 (85 FR 17742, March 31, 2020).

(c) Applicability

This AD applies to Pratt & Whitney (PW) PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, PW1525G–3, PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section.

(e) Unsafe Condition

This AD was prompted by reports of in-flight shutdowns due to failure of the low-pressure compressor (LPC) rotor 1 (R1) and by subsequent findings of cracked LPC R1s during inspection. The FAA is issuing this AD to prevent failure of the LPC R1. The unsafe condition, if not addressed, could result in uncontained release of the LPC R1, damage to the engine, damage to the airplane, and loss of control of the airplane.

(f) Compliance

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

(g) Required Actions

(1) Except for those model turbofan engines identified in paragraph (g)(2) of this AD, perform a borescope inspection (BSI) of the LPC R1 for damage and cracks as follows:

(i) For engines that have accumulated fewer than 300 flight cycles since new (CSN), perform a BSI within 50 flight cycles (FCs) from September 26, 2019 (the effective date of AD 2019–19–11), or before further flight, whichever occurs later.

(ii) For engines that have accumulated fewer than 300 FCs since installation of V2.11.7 or V2.11.8 electronic engine control (EEC) full authority digital electronic control (FADEC) software, perform a BSI within 50 FCs from October 29, 2019 (the effective date of AD 2019–21–11), or before further flight, whichever occurs later.

(iii) Thereafter, at intervals not to exceed 50 FCs until the engine accumulates 300 flight CSN or accumulates 300 FCs since the installation of V2.11.7 or V2.11.8 EEC FADEC software, whichever occurs later, repeat the BSI for damage and cracks.

(iv) Perform the BSI required by paragraphs (g)(1)(i) through (iii) of this AD at the following LPC R1 locations:

(A) The blade tip;

(B) The leading edge;

(C) The leading edge fillet to rotor platform radius; and

(D) The airfoil convex side root fillet to rotor platform radius.

(2) For any affected PW model turbofan engine installed as a ''zero time spare,'' except for PW1519G, PW1521GA, PW1919G, and PW1922G model turbofan engines, within 15 FCs from the effective date of this AD, and thereafter at intervals not to exceed 15 FCs until the engine accumulates 300 flight CSN, perform a BSI of the LPC R1 for damage and cracks at the locations in paragraph (g)(1)(iv) of this AD.

(3) Based on the results of the BSIs required by paragraphs (g)(1) and (2) of this AD, before further flight, remove and replace the LPC R1 if:

(i) There is damage on an LPC R1 that exceeds serviceable limits; or

(ii) Any crack in the LPC R1 exists.

Note 1 to paragraph (g)(3): Guidance on determining the serviceable limits in paragraph (g)(3) of this AD can be found in PW Service Bulletin (SB) PW1000G–A–72–00–0125–00A–930A–D, Issue No. 002, dated October 24, 2019, and PW SB PW1000G–A–72–00–0075–00B–930A–D, Issue No. 003, dated October 24, 2019.

(4) For PW PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, and PW1525G–3 model turbofan engines, within 120 days from the effective date of this AD, remove the EEC FADEC software if the version is earlier than EEC FADEC software version V2.11.10.4 and install EEC FADEC software that is eligible for installation.

(5) For PW PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines, within 120 days of the effective date of this AD, remove the EEC FADEC software if the version is earlier than EEC FADEC software version V9.5.6.7 and install EEC FADEC software that is eligible for installation.

(6) For PW PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, and PW1525G–3 model turbofan engines with EEC FADEC software version V2.11.10.4 or later installed, within 15 FCs after receipt of Onboard Maintenance Message fault code 7100F0029 or 7100F0030, perform a BSI of the LPC R1 for damage and cracks at the locations in paragraph (g)(1)(iv) of this AD if the fault code is displayed on the ''Active Failure Messages'' and meets the following criteria:

(i) N1 Exceedance is above 95.2%;

(ii) N1 Exceedance occurred above 29,100 feet; and

(iii) N1 Exceedance occurs for a duration of 40 seconds (15 seconds of cockpit display) or more during any flight.

Note 2 to paragraph (g)(6): Guidance on determining the N1 Exceedance duration can be found in PW Section PW1000G–A–72–00–00–02A–0B5A–A of PW Engine Maintenance Manual (EMM), Issue No. 016, dated January 15, 2021.

Note 3 to paragraph (g)(6): Guidance on performing the BSI can be found in PW Section PW1000G–A–72–31–00–00A–312A–D of PW EMM, Issue No. 016, dated January 11, 2021.

(7) As the result of the BSI of the LPC R1 required by paragraph (g)(6) of this AD, before further flight, remove and replace the LPC R1 if:

(i) There is damage on an LPC R1 that exceeds serviceable limits; or

(ii) Any crack in the LPC R1 exists.

(h) Terminating Actions

(1) For PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, and PW1525G–3 model turbofan engines, the installation of EEC FADEC software required by paragraph (g)(4) of this AD terminates the repetitive BSI requirements of paragraphs (g)(1) and (2) of this AD.

(2) For PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines, the installation of EEC FADEC software required by paragraph (g)(5) of this AD terminates the repetitive BSI requirements of paragraphs (g)(1) and (2) of this AD.

(i) Installation Prohibition

After the effective date of this AD, do not install EEC FADEC software earlier than version V2.11.10.4 or version V9.5.6.7 onto any engine identified in paragraph (c) of this AD.

(j) Definitions

(1) For the purpose of this AD, a ''zero time spare'' is an engine that had zero flight hours time-in-service when it was installed on an airplane after the airplane had entered service.

(2) For the purpose of this AD, ''EEC FADEC software that is eligible for installation'' is EEC FADEC software version V2.11.10.4 or later for PW1519G, PW1521G, PW1521G–3, PW1521GA, PW1524G, PW1524G–3, PW1525G, PW1525G–3 model turbofan engines and EEC FADEC software version V9.5.6.7 or later for PW1919G, PW1921G, PW1922G, PW1923G, and PW1923G–A model turbofan engines.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO 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 certification office, send it to the attention of the person identified in Related Information. You may email your request to *ANE-AD-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.

(3) AMOCs approved for AD 2019–21–11 (84 FR 57813, October 29, 2019) are approved as AMOCs for the corresponding provisions of this AD except for paragraphs (g)(1)(i) through (iv) and (g)(3)(i) and (ii) of this AD.

(l) Related Information

For more information about this AD, contact Nicholas Paine, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7116; fax: (781) 238–7199; email: *nicholas.j.paine@faa.gov.*

(m) Material Incorporated by Reference

None.

Issued on June 23, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–13873 Filed 7–7–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2020–1174; Project Identifier MCAI–2019–00135–E; Amendment 39–21594; AD 2021–12–07]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce Deutschland GmbH, Formerly BMW Rolls-Royce GmbH) Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700–710A1–10, BR700–710A2–20 and BR700–710C4–11 model turbofan engines. This AD was prompted by an investigation by RRD, which revealed a quality escape during the high-pressure turbine (HPT) stage 1 disk rim cooling air hole manufacturing process. This AD requires removing affected HPT disks from service prior to reaching specified compliance times or at the next engine shop visit, whichever occurs first. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 12, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 12, 2021.

ADDRESSES: For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz 15827, Germany; phone: +49 33 7086 4040; email: *rrd.techhelp@rolls-royce.com.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238–7759. It is also available at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–1174.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–1174; 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 final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Wego Wang, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7134; fax: (781) 238–7199; email: *wego.wang@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain RRD BR700–710A1–10, BR700–710A2–20 and BR700–710C4–11 model turbofan engines. The NPRM published in the **Federal Register** on January 21, 2021 (86 FR 6271). The NPRM was prompted by an investigation by RRD, which revealed a quality escape during the HPT stage 1 disk rim cooling air hole manufacturing process. In the NPRM, the FAA proposed to require removing affected HPT disks from service prior to reaching specified compliance times or at the next engine shop visit, whichever occurs first. The FAA is issuing this AD to address the unsafe condition on these products.

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2019–0299, dated December 10, 2019 (referred to after this as ''the MCAI''), to address the unsafe condition on these products. The MCAI states:

> An occurrence was reported of an HPT stage 1 disc burst on an industrial gas turbine engine. Subsequent investigation revealed a quality escape during HPT stage 1 disc rim cooling air hole manufacturing process. A review revealed that 28 HPT stage 1 discs were subject to a similar quality escape, two of which have been recovered and removed from service. The consequence of this manufacturing error is that the affected parts can no longer safely reach their Declared Safe Cyclic Life (DSCL).
>
> This condition, if not corrected, may lead to failure of an affected part, possibly resulting in release of high-energy debris, with consequent damage to, and/or reduced control of, the aeroplane. To address this potentially unsafe condition, RRD issued the NMSB, providing instructions to remove the engine from service for in-shop replacement of the affected part.
>
> For the reasons described above, this [EASA] AD reduces the DSCL for the affected

parts, requires identification of the affected parts and removal from service of each affected engine for replacement of the affected part. This [EASA] AD also prohibits (re)installation of affected parts.

You may obtain further information by examining the MCAI in the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–1174.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from two commenters. The commenters were the Air Line Pilots Association, International (ALPA) and an anonymous commenter. ALPA supported the NPRM without change. The anonymous commenter supported the NPRM but stated their opinion on the estimated costs.

Request for Rolls-Royce To Share Replacement Part Cost

An anonymous commenter indicated that Rolls-Royce could share the cost of new HPT disks since it was their manufacturing process that caused the defects in the HPT disks.

The FAA does not determine who pays for the costs of an AD. The Estimated Costs paragraph indicates that, according to the manufacturer, all of the costs of this AD may be covered under a manufacturer warranty, thereby reducing the cost impact on affected operators.

Conclusion

The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Rolls-Royce Alert Non-Modification Service Bulletin (NMSB) SB–BR700–72–A900659, Revision 1, dated November 5, 2019 (the NMSB). The Alert NMSB provides the part numbers and serial numbers for affected HPT disks, the serial numbers for all engines with an affected HPT disk installed, and instructions for replacement of the affected HPT disk. 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 **ADDRESSES**.

Costs of Compliance

The FAA estimates that this AD affects 21 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace HPT disk	20 work-hours × $85 per hour = $1,700	$550,000	$551,700	$11,585,700

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, all of the costs of this 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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 AD:

(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.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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:

2021–12–07 Rolls-Royce Deutschland Ltd & Co KG (Type Certificate previously held by Rolls-Royce Deutschland GmbH, formerly BMW Rolls-Royce GmbH): Amendment 39–21594; Docket No. FAA–2020–1174; Project Identifier MCAI–2019–00135–E.

(a) Effective Date

This AD is effective August 12, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Rolls-Royce Deutschland Ltd & Co KG (RRD) (Type Certificate previously held by Rolls-Royce Deutschland GmbH, formerly BMW Rolls-Royce GmbH) BR700–710A1–10, BR700–710A2–20 and BR700–710C4–11 model turbofan engines with a high-pressure turbine (HPT) stage 1 disk having a part number and serial number listed in Planning Information, paragraph 1.A., of Rolls-Royce Alert Non-

Modification Service Bulletin (NMSB) SB–BR700–72–A900659, Revision 1, dated November 5, 2019, installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section.

(e) Unsafe Condition

This AD was prompted by an investigation by RRD, which revealed a quality escape during the HPT stage 1 disk rim cooling air hole manufacturing process. The FAA is issuing this AD to prevent failure of the HPT stage 1 disk. The unsafe condition, if not addressed, could result in the release of high-energy debris, damage to the airplane, and reduced control of the airplane.

(f) Compliance

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

(g) Required Actions

Before the affected HPT stage 1 disk exceeds 2,840 flight cycles (FCs) since new, or within 60 days after the effective date of this AD, whichever occurs later, but not to exceed 8 years after the effective date of this AD if using FCs, remove the affected HPT stage 1 disk from service and replace with a part eligible for installation. Guidance on replacing the HPT stage 1 disk can be found in the Accomplishment Instructions, paragraph 3.B., of Rolls-Royce Alert Non-Modification Service Bulletin (NMSB) SB–BR700–72–A900659, Revision 1, dated November 5, 2019.

(h) Installation Prohibition

After the effective date of this AD, do not install any affected HPT stage 1 disk onto any engine.

(i) Definition

For the purpose of this AD, a ''part eligible for installation'' is an HPT stage 1 disk that is not listed in paragraph 1.A. of Rolls-Royce Alert NMSB SB–BR700–72–A900659, Revision 1, dated November 5, 2019.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO 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 certification office, send it to the attention of the person identified in Related Information. You may email your request to: *ANE-AD-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.

(k) Related Information

(1) For more information about this AD, contact Wego Wang, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7134; fax: (781) 238–7199; email: *wego.wang@faa.gov.*

(2) Refer to European Union Aviation Safety Agency (EASA) AD 2019–0299, dated December 10, 2019, for more information. You may examine the EASA AD in the AD docket on at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–1174.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Rolls-Royce Alert Non-Modification Service Bulletin SB–BR700–72–A900659, Revision 1, dated November 5, 2019.

(ii) [Reserved]

(3) For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz 15827, Germany; phone: +49 33 7086 4040; email: *rrd.techhelp@rolls-royce.com.*

(4) You may view this service information at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238–7759.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: *fedreg.legal@nara.gov,* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on June 14, 2021.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–14481 Filed 7–7–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0296]

Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce certain safety zones located in the Federal regulations for Annual Events in the Captain of the Port Sault Sainte Marie. This action is necessary and intended to protect the safety of life and property on navigable waters prior to, during, and immediately after these events. During each enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Sault Sainte Marie or a designated representative.

DATES: The regulations in 33 CFR 165.918 as listed in Table 165.918 will be enforced for the events and times as stated in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: If you have questions about this publication, call or email LT Deaven Palenzuela, Waterways Management division, 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; Annual Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.918 for the following events:

i. *Elk Rapids Harbor Days Fireworks; Elk Rapids, MI:* The safety zone listed in Table 165.918(20) will be enforced on August 7, 2021, from 10 p.m. through 10:30 p.m. on all U.S. navigable waters within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located on a barge in position 44°54′6.95″ N, 85°25′3.11″ W.

ii. *Nautical City Fireworks, Rogers City:* The safety zone listed in Table 165.918(21) will be enforced on August 8, 2021, from 10 p.m. through 10:30 p.m. on all U.S. navigable waters within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located near Harbor View Road in position 45°25′04.72″ N, 83°47′51.21″ W.

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.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within these safety zones during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or their designated representative; designation need not be in writing. Those seeking permission to enter these safety zones may request permission from the Captain of the Port Buffalo via channel 16, VHF–FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of

the Captain of the Port Buffalo or their designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

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 30, 2021.

A.R. Jones,

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

[FR Doc. 2021–14453 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0419]

RIN 1625–AA00

Safety Zone; Charlevoix Venetian Festival Air Show, Lake Charlevoix, MI, Sector Sault Ste. Marie Captain of the Port Zone; Correction

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Temporary final rule; correction.

SUMMARY: The Coast Guard published a document in the **Federal Register** on June 17, 2021, concerning a safety zone intended to restrict vessels from certain portions of Lake Charlevoix, MI, during air show activities on July 23, 2021. The document contained incorrect starting and ending times in the description of the effective date.

DATES: This correction is effective July 23, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions on this correction, call or email LT Deaven Palenzuela, Sector Sault Ste. Marie Waterways Management Division, U.S. Coast Guard; telephone 906–635–3223, email *ssmprevention@uscg.mil*.

SUPPLEMENTARY INFORMATION: The document published on June 17, 2021, at 86 FR 32219, contained incorrect starting and ending times in the **DATES** section and § 165.T09–0419(b) which had the safety zone beginning at 9:45 p.m. and ending at 10 p.m. The safety zone needs to begin at 8:45 p.m. and end at 11 p.m. in order to protect personnel, vessels, and the marine environment from potential hazards created by the air show.

Correction

In the **Federal Register** of June 17, 2021, in FR Doc. 2021–12729, beginning on page 32219, the following corrections are made:

1. On page 32219, in the second column, the **DATES** section is corrected to read ''This rule is effective from 8:45 p.m. on July 23, 2021, through 11 p.m. on July 23, 2021.''

§ 165.T09–0419 [Corrected]

■ 2. On page 32221, in the first column, the first sentence of § 165.T09–0419(b) is corrected to read ''This section will be enforced from 8:45 p.m. through 11 p.m. on July 23, 2021.''

Dated: July 1, 2021.

A.R. Jones,

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

[FR Doc. 2021–14536 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0498]

Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie Zone, Festivals of Fireworks Celebration, St. Ignace, MI

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the Festivals of Fireworks Celebration Fireworks in St. Ignace, MI. This action is necessary to provide for safety on navigable waterways and intended to protect life and property from the navigational hazards associated with a fireworks display. During the enforcement periods, vessels must stay out of the established safety zone and may only enter with permission the Captain of the Port Sault Sainte Marie or a designated representative.

DATES: The regulation listed in 33 CFR 165.918, Table 165.918(4), will be enforced from 9:30 p.m. through 10:30 p.m. on September 4, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions about this publication, call or email LT Deaven Palenzuela, Waterways Management division, 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 a safety zone for the Festivals of Fireworks Celebration Fireworks in St. Ignace, MI as listed in 33 CFR 165.918, Table 165.918(4), from 9:30 p.m. through 10:30 p.m. on September 4, 2021, on all U.S. navigable waters of East Moran Bay within an approximate 1,000-foot radius from the fireworks launch site at the end of the Starline Mill Slip, centered in position: 45°52′24.62″ N, 084°43′18.13″ W. Pursuant to 33 CFR 165.23 and 165.918, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Sault Sainte Marie or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of Port Sault Sainte Marie via channel 16, VHF–FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Sault Sainte Marie or a designated representative.

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 30, 2021.

A.R. Jones,

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

[FR Doc. 2021–14454 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2021–0514]

RIN 1625–AA87

Security Zone; Surfside Building Collapse, Surfside, FL

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary security zone for certain navigable waters of the Atlantic Ocean near the town of Surfside, Florida. The security zone will cover all navigable waters from approximately one-half nautical mile north and south of the Champlain Towers South (accident site) and 500 yards offshore. This action is necessary to prevent vessels from approaching and possibly interefering with search and rescue operations at the Champlain Towers South in Surfside, FL. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Miami or a designated representative.

DATES: This rule is effective without actual notice from July 8, 2021 through August 31, 2021. For the purposes of enforcement, actual notice will be used from July 1, 2021, until July 8, 2021.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2021–0514 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Omar Beceiro, Waterways Management Division, U.S. Coast Guard; telephone: (305) 535–4317, email: *Omar.Beceiro@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because local authorities asked the Coast Guard to establish the security zone within 24 hours of the request. A delay in promulgating this rule would be impracticable because a security zone is required by July 1, 2021, to prevent vessels from approaching and possibly interefering with search and rescue operations at the Champlain Towers South in Surfside, FL. It would be contrary to public interest to postpone establishing the temporary security zone.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to prevent interference of rescue operations at the Champlain Towers.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The COTP Miami has determined the potential interference of search and rescue operations at the Champlain Towers will be a concern for rescue personnel. This security zone is necessary to protect rescue operations, personnel, and surrounding waterways adjacent to the accident site in Surfside, Florida.

IV. Discussion of the Rule

This rule establishes a security zone from 7:00 p.m. on July 1, 2021, through 11:59 p.m. on August 31, 2021. The security zone will cover all navigable waters from approximately one-half nautical mile north and south of the Champlain Towers South (accident site) and 500 yards offshore. The duration of the zone is intended to protect personnel during search and rescue operations at the Champlain Towers. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP Miami or a designated representative.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the size and location of the security zone. The security zone is limited in size and location as it will cover all navigable waters from approximately one-half nautical mile north and south of the Champlain Towers South (accident site) and 500 yards offshore. Although persons and vessels will not be able to enter, transit through, anchor in, or remain within the security zone without authorization from the Captain of the Port Miami or a designated representative, they may operate in the surrounding area during the enforcement period. Furthermore, the rule will allow vessels to seek permission to enter the zone. Persons and vessels may still enter, transit through, anchor in, or remain within the security zone during the enforcement period if authorized by the Captain of the Port Miami or a designated representative. The Coast Guard will provide advance notification of the security zone via a Broadcast Notice to Mariners, allowing mariners to make alternative plans or seek permission to transit the zone.

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 rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a temporary security zone lasting approximately 60 days that will prohibit entry of persons or vessls during search and rescue operations at the Champlain Towers in Surfside, Florida. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

A Drfat 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.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 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. Add § 165.T07–0514 to read as follows:

§ 165.T07–0514 Security Zone; Surfside Building Collapse, Surfside, FL.

(a) *Locations.* The temporary security zone is all waters of the Atlanic Ocean within the following points: Beginning at Point 1 in position 25°52′54″ N, 80°7′13″ W; thence east to Point 2 in position 25°52′54″ N, 80°6′56″ W; thence south to Point 3 in position 25°51′52″ N, 80°6′52″ W; thence west to Point 4 in position 25°51′52″N, 80°7′8″ W; thence back to origin at Point 1. The points are in North American Datum of 1983 (NAD 83).

(b) *Definition.* The term ''designated representative'' means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Miami in the enforcement of the security zone.

(c) *Regulations.* (1) No person or vessel will be permitted to enter, transit, anchor, or remain within the security zone unless authorized by the COTP Miami or a designated representative. If authorization is granted, persons and/or vessels receiving such authorization must comply with the instructions of the COTP Miami or designated representative.

(2) Persons who must notify or request authorization from the COTP may do so by telephone at (305) 535–4313, or may contact a designated representative via VHF radio on channel 16.

(d) *Enforcement period.* This section will be enforced from 7:00 p.m. on July 1, 2021, through 11:59 p.m. on August 31, 2021.

Dated: July 1, 2021.

J.F. Burdian,

Captain, U.S. Coast Guard, Captain of the Port Miami.

[FR Doc. 2021–14574 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0499]

Safety Zones; Annual Events in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone located in Federal regulations for a recurring marine event. This action is necessary and intended for the safety of life and property on navigable waters during this event. During the enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo or a designated representative.

DATES: The regulations listed in 33 CFR 165.939 as listed in Table 165.939(a)(7) will be enforced from 8:15 a.m. through 1:15 p.m. on July 24, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email MST2 Natalie Smith, Waterways Management Division, U.S. Coast Guard Marine Safety Unit Cleveland; telephone 216–937–6004, email *D09-SMB-MSUCLEVELAND-WWM@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Safety Zones; Annual Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.939, Table 165.939(a)(7), for Blazing Paddles in Cleveland, OH, on all waters of the Cuyahoga River in Cleveland, OH, beginning at position 41°29′36″ N, 081°42′13″ W to the turnaround point at position 41°27′53″ N, 081°40′38″ W. The safety zone will be enforced from 8:15 a.m. through 1:15 p.m. on July 24, 2021. Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of Port Buffalo via channel 16, VHF–FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 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 Buffalo determines that the safety zone need not be enforced for the full duration stated in this notification she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

L.M. Littlejohn,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. 2021–14543 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF EDUCATION

34 CFR Part 686

[Docket ID ED–2019–OPE–0081]

RIN 1840–AD44

Teacher Education Assistance for College and Higher Education (TEACH) Grant Program

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Announcement of implementation of certain sections of the TEACH Grant program final regulations.

SUMMARY: The Secretary announces the Department of Education's (Department) implementation of certain sections of the TEACH Grant program final regulations.

DATES: See the **SUPPLEMENTARY INFORMATION** section of this document for information about implementation dates.

FOR FURTHER INFORMATION CONTACT: For further information contact Sophia McArdle, Ph.D. at (202) 453–6318 or by email at: *sophia.mcardle@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

The Department published final regulations for the TEACH Grant program in the **Federal Register** on August 14, 2020 (85 FR 49798), and provided that the final regulations would be effective July 1, 2021. Pursuant to section 482(c) of the Higher Education Act of 1965, as amended (HEA), the Department designated the changes to 34 CFR part 686 for early implementation beginning on August 14, 2020, at the discretion of each institution or agency, as appropriate. The Department further indicated that it would implement the regulations as soon as possible after the implementation date and would publish a separate notification announcing the timing of the implementation. Otherwise, the final regulations would be effective July 1, 2021.

Implementation

Pursuant to the final regulations, the Department announces that as of July 1, 2021, the following are available to implement the changes to 34 CFR part 686:

Forms:

- Updated Agreement to Serve or Repay
- TEACH Grant Certification of Qualifying Teaching
- TEACH Grant Service Obligation Suspension Request: Enrollment in a Qualifying Program or Completing Teacher Licensure Requirements
- TEACH Grant Service Obligation Suspension Request: Family and Medical Leave Act (FMLA) Condition
- TEACH Grant Service Obligation Suspension Request: Military Spouse
- TEACH Grant Service Obligation Suspension Request: Residing or Being Employed in a Federally Declared Major Disaster Area
- TEACH Grant Service Obligation Suspension/Discharge Request: Military Service

Notices:

- An annual notice to TEACH Grant recipients provided by the Secretary that contains the information required in § 686.43(a)(2)
- A notice of the date by which a TEACH Grant recipient must submit documentation showing that the recipient is satisfying the obligation on or about 90 days before the date that a grant recipient's TEACH Grants would be converted to Direct Unsubsidized Loans
- A notice to a TEACH Grant recipient of a conversion of a TEACH Grant to a Direct Unsubsidized Loan

Counseling materials

- Updated online initial, subsequent, and exit counseling
- Conversion counseling

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.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov*. At this site, you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov*. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Michelle Asha Cooper,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 2021–14359 Filed 7–7–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 155

[CMS–9914–CN]

RIN 0938–AU18

Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards; Correction

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health & Human Services (HHS).

ACTION: Final rule; correction.

SUMMARY: This document corrects technical errors in the final rule that appeared in the May 5, 2021, **Federal Register** entitled, ''Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards''.

DATES: This correction is effective on July 6, 2021.

FOR FURTHER INFORMATION CONTACT: Jeff Wu, (301) 492–4305, Rogelyn McLean, (301) 492–4229, Grace Bristol, (410) 786–8437, Kiahana Brooks, (301) 492–5229, or Sara Rosta, (301) 492–4223 for general information.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2021–09102 of May 5, 2021, the Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards final rule (86 FR 24140), there were technical errors that are identified and corrected in the regulation text of this correcting document. The correction is effective on July 6, 2021, as this is the date that the relevant regulations contained in the Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards final rule take effect.

II. Summary of Error in the Regulation Text

On page 24289 of the Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards final rule, we made technical errors in amendatory instructions 27b and d for § 155.221. In these amendatory instructions, we inadvertently noted that we were: (1) Redesignating paragraphs (c) through (h) as paragraphs (d) through (i), respectively; and (2) amending newly redesignated paragraphs (g) introductory text, (g)(6) and (7), and (h) by removing the reference to ''paragraph (e)'' and adding in its place a reference to ''paragraph (f)''. These amendatory instructions were duplicative of amendatory instructions 6a and c of the final rule that appeared in the January 19, 2021 **Federal Register**, entitled ''Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022; Updates to State Innovation Waiver (Section 1332 Waiver) Implementing Regulations'' (86 FR 6176). Therefore, in addition to amendatory instruction 27a, we should have only included the addition of paragraph (c) for changes to § 155.221 in the Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards final rule. Accordingly, we are revising amendatory instruction 27b to accurately reflect the addition of paragraph (c) and removing amendatory instructions 27c and d.

III. Waiver of Proposed Rulemaking and Delay in Effective Date

Under 5 U.S.C. 553(b) of the Administrative Procedure Act (the APA), the agency is required to publish a notice of the proposed rule in the **Federal Register** before the provisions of a rule take effect. In addition, section 553(d) of the APA mandates a 30-day delay in effective date after issuance or publication of a rule. Sections 553(b)(B) and 553(d)(3) of the APA provide for exceptions from the APA notice and comment, and delay in effective date requirements. Section 553(b)(B) of the APA authorizes an agency to dispense with normal notice and comment rulemaking procedures for good cause if the agency makes a finding that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and includes a statement of the finding and the reasons for it in the rule. In addition, section 553(d)(3) of the APA allows the agency to waive the 30-day delay in effective date where such delay is contrary to the public interest and the agency includes in the rule a statement of the finding and the reasons for it.

This document merely corrects technical errors in the Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2022 and Pharmacy Benefit Manager Standards final rule that was published on May 5, 2021 for amendments that become effective on July 6, 2021. The corrections do not make substantive changes to the policies or standards set forth in the final rule. Therefore, we believe that undertaking further notice and comment procedures to incorporate these corrections and delay the effective date for these changes is unnecessary. In addition, we believe that it is important for the public to have the correct information as soon as possible and believe it is contrary to the public interest to delay when they become effective. For these reasons, we believe there is good cause to waive the requirements for notice and comment and delay in effective date for this correction document.

Correction

In FR 2021–09102, appearing on page 24140 in the **Federal Register** of Wednesday, May 5, 2021, the following correction is made:

§ 155.221 [Corrected]

■ On page 24289, in the first column, the text of instruction 27 for § 155.221 is corrected to read as follows:

■ 27. Section 155.221 is amended by revising paragraphs (b)(1), (3), and (4)

and adding paragraph (c) to read as follows:

Karuna Seshasai,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2021–14545 Filed 7–2–21; 4:15 pm]

BILLING CODE 4120–01–P

Proposed Rules

Federal Register
Vol. 86, No. 128
Thursday, July 8, 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 LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. OSHA–2019–0001]

RIN 1218–AC93

Hazard Communication Standard

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed rule: Extension of period to submit a notice of intent to appear (NOITA) at informal hearing.

SUMMARY: The period for submitting a NOITA is being extended by 14 days from the date of publication of this document to allow stakeholders interested in attending the informal public hearing on the proposed rule ''Hazard Communication Standard'' additional time to prepare their submissions.

DATES: NOITAs must be submitted July 22, 2021 in Docket Number OSHA–2019–0001.

Informal public hearing: OSHA has scheduled an informal public hearing on the proposed rule to be held virtually via WebEx, beginning September 21, 2021, at 10:00 a.m., ET. If necessary, the hearing will continue from 9:30 a.m. until 5:00 p.m., ET, on subsequent days. Additional information on how to access the informal hearing will be posted when available at *https://www.osha.gov/hazcom/rulemaking.*

ADDRESSES:

Notices of Intent to Appear: Notices of intent to appear at the hearing, along with any submissions and attachments, should be submitted electronically at *https://www.regulations.gov,* which is the Federal e-Rulemaking Portal. Follow the instructions online for making electronic submissions. After accessing ''all documents and comments'' in the docket (Docket No. OSHA–2019–0001), check the ''proposed rule'' box in the column headed ''Document Type,'' find the document posted on the date of publication of this document, and click the ''Comment Now'' link. When uploading multiple attachments to *www.regulations.gov,* please number all of your attachments because *www.regulations.gov* will not automatically number the attachments. This will be very useful in identifying all attachments in the preamble. For example, Attachment 1—title of your document, Attachment 2—title of your document, Attachment 3—title of your document. For assistance with commenting and uploading documents, please see the Frequently Asked Questions on *regulations.gov.*

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2019–0001). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments, notices of intent to appear, and other materials submitted in the docket, go to Docket No. OSHA–2019–0001 at *https://www.regulations.gov.* All comments and submissions are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through that website. All comments and submissions, including copyrighted material, are available for inspection through the OSHA Docket Office.[1] Contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627) for information about materials not available through the website, and for assistance in using the internet to locate docket submissions.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Contact Frank Meilinger, Director, Office of Communications, Occupational Safety and Health Administration, U.S. Department of Labor; telephone (202) 693–1999; email: *meilinger.francis2@dol.gov.*

For general information and technical inquiries: Contact Maureen Ruskin, Deputy Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor; telephone (202) 693–1873; email: *ruskin.maureen@dol.gov.*

For hearing inquiries: Contact Janet Carter, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor; telephone (202) 693–2370; email: *carter.janet@dol.gov.*

SUPPLEMENTARY INFORMATION: On February 16, 2021, OSHA published a Notice of Proposed Rulemaking (NPRM) to modify the Hazard Communication Standard (HCS) to align with the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Revision 7, to address specific issues that have arisen since OSHA last updated the HCS in 2012, and to provide better alignment with other U.S. agencies and international trading partners, without lowering the overall protections of the standard. The public comment period for this NPRM closed May 19, 2021, 92 days after publication of the NPRM.

On May 20, 2021, OSHA issued a notice of informal hearing on the proposed rule. The deadline to submit a NOITA was June 18, 2021. However, OSHA has received a request to extend the period due, in part, to pandemic-related activities. OSHA agrees to an extension and believes a 14-day extension is sufficient and appropriate. Therefore, the deadline for submitting a NOITA is extended to July 22, 2021.

Notice of Intent To Appear at the Hearing

Interested persons who intend to participate in and provide oral testimony or documentary evidence at the hearing must file a written notice of intent to appear prior to the hearing. To testify or question witnesses at the hearing, interested persons must electronically submit their notice by July 22, 2021. The notice must provide the following information:

[1] Documents submitted to the docket by OSHA or stakeholders are assigned document identification numbers (Document ID) for easy identification and retrieval. The full Document ID is the docket number plus a unique four-digit code. OSHA is identifying supporting information in this document by author name, publication year, and the last four digits of the Document ID.

○ Name, address, email address, and telephone number of each individual who will give oral testimony;

○ Name of the establishment or organization each individual represents, if any;

○ Occupational title and position of each individual testifying;

○ Approximate amount of time required for each individual's testimony;

○ A brief statement of the position each individual will take with respect to the issues raised by the proposed rule; and

○ A brief summary of documentary evidence each individual intends to present.

○ Individuals who request more than 10 minutes to present their oral testimony at the hearing or who will submit documentary evidence at the hearing must submit the full text of their testimony and all documentary evidence no later than August 21, 2021.

The agency will review each submission and determine if the information it contains warrants the amount of time the individual requested for the presentation. If OSHA believes the requested time is excessive, the agency will allocate an appropriate amount of time for the presentation. The agency also may limit to 10 minutes the presentation of any participant who fails to comply substantially with these procedural requirements, and may request that the participant return for questioning at a later time. Before the hearing, OSHA will notify participants of the time the agency will allow for their presentation and, if less than requested, the reasons for its decision. In addition, before the hearing, OSHA will provide the hearing procedures and hearing schedule to each participant who filed a notice of intention to appear. OSHA emphasizes that the hearing is open to the public; however, only individuals who file a notice of intention to appear may question witnesses and participate fully at the hearing. If time permits, and at the discretion of the ALJ, an individual who did not file a notice of intention to appear may be allowed to testify at the hearing, but for no more than 10 minutes.

Authority and Signature

This document was prepared under the direction of James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. It is issued under the authority of sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); 5 U.S.C. 553; section 304, Clean Air Act Amendments of 1990 (Pub. L. 101–549, reprinted at 29 U.S.C.A. 655 Note); section 41, Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941); section 107, Contract Work Hours and Safety Standards Act (40 U.S.C. 3704); section 1031, Housing and Community Development Act of 1992 (42 U.S.C. 4853); section 126, Superfund Amendments and Reauthorization Act of 1986, as amended (reprinted at 29 U.S.C.A. 655 Note); Secretary of Labor's Order No. 8–2020 (85 FR 58383–94); and 29 CFR part 1911.

Signed at Washington, DC, on June 30, 2021.

James S. Frederick,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021–14463 Filed 7–7–21; 8:45 am]

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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.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Adoption of Recommendations

AGENCY: Administrative Conference of the United States.

ACTION: Notice.

SUMMARY: The Administrative Conference of the United States adopted four recommendations at its virtual Seventy-fourth Plenary Session. The appended recommendations are: (a) Managing Mass, Computer-Generated, and Falsely Attributed Comments; (b) Periodic Retrospective Review; (c) Early Input on Regulatory Alternatives; and (d) Virtual Hearings in Agency Adjudication. A fifth proposed recommendation, Clarifying Access to Judicial Review of Agency Action was considered but was remanded to the Committee on Judicial Review for further consideration.

FOR FURTHER INFORMATION CONTACT: For Recommendation 2021–1, Danielle Schulkin; for Recommendation 2021–2, Gavin Young; for Recommendation 2021–3, Mark Thomson; and for Recommendation 2021–4, Jeremy Graboyes. For each of these actions the address and telephone number are: Administrative Conference of the United States, Suite 706 South, 1120 20th Street NW, Washington, DC 20036; Telephone 202–480–2080.

SUPPLEMENTARY INFORMATION: The Administrative Conference Act, 5 U.S.C. 591–596, established the Administrative Conference of the United States. The Conference studies the efficiency, adequacy, and fairness of the administrative procedures used by Federal agencies and makes recommendations to agencies, the President, Congress, and the Judicial Conference of the United States for procedural improvements (5 U.S.C. 594(1)). For further information about the Conference and its activities, see *www.acus.gov*. At its virtual Seventy-fourth Plenary Session on June 17, 2021, the Assembly of the Conference adopted four recommendations.

Recommendation 2021–1, *Managing Mass, Computer-Generated, and Falsely Attributed Comments*. This recommendation offers agencies best practices for managing mass, computer-generated, and falsely attributed comments in agency rulemakings. It provides guidance for agencies on using technology to process such comments in the most efficient way possible while ensuring that the rulemaking process is transparent to prospective commenters and the public more broadly.

Recommendation 2021–2, *Periodic Retrospective Review*. This recommendation offers practical suggestions to agencies about how to establish periodic retrospective review plans. It provides guidance for agencies on identifying regulations for review, determining the optimal frequency of review, soliciting public feedback to enhance their review efforts, identifying staff to participate in review, and coordinating review with other agencies.

Recommendation 2021–3, *Early Input on Regulatory Alternatives*.This recommendation offers guidance about whether, when, and how agencies should solicit input on alternatives to rules under consideration before issuing notices of proposed rulemaking. It identifies specific, targeted measures for obtaining public input on regulatory alternatives from knowledgeable persons in ways that are cost-effective and equitable and that maximize the likelihood of obtaining diverse, useful responses.

Recommendation 2021–4, *Virtual Hearings in Agency Adjudication*. This recommendation addresses the use of virtual hearings—that is, proceedings in which participants attend remotely using a personal computer or mobile device—in agency adjudications. Drawing heavily on agencies' experiences during the COVID–19 pandemic, the recommendation identifies best practices for improving existing virtual-hearing programs and establishing new ones in accord with principles of fairness and efficiency and with due regard for participant satisfaction.

The Appendix below sets forth the full texts of these four recommendations, as well as three timely filed Separate Statements associated with Recommendation 2021–1, *Managing Mass, Computer-Generated, and Falsely Attributed Comments*. The Conference will transmit the recommendations to affected agencies, Congress, and the Judicial Conference of the United States, as appropriate. The recommendations are not binding, so the entities to which they are addressed will make decisions on their implementation.

The Conference based these recommendations on research reports that are posted at: *https://www.acus.gov/meetings-and-events/plenary-meeting/74th-plenary-session-virtual*. Committee-proposed drafts of the recommendations, and public comments received in advance of the plenary session, are also available using the same link.

Dated: July 2, 2021.

Shawne C. McGibbon,

General Counsel.

Appendix—Recommendations of the Administrative Conference of the United States

Administrative Conference Recommendation 2021–1

Managing Mass, Computer-Generated, and Falsely Attributed Comments

Adopted June 17, 2021

Under the Administrative Procedure Act (APA), agencies must give members of the public notice of proposed rules and the opportunity to offer their ''data, views, or arguments'' for the agencies' consideration.[1] For each proposed rule subject to these notice-and-comment procedures, agencies create and maintain an online public rulemaking docket in which they collect and publish the comments they receive along with other publicly available information about the proposed rule.[2] Agencies must then process, read, and analyze the comments received. The APA requires agencies to consider the ''relevant matter presented'' in the comments received and to provide a ''concise general statement of [the rule's]

[1] 5 U.S.C. 553. This requirement is subject to a number of exceptions. *See id.*

[2] *See* E-Government Act 206, 44 U.S.C. 3501 note (establishing the eRulemaking Program to create an online system for conducting the notice-and-comment process); *see also* Admin. Conf. of the U.S., Recommendation 2013–4, *Administrative Record in Informal Rulemaking,* 78 FR 41358 (July 10, 2013) (distinguishing between ''the administrative record for judicial review,'' ''rulemaking record,'' and the ''public rulemaking docket'').

basis and purpose.''[3] When a rule is challenged on judicial review, courts have required agencies to demonstrate that they have considered and responded to any comment that raises a significant issue.[4] The notice-and-comment process is an important opportunity for the public to provide input on a proposed rule and the agency to ''avoid errors and make a more informed decision'' on its rulemaking.[5]

Technological advances have expanded the public's access to agencies' online rulemaking dockets and made it easier for the public to comment on proposed rules in ways that the Administrative Conference has encouraged.[6] At the same time, in recent high-profile rulemakings, members of the public have submitted comments in new ways or in numbers that can challenge agencies' current approaches to processing these comments or managing their online rulemaking dockets.

Agencies have confronted three types of comments that present distinctive management challenges: (1) Mass comments, (2) computer-generated comments, and (3) falsely attributed comments. For the purposes of this Recommendation, mass comments are comments submitted in large volumes by members of the public, including the organized submission of identical or substantively identical comments. Computer-generated comments are comments whose substantive content has been generated by computer software rather than by humans.[7] Falsely attributed comments are comments attributed to people who did not submit them.

These three types of comments, which have been the subject of recent reports by both federal[8] and state[9] authorities, can raise challenges for agencies in processing, reading, and analyzing the comments they receive in some rulemakings. If not managed well, the processing of these comments can contribute to rulemaking delays or can raise other practical or legal concerns for agencies to consider.

In addressing the three types of comments in a single recommendation, the Conference does not mean to suggest that agencies should treat these comments in the same way. Rather, the Conference is addressing these comments in the same Recommendation because, despite their differences, they can present similar or even overlapping management concerns during the rulemaking process. In some cases, agencies may also confront all three types of comments in the same rulemaking.

The challenges presented by these three types of comments are by no means identical. With mass comments, agencies may encounter processing or cataloging challenges simply as a result of the volume as well as the identical or substantively identical content of some comments they receive. Without the requisite tools, agencies may also find it difficult or time-consuming to digest or analyze the overall content of all comments they receive.

In contrast with mass comments, computer-generated comments and falsely attributed comments may mislead an agency or raise issues under the APA and other statutes. One particular problem that agencies may encounter is distinguishing computer-generated comments from comments written by humans. Computer-generated comments may also raise potential issues for agencies as a result of the APA's provision for the submission of comments by ''interested persons.''[10] Falsely attributed comments can harm people whose identities are appropriated and may create the possibility of prosecution under state or federal criminal law. False attribution may also deceive agencies or diminish the informational value of a comment, especially when the commenter claims to have situational knowledge or the identity of the commenter is otherwise relevant. The informational value that both of these types of comments provide to agencies is likely to be limited or at least different from comments that have been neither computer-generated nor falsely attributed.

This Recommendation is limited to how agencies can better manage the processing challenges associated with mass, computer-generated, and falsely attributed comments.[11] By addressing these processing challenges, the Recommendation is not intended to imply that widespread participation in the rulemaking process, including via mass comments, is problematic. Indeed, the Conference has explicitly endorsed widespread public participation on multiple occasions,[12] and this Recommendation should help agencies cast a wide net when seeking input from all individuals and groups affected by a rule. The Recommendation aims to enhance agencies' ability to process comments they receive in the most efficient way possible and to ensure that the rulemaking process is transparent to prospective commenters and the public more broadly.

Agencies can advance the goals of public participation by being transparent about their comment policies or practices and by providing educational information about public involvement in the rulemaking process.[13] Agencies' ability to process comments can also be enhanced by digital technologies. As part of its eRulemaking Program, for example, the General Services Administration (GSA) has implemented technologies on the *Regulations.gov* platform that make it easier for agencies to verify that a commenter is a human being.[14] GSA's *Regulations.gov* platform also includes an application programming interface (API)—a feature of a computer system that enables different systems to communicate with it—to facilitate mass comment submission.[15] This technology platform allows partner agencies to better manage comments from identifiable entities that submit large volumes of comments. Some federal agencies also use a tool, sometimes referred to as de-duplication software, to identify and group identical or substantively identical comments.

New software and technologies to manage public comments will likely emerge in the future, and agencies will need to keep apprised of them. Agencies might also consider adopting alternative methods for encouraging public participation that augment the notice-and-comment process, particularly to the extent that doing so ameliorates some of the management challenges described above.[16] Because

[3] 5 U.S.C. 553.

[4] *Perez* v. *Mortg. Bankers Ass'n*, 575 U.S. 92, 96 (2015) (''An agency must consider and respond to significant comments received during the period for public comment.'').

[5] *Azar* v. *Allina Health Services*, 139 S. Ct. 1804, 1816 (2019).

[6] *See* Admin. Conf. of the U.S., Recommendation 2018–7, *Public Engagement in Rulemaking,* 84 FR 2146 (Feb. 6, 2019); Admin. Conf. of the U.S., Recommendation 2013–5, *Social Media in Rulemaking,* 78 FR 76269 (Dec. 17, 2013); Admin. Conf. of the U.S., Recommendation 2011–8, *Agency Innovations in eRulemaking,* 77 FR 2264 (Jan. 17, 2012); Admin. Conf. of the U.S., Recommendation 2011–2, *Rulemaking Comments,* 76 FR 48791 (Aug. 9, 2011).

[7] The ability to automate the generation of comment content may also remove human interaction with the agency and facilitate the submission of large volumes of comments in cases in which software can repeatedly submit comments via *Regulations.gov*.

[8] *See* Permanent Subcommittee on Investigations, U.S. Senate Comm. on Homeland Security and Gov't Affairs, Staff Report, Abuses of the Federal Notice-and-Comment Rulemaking Process (2019); U.S. Gov't Accountability Off., GAO–20–413T, Selected Agencies Should Clearly Communicate How They Post Public Comments and Associated Identity Information (2020); U.S. Gov't Accountability Off., GAO–19–483, Selected Agencies Should Clearly Communicate Practices Associated with Identity Information in the Public Comment Process (2019).

[9] N.Y. State Off. of the Att'y Gen., Fake Comments: How U.S. Companies & Partisans Hack Democracy to Undermine Your Voice (2021).

[10] 5 U.S.C. 553.

[11] This Recommendation does not address what role particular types of comments should play in agency decision making or what consideration, if any, agencies should give to the number of comments in support of a particular position.

[12] *See* Recommendation 2018–7, *supra* note 6; Admin. Conf. of the U.S., Recommendation 2017–3, *Plain Language in Regulatory Drafting,* 82 FR 61728 (Dec. 29, 2017); Admin. Conf. of the U.S., Recommendation 2017–2, *Negotiated Rulemaking and Other Options for Public Engagement,* 82 FR 31040 (July 5, 2017); Admin. Conf. of the U.S., Recommendation 2014–6, *Petitions for Rulemaking,* 79 FR 75117 (Dec. 17, 2014); Recommendation 2013–5, *supra* note 6; Recommendation 2011–8, *supra* note 6; Admin. Conf. of the U.S., Recommendation 2011–7, *Federal Advisory Committee Act: Issues and Proposed Reforms,* 77 FR 2261 (Jan. 17, 2012); Recommendation 2011–2, *supra* note 6.

[13] For an example of educational information on rulemaking participation, see the ''Commenter's Checklist'' that the eRulemaking Program currently displays in a pop-up window for every rulemaking web page that offers the public the opportunity to comment. *See Commenter's Checklist,* Gen. Servs. Admin., *https://www.Regulations.gov* (last visited May 24, 2021) (navigate to any rulemaking with an open comment period; click comment button; then click ''Commenter's Checklist''). In addition, the text of this checklist appears on the project page for this Recommendation on the ACUS website.

[14] This software is distinct from identity validation technologies that force commenters to prove their identities.

[15] *See Regulations.gov API,* Gen. Servs. Admin., *https://open.gsa.gov/api/regulationsgov/* (last visited May 24, 2021).

[16] *See* Steve Balla, Reeve Bull, Bridget Dooling, Emily Hammond, Michael Herz, Michael Livermore, & Beth Simone Noveck, Mass,

technology is rapidly changing, agencies will need to stay apprised of new developments that could enhance public participation in rulemaking.

Not all agencies will encounter mass, computer-generated, or falsely attributed comments. But some agencies have confronted all three, sometimes in the same rulemaking. In offering the best practices that follow, the Conference recognizes that agency needs and resources will vary. For this reason, agencies should tailor the best practices in this Recommendation to their particular rulemaking programs and the types of comments they receive or expect to receive.

Recommendation

Managing Mass Comments

1. The General Services Administration's (GSA) eRulemaking Program should provide a common de-duplication tool for agencies to use, although GSA should allow agencies to modify the de-duplication tool to fit their needs or to use another tool, as appropriate. When agencies find it helpful to use other software tools to perform de-duplication or extract information from a large number of comments, they should use reliable and appropriate software. Such software should provide agencies with enhanced search options to identify the unique content of comments, such as the technologies used by commercial legal databases like Westlaw or LexisNexis.

2. To enable easier public navigation through online rulemaking dockets, agencies may welcome any person or entity organizing mass comments to submit comments with multiple signatures rather than separate identical or substantively identical comments.

3. Agencies may wish to consider alternative approaches to managing the display of comments online, such as by posting only a single representative example of identical comments in the online rulemaking docket or by breaking out and posting only non-identical content in the docket, taking into consideration the importance to members of the public to be able to verify that their comments were received and placed in the agency record. When agencies decide not to display all identical comments online, they should provide publicly available explanations of their actions and the criteria for verifying the receipt of individual comments or locating identical comments in the docket and for deciding what comments to display.

4. When an agency decides not to include all identical or substantively identical comments in its online rulemaking docket to improve the navigability of the docket, it should ensure that any reported total number of comments (such as in *Regulations.gov* or in the preambles to final rules) includes the number of identical or substantively identical comments. If resources permit, agencies should separately report the total number of identical or substantively identical comments they receive. Agencies should also consider providing an opportunity for interested members of the public to obtain or access all comments received.

Managing Computer-Generated Comments

5. To the extent feasible, agencies should flag any comments they have identified as computer-generated or display or store them separately from other comments. If an agency flags a comment as computer-generated, or displays or stores it separately from the online rulemaking docket, the agency should note its action in the docket. The agency may also choose to notify the submitter directly if doing so does not violate any relevant policy prohibiting direct contact with senders of ''spam'' or similar communications.

6. Agencies that operate their own commenting platforms should consider using technology that verifies that a commenter is a human being, such as reCAPTCHA or another similar identity proofing tool. The eRulemaking Program should continue to retain this functionality.

7. When publishing a final rule, agencies should note any comments on which they rely that they know are computer-generated and state whether they removed from the docket any comments they identified as computer-generated.

Managing Falsely Attributed Comments

8. Agencies should provide opportunities (including after the comment deadline) for individuals whose names or identifying information have been attached to comments they did not submit to identify such comments and to request that the comment be anonymized or removed from the online rulemaking docket.

9. If an agency flags a comment as falsely attributed or removes such a comment from the online rulemaking docket, it should note its action in the docket. Agencies may also choose to notify the purported submitter directly if doing so does not violate any agency policy.

10. If an agency relies on a comment it knows is falsely attributed, it should include an anonymized version of that comment in its online rulemaking docket. When publishing a final rule, agencies should note any comments on which they rely that are falsely attributed and should state whether they removed from the docket any falsely attributed comments.

Enhancing Agency Transparency in the Comment Process

11. Agencies should inform the public about their policies concerning the posting and use of mass, computer-generated, and falsely attributed comments. These policies should take into account the meaningfulness of the public's opportunity to participate in the rulemaking process and should balance goals such as user-friendliness, transparency, and informational completeness. In their policies, agencies may provide for exceptions in appropriate circumstances.

12. Agencies and relevant coordinating bodies (such as GSA's eRulemaking Program, the Office of Information and Regulatory Affairs, and any other governmental bodies that address common rulemaking issues) should consider providing publicly available materials that explain to prospective commenters what types of responses they anticipate would be most useful, while also welcoming any other comments that members of the public wish to submit and remaining open to learning from them. These materials could be presented in various formats—such as videos or FAQs—to reach different audiences. These materials may also include statements within the notice of proposed rulemaking for a given agency rule or on agencies' websites to explain the purpose of the comment process and explain that agencies seriously consider any relevant public comment from a person or organization.

13. To encourage the most relevant submissions, agencies that have specific questions or are aware of specific information that may be useful should identify those questions or such information in their notices of proposed rulemaking.

Additional Opportunities for Public Participation

14. Agencies and relevant coordinating bodies should stay abreast of new technologies for facilitating informative public participation in rulemakings. These technologies may help agencies to process mass comments or identify and process computer-generated and falsely attributed comments. In addition, new technologies may offer new opportunities to engage the public, both as part of or as a supplement to the notice-and-comment process. Such opportunities may help ensure that agencies receive input from communities that may not otherwise have an opportunity to participate in the conventional comment process.

Coordination and Training

15. Agencies should work closely with relevant coordinating bodies to improve existing technologies and develop new technologies to address issues associated with mass, computer-generated, and falsely attributed comments. Agencies and relevant coordinating bodies should share best practices and relevant innovations for addressing challenges related to these comments.

16. Agencies should develop and offer opportunities for ongoing training and staff development to respond to the rapidly evolving nature of technologies related to mass, computer-generated, and falsely attributed comments and to public participation more generally.

17. As authorized by 5 U.S.C. 594(2), the Conference's Office of the Chairman should provide for the ''interchange among administrative agencies of information potentially useful in improving'' agency comment processing systems. The subjects of interchange might include technological and procedural innovations, common management challenges, and legal concerns under the Administrative Procedure Act and other relevant statutes.

Separate Statement for Administrative Conference Recommendation 2021–1 by Senior Fellow Randolph J. May

Filed June 18, 2021

I attended several of the Committee meetings that considered the preparation of

Computer-Generated, and Fraudulent Comments 43–48 (June 1, 2021) (report to the Admin. Conf. of the U.S.).

this Recommendation. So, I have a good sense of the hard work that went into the preparation of the Recommendation by the Consultants, the Rulemaking Committee Chair Cary Coglianese, the Committee members, and the ACUS staff, and I am grateful for their dedication.

I support adoption of the Recommendation in the context of the express limitation of the scope of the project as stated: ''This Recommendation does not address what role particular types of comments should play in agency decision making or what consideration, if any, agencies should give to the number of comments in support of a particular position.''

I wish to associate myself generally with the Comment of Senior Fellow Richard Pierce, dated May 25, 2021, especially his concern that the ACUS Recommendation not be misconstrued to foster ''the widespread but mistaken public belief that notice and comment rulemaking can and should be considered a plebiscite in which the number of comments filed for or against a proposed rule is an accurate measure of public opinion that should influence the agency's decision whether to adopt the proposed rule.''

I have submitted comments and/or reply comments in every ''net neutrality'' proceeding, however denominated, the Federal Communications Commission has conducted over the last fifteen years—and, yes, the back-and-forth battle over various ''net neutrality'' proposals has been going on that long and there have been at least a dozen comment cycles. However, especially in the last two ''net neutrality'' rulemaking cycles, in 2014–2015 and 2017, there has been a major escalation—you could call it exercising the ''nuclear option''—in the effort, by both opposing sides, to generate as many mass, computer-generated form comments as possible. By ''form comments'' I mean comments that concededly contain little or no information beyond cursorily stating a ''pro'' or ''con'' position.

The startling results of going nuclear, in terms of generating the sheer number of mass, computer-generated form comments in the latest ''net neutrality'' round are now well-known. The phenomenon has been the subject of federal and state studies cited in the Recommendation's Preamble, with some of the most significant details cited in Professor Pierce's separate statement. Aside from any other concerns, I can personally testify that the deluge of approximately 22 million mass, computer-generated form comments often overwhelmed the FCC's ability to keep its electronic filing system operating properly and often rendered the ability to search for comments that might possibly contain relevant data and information well-nigh impossible.

And, of course, the huge costs expended by private parties engaging in the effort that led to the submission of approximately 22 million mass, computer-generated form comments (including the 18 million ''fake'' comments) were enormous, not to mention the direct and indirect costs imposed on the government merely to compile, process, and review the comments.

It is blinking reality not to recognize that the pro- and con- net neutrality interests responsible for generating 22 million comments assumed, in some significant way, that the outcome of the rulemaking would be impacted by which side ''won'' the comment battle. In other words, it must have been assumed that, in some meaningful sense, the rulemaking would be decided on the basis of a plebiscite, ''counting comments,'' not on the basis of the quality of the data, evidence, and arguments submitted.

So, while I accept the constraints imposed by the parameters of this Recommendation—which, on its own terms, contains useful guidance to assist agencies—I hope that, going forward, ACUS will initiate a project that considers the appropriateness of curbing the submission of mass, computer-generated form comments, and, if so, how best to accomplish this. Certainly public education, including by government officials, and especially the pertinent agency officials, regarding the objectives of the rulemaking process in general, and specific rulemakings in particular, can play an important role.

I wish to make clear that I recognize the value of widespread participation by ''interested persons,'' as the Administrative Procedure Act puts it, in the rulemaking process, not only because of the value of the evidence put on the record through such participation, but because of the instrumental value bestowed upon interested persons by the opportunity to participate in government decision-making processes that affect them.

With due deliberation, with recognition of the need to exercise care in drawing relevant distinctions among various types of rulemaking proceedings and their objectives, there ought to be a proper way to discourage the type of ''comment war'' that occurred in the two most recent FCC net neutrality proceedings, while, at the same time, encouraging the type of widespread public participation that is most helpful to agencies in promulgating sound public policies.

Separate Statement for Administrative Conference Recommendation 2021–1 by Senior Fellow Nina A. Mendelson

Filed June 27, 2021 (This Is an Abbreviated Version of a Statement That Is Available on the ACUS Website.)

This Recommendation, the product of much hard work, will help guide agencies managing mass comments and addressing falsely attributed and computer-generated comments. But these rulemaking-related challenges raise very different concerns. Comments from ordinary individuals, whatever their volume, and whether they supply situated knowledge or views, can be relevant, useful, and even important to many rulemakings. The Recommendation correctly does not imply otherwise. The Conference should address the proper agency response to such comments separately, and soon.

First, public comment's function encompasses more than the purely ''technical,'' whether that is supplying data or critiquing an agency's economic analysis. For some statutory issues, certainly, public comments transmitting views are less relevant. Under the Endangered Species Act, for example, an agency determining whether an animal is endangered must assess its habitat and likelihood of continued existence. Public affection for a species is not directly relevant.

But agencies address numerous issues that, by statute, extend far beyond technocratic questions, encompassing value-laden issues. An agency deciding what best serves public-regarding statutory goals must balance all such considerations.

Nonexclusive examples relevant to agency statutory mandates include:

- The importance of nearby accessible bathrooms to the dignity of wheelchair users, at issue in a 2010 Americans with Disabilities Act regulation.
- Weighing potential public resource uses. For multiple-use public lands, the Bureau of Land Management must, by regulation, balance recreation and ''scenic, scientific and historical values'' with resource extraction uses, including timbering and mining.
- Potential public resistance to an action, such as the Coast Guard's ultimately abandoned decision creating live-fire zones in the Great Lakes for weapons practice in the early 2000s. Had the agency seriously sought out public comment, it would have detected substantial public resistance to this action, which, without the benefit of participation, the agency considered justified and minimally risky.
- Public resistance to a possible mandate as unduly paternalistic, burdensome, or exclusionary, whether ignition interlock or a vaccine passport requirement. Justice Rehnquist identified this issue in *Motor Vehicles Mfg. Ass'n* v. *State Farm Mutual Auto Ins.,* 463 U.S. 29 (1983). Though Justice Rehnquist's dissent linked the issue to presidential elections, he underscored its relevance to rulemaking.
- Environmental justice/quality of life matters. In a 2020 rule implementing the National Environmental Policy Act, the Council on Environmental Quality decided that an agency need no longer assess a proposed action's cumulative impacts in its environmental impact analysis. This decision will especially impact low-income communities and communities of color, including Southwest Detroit, where multiple polluting sources adjoin residential neighborhoods. Whether to require cumulative impacts analysis is not a technical issue. It is a policy decision whether community environmental and quality of life concerns are important enough to justify lengthier environmental analyses. The comment process enables communities to express directly the importance of these issues.

Rulemaking is certainly not a plebiscite. Besides representativeness concerns, that is mainly because statutes typically require agencies to consider multiple factors, not *only* public views. But ordinary people's views and preferences are nonetheless relevant and thus appropriately communicated to the agency. The text of 5 U.S.C. 553(c) is express here: ''interested persons'' are entitled to submit ''data, views, or arguments.''

Second, the identity of individual commenters may provide critical context. That a comment on a proposed ADA regulation's importance is from a wheelchair user should matter. The same is true for

religious group members describing potential interference with their practices, residents near a pipeline addressing safety or public notice requirements, or Native American tribal members speaking to spiritual values and historical significance of public lands.

Third, a meaningfully open comment process supports broader public engagement by otherwise underrepresented individuals and communities, whether because of race, ethnicity, gender identity, or something else. Studies consistently show that industry groups and regulated entities, with disproportionate resources, access to agency meetings, and ability to exert political pressure, punch above their weight in the comment process. Suggesting that agencies can appropriately ignore comments from individuals would simply reinforce this disparate influence. It would also undercut the Conference's position in Recommendation 2018–7, *Public Engagement in Rulemaking,* that agencies should act to broaden and enhance public participation.

Moreover, while groups can support participation, agencies should not assume that group action sufficiently conveys individual views. Many individual interests—even important ones—are underrepresented. With respect to employees such as truck drivers, for example, unions represent only 10% of U.S. wage workers.

Where groups do support individual comment submission, their involvement should not be understood to taint participation. Well-funded regulated entities typically hire attorneys to draft their comments. We nonetheless attribute those views to the commenters. We should treat individual comments similarly even if they incorporate group-suggested language.

Fourth, although mass comments in certain rulemakings may have encouraged computer-generated and falsely attributed comments, agencies should directly tackle these latter problems. And while comments from individuals vary in usefulness and sophistication, that is true of all comments. In short, agencies should respond to large volumes of individual comments not by attempting to deter them but instead, following Recommendation paragraphs 11–13, by providing clear, visible public information on how to draft a valuable comment.

Finally, the most difficult issue is how, exactly, agencies should respond to individual comments that convey views as well as, or instead of, specific information regarding a rule's need or impacts. Large comment volumes, most pragmatically, may signal an agency regarding the rule's political context, including potential congressional concern. Further, large comment quantities can alert agencies to underappreciated or undercommunicated issues or reveal potential public resistance. Such comments might constitute a yellow flag for an agency to investigate, including by reaching out to particular communities to assess the basis and intensity of their views.

At a minimum, an agency should acknowledge and answer such comments, even briefly. The agency might judge that particular public views are outweighed by other considerations. But an answer will communicate, importantly, that individuals have been heard. The Federal Communication Commission's responses to large comment volumes in recent net neutrality proceedings are reasonable examples.

I urge the Conference to consider these issues soon and provide guidance to rulemaking agencies.

Separate Statement for Administrative Conference Recommendation 2021–1 by Senior Fellow Richard J. Pierce, Jr.

Filed June 29, 2021 (This Is an Abbreviated Version of a Statement That Is Available on the ACUS Website.)

These three phenomena and the many problems that they create have only one source—the widespread but mistaken public belief that notice and comment rulemaking can and should be considered a plebiscite in which the number of comments filed for or against a proposed rule is an accurate measure of public opinion that should influence the agency's decision whether to adopt the proposed rule. I believe that ACUS can and should assist agencies in explaining to the public why the notice and comment process is not, and cannot be, a plebiscite, and why the number of comments filed in support of, or in opposition to, a proposed rule should not, and cannot, be a factor in an agency's decision making process.

The Notice and Comment Process Allows Agencies To Issue Rules That Are Based on Evidence

The notice and comment process is an extraordinarily valuable tool that allows agencies to issue rules that are based on evidence. It begins with the issuance of a notice of proposed rulemaking in which an agency describes a problem and proposes one or more ways in which the agency can address the problem by issuing a rule.

The agency then solicits comments from interested members of the public. The comments that assist the agency in evaluating its proposed rule are rich in data and analysis. Some support the agency's views with additional evidence, while others purport to undermine the evidentiary basis for the proposed rule. The agency then makes a decision whether to adopt the proposed rule or some variant of the proposed rule in light of its evaluation of all of the evidence in the record, including both the studies that the agency relied on in its notice and the data and analysis in the comments submitted in response to the notice. Courts require agencies to address all of the issues that were raised in all well-supported substantive comments and to explain adequately why the agency issued, or declined to issue, the rule it proposed or some variation of that rule in light of all of the evidence the agency had before it. If the agency fails to fulfill that duty, the court rejects the rule as arbitrary and capricious.

ACUS has long supported efforts to assist the intended beneficiaries of rules in their efforts to overcome the obstacles to their ability to participate effectively in rulemakings. ACUS should continue to help members of the public file comments that assist an agency in crafting a rule that addresses a problem effectively.

Mass Comments Are Not Helpful to Agency Decision Making and Create Major Problems

Sometimes the companies and advocacy organizations that support or oppose a proposed rule organize campaigns in which they induce members of the public to file purely conclusory comments in which they merely state their support for or opposition to a proposed rule. The proponents or opponents then argue that the large number of such comments prove that there is strong public support for the position taken in those comments. Comments of that type have no value in an agency's decision-making process. Every scholar who has studied the issue has concluded that the number of comments filed for or against a proposed rule is not, and cannot be, a reliable measure of the public's views with respect to the proposed rule.

Mass comment campaigns create major problems in the notice and comment process. Many of those problems were evident in the 2017 net neutrality rulemaking. The New York Attorney General documented the results of the well-orchestrated mass comment campaign in that rulemaking in the report that she issued on May 6, 2021. She labeled as ''fake'' 18 million of the 22 million comments that were filed in the docket. The number of ''fake'' comments filed in support of net neutrality were approximately equal to the number of ''fake'' comments filed by the opponents of net neutrality. One college student filed 7.7 million comments in support of net neutrality, while ISPs paid consulting firms 8.2 million dollars to generate comments against net neutrality.

Two things are easy to predict if the public continues to believe that the number of comments for or against a proposed rule is an important factor in an agency's decision-making process. First, the next net neutrality rulemaking will elicit even more millions of comments as the warring parties on both sides escalate their efforts to maximize the ''vote'' on each side of the issue. Second, the firms that have a lot of money at stake in other rulemakings will begin to replicate the behavior of the firms that are on each side of the net neutrality debate. The results will be massive, unmanageable dockets in which the ''noise'' created by the mass comments will make it increasingly difficult for agencies and reviewing courts to focus their attention on the substantive comments that provide the evidence that should be the basis for the agency's decision.

ACUS Should Initiate Another Project To Address Mass Comments in Rulemakings

I think that ACUS should initiate a new project in which it decides whether to discourage mass comments, computer-generated comments and fraudulent comments and, if so, how best to accomplish that. I believe that ACUS can and should discourage these practices by, for instance, encouraging agencies to assist in educating the public about the types of comments that can assist agencies in making evidence-based decisions and the types of comments that are not helpful to agencies and that instead

create a variety of problems in managing the notice and comment process.

Administrative Conference Recommendation 2021–2

Periodic Retrospective Review

Adopted June 17, 2021

Retrospective review is the process by which agencies assess existing regulations and decide whether they need to be revisited. Consistent with longstanding executive-branch policy,[1] the Administrative Conference has endorsed the practice of retrospective review of agency regulations [2] and has urged agencies to consider conducting retrospective review under a specific timeframe, which is often known as ''periodic retrospective review.'' [3] Agencies may conduct periodic retrospective review in different ways. One common way is for an agency to undertake review of some or all of its regulations on a pre-set schedule (*e.g.,* every ten years). Another way is for the agency to set a one-time date for reviewing a regulation and, when that review is performed, set a new date for the next review, and so on. This latter method enables the agency to adjust the frequency of a regulation's periodic retrospective review in light of experience.

Periodic retrospective review may occur because a statute requires it or because an agency chooses to do it on its own initiative. Statutes requiring periodic retrospective review may specify a time interval over which review should be conducted or leave the frequency up to the agency. The Clean Air Act, for example, requires the Environmental Protection Agency to review certain ambient air quality regulations every five years.[4] On the other hand, the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act provides that the Department of Transportation must ''specify procedures for the periodic review and update'' of its rule on early warning reporting requirements for manufacturers of motor vehicles without specifying how often that review must occur.[5] Even when periodic retrospective review is not mandated by statute, agencies have sometimes voluntarily implemented periodic retrospective review programs.[6]

Periodic retrospective review can enhance the quality of agencies' regulations by helping agencies determine whether regulations continue to meet their statutory objectives. Such review can also help agencies evaluate regulatory performance (*e.g.,* the benefits, costs, ancillary impacts,[7] and distributional impacts [8] of regulations), assess whether and how a regulation should be revised in a new rulemaking, determine the accuracy of the assessments they made before issuing their regulations (including assessments regarding forecasts of benefits, costs, ancillary impacts, and distributional impacts), and identify ways to improve the accuracy of the underlying assessment methodologies.[9] Agencies that have incorporated standards by reference in their regulations also can—and, indeed, should—arrange to be notified by the adopting standards organizations of relevant revisions to those standards and consider adopting those revisions, thus ensuring that regulations remain current.

But there can also be drawbacks associated with periodic retrospective review. Some regulations may not be strong candidates for such review because the need for the regulations is unlikely to change and the benefits associated with periodically revisiting them are likely to be small. There are also costs associated with collecting and analyzing data, and time spent reviewing existing regulations may come at the cost of other important regulatory activities. For this reason, agencies might reasonably decide to limit periodic retrospective review to certain types of regulations, such as important regulations that affect large numbers of people or that have particularly pronounced effects on specific groups.[10] Periodic retrospective review can also generate uncertainty regarding whether a regulation will be retained or modified. Agencies, therefore, should tailor their periodic retrospective review plans carefully to account for these drawbacks.

Mindful of both the value of periodic retrospective review and the tradeoffs associated with it, this Recommendation offers practical suggestions to agencies about how to establish periodic retrospective review plans. It does so by, among other things, identifying the types of regulations that lend themselves well to periodic retrospective review, proposing factors for agencies to consider in deciding the optimal review frequency when they have such discretion, and identifying different models for staffing periodic retrospective review. In doing so, it builds upon the Conference's longstanding endorsement of public participation in all aspects of the rulemaking process,[11] including retrospective review,[12] by encouraging agencies to seek public input both to help identify the types of regulations that lend themselves well to periodic retrospective review and to inform that review.

This Recommendation also recognizes the important role that the Office of Management and Budget (OMB) plays in agencies' periodic retrospective review efforts as well as the significance of the Foundations for Evidence-Based Policymaking Act (the Evidence Act) and associated OMB-issued guidance.[13] It encourages agencies to work with OMB to help facilitate data collection relevant to reviewing regulations. It also calls attention to the Evidence Act's requirements that certain agencies create Learning Agendas, which identify questions for agencies to address regarding their regulatory missions, and Annual Evaluation Plans, which lay out specific measures agencies will take to answer those questions.[14] Consistent with the Evidence Act, the Recommendation provides that agencies can incorporate periodic retrospective review in their Learning Agendas and Annual Evaluation Plans by undertaking and documenting certain activities as they carry out their review.

In issuing this Recommendation, the Conference recognizes that agencies will need to consider available resources in deciding whether a periodic retrospective review program should be implemented and, if so, what form it should take. The recommendations offered below are subject to that qualification.

Recommendation

Selecting the Types of Regulations to Subject to Periodic Retrospective Review and the Frequency of Review

1. Agencies should identify any specific regulations or categories of regulations that are subject to statutory periodic retrospective review requirements.

2. For regulations not subject to statutory periodic retrospective review requirements, agencies should establish a periodic retrospective review plan. In deciding which

[1] *See* Exec. Order No. 12866, 58 FR 51735, 51739–51740 (Sept. 30, 1993); *see also* Joseph E. Aldy, Learning from Experience: An Assessment of the Retrospective Reviews of Agency Rules and the Evidence for Improving the Design and Implementation of Regulatory Policy 27 (Nov. 17, 2014) (report to the Admin. Conf. of the U.S.) (''The systematic review of existing regulations across the executive branch dates back, in one form or another, to the Carter Administration.'').

[2] *See* Admin. Conf. of the U.S., Recommendation 2017–6, *Learning from Regulatory Experience,* 82 FR 61738 (Dec. 29, 2017); Admin. Conf. of the U.S., Recommendation 2014–5, *Retrospective Review of Agency Rules,* 79 FR 75114 (Dec. 17, 2014); Admin. Conf. of the U.S., Recommendation 95–3, *Review of Existing Agency Regulations,* 60 FR 43108 (Aug. 18, 1995).

[3] Recommendation 95–3, *supra* note 2.

[4] 42 U.S.C. 7309(d)(1).

[5] 49 U.S.C. 30166(m)(5).

[6] *See* Lori S. Bennear & Jonathan B. Wiener, Periodic Review of Agency Regulation 33–38 (June 7, 2021) (report to the Admin. Conf. of the U.S.) (discussing periodic retrospective review plans issued by several agencies, including the Department of Transportation, the Securities and Exchange Commission, and the Federal Emergency Management Agency).

[7] An ancillary impact is an ''impact of the rule that is typically unrelated or secondary to the statutory purpose of the rulemaking . . . .'' Off. of Mgmt. & Budget, Exec. Off. of the President, Circular A–4, Regulatory Analysis 26 (2003).

[8] A distributional impact is an ''impact of a regulatory action across the population and economy, divided up in various ways (*e.g.,* by income groups, race, sex, industrial sector, geography).'' *Id.* at 14.

[9] *Id.* at 8.

[10] *See, e.g.,* Recommendation 2014–5, *supra* note 2, ¶ 5 (providing a list of factors for agencies to consider when prioritizing some regulations as important).

[11] *See, e.g.,* Admin. Conf. of the U.S., Recommendation 2018–7, *Public Engagement in Rulemaking,* 84 FR 2146 (Feb. 6, 2019); Admin. Conf. of the U.S., Recommendation 2017–2, *Negotiated Rulemaking and Other Options for Public Engagement,* 82 FR 31040 (July 5, 2017).

[12] *See supra note 2.*

[13] *See* Bennear & Wiener, *supra* note 6.

[14] 5 U.S.C. 312(a)–(b); Off. of Mgmt. & Budget, Exec. Off. of the President, Memorandum M–19–23, Phase 1 Implementation of the Foundations for Evidence-Based Policymaking Act of 2018: Learning Agendas, Personnel, and Planning Guidance (2019); Off. of Mgmt. & Budget, Exec. Off. of the President, Memorandum M–20–12, Phase 4 Implementation of the Foundations for Evidence-Based Policymaking Act of 2018: Program Evaluation Standards and Practices (2020).

regulations, if any, should be subject to such a review plan, agencies should consider the public benefits of periodic retrospective review, including potential gains from learning more about regulatory performance, and the costs, including the administrative burden associated with performing the review and any disruptions to reliance interests and investment-backed expectations. When agencies adopt new regulations for which plans regarding periodic retrospective review have not been established, agencies should, as part of the process of developing such regulations, decide whether those regulations should be subject to periodic retrospective review.

3. When agencies plan for periodic retrospective review, they should not limit themselves to reviewing a specific final regulation when a review of a larger regulatory program would be more constructive.

4. When agencies decide to subject regulations to periodic retrospective review, they should decide whether to subject some or all of the regulations to a pre-set schedule of review or whether, for some or all of the regulations, it is preferable to set only an initial date for review and decide, as part of that review, when to undertake the next review. In selecting the frequency of review or setting the first or any subsequent date of review, agencies should consider, among others, the following factors:

a. The pace of change of the technology, science, sector of the economy, or part of society affected by the regulation. A higher pace of change may warrant more frequent review;

b. The degree of uncertainty about the accuracy of the initial estimates of regulatory benefits, costs, ancillary impacts, and distributional impacts. Greater uncertainty may warrant more frequent review;

c. Changes in the statutory framework under which the regulation was issued. More changes may warrant more frequent review;

d. Comments, complaints, requests for waivers or exemptions, petitions for the modification or repeal of existing rules, or suggestions received from interested persons. The level of public interest or amount of new evidence regarding changing the regulation may warrant more frequent review;

e. The difficulties arising from implementation of the regulation, as demonstrated by poor compliance rates, requests for waivers or exemptions, the amount of clarifying guidance issued, remands from the courts, or other factors. Greater difficulties may warrant more frequent review;

f. The administrative burden in conducting periodic retrospective review. Larger burdens, such as greater staff time, involved in reviewing the regulation may warrant less frequent review; and

g. Reliance interests and investment-backed expectations connected with the regulation. Steps taken by persons in reliance on a particular regulation or with the expectation that it will remain unaltered may favor less frequent review.

5. In making the decisions outlined in Paragraphs 1 through 4, public input can help agencies identify which regulations should be subject to periodic retrospective review and with what frequency. Agencies should consider soliciting public input by means such as convening meetings of interested persons, engaging in targeted outreach efforts to historically underrepresented or under-resourced groups that may be affected by the agencies' regulations, and posting requests for information.

6. Agencies should publicly disclose their periodic retrospective review plans, which should cover issues such as which regulations are subject to periodic retrospective review, how frequently those regulations are reviewed, what the review entails, and whether the review is conducted pursuant to a legal requirement or the agencies' own initiative. Agencies should include these notifications on their websites and consider publishing them in the **Federal Register**, even if the law does not require it.

7. With respect to regulations subject to a pre-set schedule of periodic retrospective review, agencies should periodically reassess the regulations that should be subject to periodic retrospective review and the optimal frequency of review.

Publishing Results of Periodic Retrospective Review and Soliciting Public Feedback on Regulations Subject to Review

8. Agencies should publish in a prominent, easy-to-find place on the portion of their websites dealing with rulemaking matters, a document or set of documents explaining how they conducted a given periodic retrospective review, what information they considered, and what public outreach they undertook. They should also include this document or set of documents on *Regulations.gov*. To the extent appropriate, agencies should organize the data in the document or set of documents in ways that allow private parties to re-create the agencies' work and run additional analyses concerning existing regulations' effectiveness. When feasible, agencies should also explain in plain language the significance of their data and how they used the data to shape their review.

9. Agencies should seek input from relevant parties when conducting periodic retrospective review. Possible outreach methods include convening meetings of interested persons; engaging in targeted outreach efforts, such as proactively bringing the regulation to the attention of historically underrepresented or under-resourced groups; and posting requests for information regarding the regulation. Agencies should integrate relevant information from the public into their periodic retrospective reviews.

10. Agencies should work with the Office of Management and Budget (OMB) to properly invoke any flexibilities within the Paperwork Reduction Act that would enable them to gather relevant data expeditiously.

Ensuring Adequate Resources and Staffing

11. Agencies should decide how best to structure their staffing of periodic retrospective reviews to foster a culture of retrospective review and ongoing learning. Below are examples of some staffing models, which may be used in tandem or separately:

a. Assigning the same staff the same regulation, or category of regulation, each time it is reviewed. This approach allows staff to gain expertise in a particular kind of regulation, thereby potentially improving the efficiency of the review;

b. Assigning different staff the same regulation, or category of regulation, each time it is reviewed. This approach promotes objectivity by allowing differing viewpoints to enter into the analysis;

c. Engaging or cooperating with agency or non-agency subject matter experts to review regulations; and

d. Pairing subject matter experts, such as engineers, economists, sociologists, and scientists, with other agency employees in conducting the review. This approach maximizes the likelihood that both substantive considerations, such as the net benefits and distributional and ancillary impacts of the regulation, and procedural considerations, such as whether the regulation conflicts with other regulations or complies with plain language requirements, will enter into the review.

Using Evidence Act Processes

12. Consistent with the Evidence Act, agencies should incorporate periodic retrospective reviews in their Learning Agendas and Annual Evaluation Plans. In doing so, agencies should ensure that they include:

a. The precise questions they intend to answer using periodic retrospective review. Those questions should include how frequently particular regulations should be reviewed and should otherwise be keyed to the factors set forth in Section 5 of Executive Order 12866 for periodic retrospective review of existing significant regulations;

b. The information needed to adequately review the regulations subject to the periodic retrospective reviews. Agencies should state whether they will undertake new information collection requests or use existing information to conduct the reviews;

c. The methods the agencies will use in conducting their reviews, which should comport with the federal program evaluation standards set forth by OMB;

d. The anticipated challenges the agencies anticipate encountering during the reviews, if any, such as obstacles to collecting relevant data; and

e. The ways the agencies will use the results of the reviews to inform policymaking.

Interagency Coordination

13. Agencies that are responsible for coordinating activities among other agencies, such as the Office of Information and Regulatory Affairs, should, as feasible, regularly convene agencies to identify and share best practices on periodic retrospective review. These agencies should address questions such as how to improve timeliness and analytic quality of review and the optimal frequency of discretionary review.

14. To promote a coherent regulatory scheme, agencies should coordinate their periodic retrospective reviews with other agencies that have issued related regulations.

Administrative Conference Recommendation 2021–3

Early Input on Regulatory Alternatives

Adopted June 17, 2021

Agency development of and outreach concerning regulatory alternatives prior to issuing a notice of proposed rulemaking (NPRM) on important issues often results in a better-informed notice-and-comment process, facilitates decision making, and improves rules. In this context, the term ''regulatory alternative'' is used broadly and could mean, among other things, a different method of regulating, a different level of stringency in the rule, or not regulating at all.[1] Several statutes and executive orders, including the National Environmental Policy Act (NEPA),[2] the Regulatory Flexibility Act (RFA),[3] and Executive Order 12866,[4] require federal agencies to identify and consider alternative regulatory approaches before proposing certain new rules. This Recommendation suggests best practices for soliciting early input during the process of developing regulatory alternatives, whether or not it is required by law or executive order, before publishing an NPRM. It also provides best practices for publicizing the alternatives considered when agencies are promulgating important rules.[5]

The Administrative Conference has previously recommended that agencies engage with the public throughout the rulemaking process, including by seeking input while agencies are still in the early stages of shaping a rule.[6] Agencies might conduct this outreach while developing their regulatory priorities, including in the proposed regulatory plans agencies are required to prepare under Executive Order 12866.[7] Seeking early input before issuing a notice of proposed rulemaking can help agencies identify alternatives and learn more about the benefits, costs, distributional impacts,[8] and technical feasibility of alternatives to the proposal they are considering. Doing so is particularly important, even if not required by law or executive order, for a proposal likely to draw significant attention for its economic impact or other significance. It can also be especially valuable for agencies seeking early input on regulatory alternatives to reach out to a wide range of interested persons, including affected groups that often are underrepresented in the administrative process and may suffer disproportionate harms from a proposed rule.[9]

When seeking early input on regulatory alternatives, agencies might consider approaches modeled on practices that other agencies already use. In so doing, they might look at agency practices that are required by statute (*e.g.,* the Small Business Regulatory Enforcement Fairness Act)[10] or agency rules (*e.g.,* the Department of Energy's ''Process Rule''),[11] or practices that agencies have voluntarily undertaken in the absence of any legal requirement.

Nevertheless, seeking early input on alternatives may not be appropriate in all cases and may trigger certain procedural requirements.[12] In some instances, the alternatives may be obvious. In others, the subject matter may be so obscure that public input is unlikely to prove useful. And in all cases, agencies face resource constraints and competing priorities, so agencies may wish to limit early public input to a subclass of rules such as those with substantial impact. Agencies will need to consider whether the benefits of early outreach outweigh the costs, including the resources required to conduct the outreach and any delays entailed. When agencies do solicit early input, they will still want to tailor their outreach to ensure that they are soliciting input in a way that is cost-effective, is equitable, and maximizes the likelihood of obtaining diverse, useful responses.

Recommendation

1. When determining whether to seek early input from knowledgeable persons to identify potential regulatory alternatives or respond to alternatives an agency has already identified, the agency should consider factors such as:

a. The extent of the agency's familiarity with the policy issues and key alternatives;

b. The extent to which the conduct being regulated or any of the alternatives suggested are novel;

c. The degree to which potential alternatives implicate specialized technical or technological expertise;

d. The complexity of the underlying policy question and the proposed alternatives;

e. The potential magnitude of the costs and benefits of the alternatives proposed;

f. The likelihood that the selection of an alternative will be controversial;

g. The time and resources that conducting such outreach would require;

h. The extent of the agency's discretion to select among alternatives, given the statutory language being implemented;

i. The deadlines the agency faces, if any, and the harms that might occur from the delay required to solicit and consider early feedback;

j. The extent to which certain groups that are affected by the proposed regulation and have otherwise been underrepresented in the agency's administrative process may suffer adverse distributional effects from generally beneficial proposals; and

k. The extent to which experts in other agencies may have valuable input on alternatives.

2. In determining what outreach to undertake concerning possible regulatory alternatives, an agency should consider using, consistent with available resources and feasibility, methods of soliciting public input including:

a. Meetings with interested persons held episodically or as-needed based on rulemaking activities;

b. Listening sessions;

c. Internet and social media forums;

d. Focus groups;

e. Advisory committees, including those tasked with conducting negotiated rulemaking;

f. Advance notices of proposed rulemakings; and

g. Requests for information.

The agency should also consider how to ensure that its interactions with outside persons are transparent, to the maximum extent permitted by law.

3. An agency should consider whether the methods it uses to facilitate early outreach in its rulemaking process will engage a wide range of interested persons, including individuals and groups that are affected by the rule and are traditionally underrepresented in the agency's rulemaking processes. The agency should consider which methods would best facilitate such outreach, including providing materials designed for the target participants. For example, highly technical language may be appropriate for some, but not all, audiences. The agency should endeavor to make participation by interested persons who have less time and fewer resources as easy as possible, particularly when those potential participants do not have experience in the rulemaking process. The agency should explain possible consequences of the

[1] *See* Christopher Carrigan & Stuart Shapiro, Developing Regulatory Alternatives Through Early Input 8 (June 4, 2021) (report to the Admin. Conf. of the U.S.).

[2] 42 U.S.C. 4332(C)(iii) (requiring agencies to consider alternatives in environmental impact statements under NEPA).

[3] 5 U.S.C. 603(c) (requiring agencies to consider alternatives in regulatory flexibility analyses conducted under the RFA, as amended by the Small Business Regulatory Enforcement Fairness Act).

[4] Exec. Order No. 12866, § 1, 58 FR 51735, 51735–36 (Sept. 30, 1993).

[5] *See* Admin. Conf. of the U.S., Recommendation 2014–5, *Retrospective Review of Agency Rules,* ¶ 6, 79 FR 75114, 75116–17 (Dec. 17, 2014).

[6] *See* Admin. Conf. of the U.S., Recommendation 2018–7, *Public Engagement in Rulemaking,* ¶ 5, 84 FR 2146, 2148 (Feb. 6, 2019); *see also, e.g.,* Admin. Conf. of the U.S., Recommendation 2017–6, *Learning from Regulatory Experience,* 82 FR 61728 (Dec. 29, 2017); Admin. Conf. of the U.S., Recommendation 2017–2, *Negotiated Rulemaking and Other Options for Public Engagement,* 82 FR 31040 (July 5, 2017); Admin. Conf. of the U.S., Recommendation 85–2, *Agency Procedures for Performing Regulatory Analysis of Rules,* 50 FR 28364 (July 12, 1985); Michael Sant'Ambrogio & Glen Staszewski, Public Engagement with Agency Rulemaking 62–77 (Nov. 19, 2018) (report to the Admin. Conf. of the U.S.).

[7] *See* Exec. Order No. 12866, *supra* note 4, § 4(c).

[8] A distributional impact is an ''impact of a regulatory action across the population and economy, divided up in various ways (*e.g.,* income groups, race, sex, industrial sector, geography).''

[9] *See* Exec. Order. No. 13985, 86 FR 7009 (Jan. 25, 2021) (directing the Office of Management and Budget, in partnership with agencies, to ensure that agency policies and actions are equitable with respect to race, ethnicity, religion, income, geography, gender identity, sexual orientation, and disability); Memorandum on Modernizing Regulatory Review, 86 FR 7223 (Jan. 26, 2021) (requiring the Office of Management and Budget to produce recommendations regarding improving regulatory review that, among other things, ''propose procedures that take into account the distributional consequences of regulations . . . to ensure that regulatory initiatives appropriately benefit and do not inappropriately burden disadvantaged, vulnerable, or marginalized communities'').

[10] 5 U.S.C. 609.

[11] 10 CFR 430, subpart C, app. A.

[12] *See, e.g.,* Federal Advisory Committee Act, 5 U.S.C. app. 2 1–16.

potential rulemaking to help potential participants understand the importance of their input and to encourage their participation in the outreach.

4. If an agency is unsure what methods of soliciting public input will best meet its needs and budget, it should consider testing different methods to generate alternatives or receive input on the regulatory alternatives it is considering before issuing notices of proposed rulemaking (NPRMs). As appropriate, the agency should describe the outcomes of using these different methods in the NPRMs for rules in which they are used.

5. An agency should ensure that all of its relevant officials, including economists, scientists, and other experts, have an opportunity to identify potential regulatory alternatives during the early input process. As appropriate, the agency should also reach out to select experts in other agencies for input on alternatives.

6. An agency should consider providing in the NPRM a discussion of the reasonable regulatory alternatives it has considered or that have been suggested to it, including alternatives it is not proposing to adopt, together with the reasons it is not proposing to adopt those alternatives. To the extent the agency is concerned about revealing the identity of the individuals or groups offering proposed alternatives due to privacy or confidentiality concerns, it should consider characterizing the identity (*e.g.,* industry representative, environmental organization, etc.) or listing the alternatives without ascribing them to any particular person.

7. When an agency discusses regulatory alternatives in the preamble of a proposed or final rule, it should also consider including a discussion of any reasonable alternatives suggested or considered through early public input, but which the agency believes are precluded by statute. The discussion should also include an explanation of the agency's views on the legality of those alternatives.

8. To help other agencies craft best practices for early engagement with the public, an agency should, when feasible, share data and other information about the effectiveness of its efforts to solicit early input on regulatory alternatives.

Administrative Conference Recommendation 2021–4

Virtual Hearings in Agency Adjudication

Adopted June 17, 2021

The use of video teleconferencing (VTC) to conduct administrative hearings and other adjudicative proceedings has become increasingly prevalent over the past few decades due to rapid advances in technology and telecommunications coupled with reduced personnel, increased travel costs, and the challenges of the COVID–19 pandemic. As the Administrative Conference has recognized, ''[s]ome applaud the use of VTC by administrative agencies because it offers potential efficiency benefits, such as reducing the need for travel and the costs associated with it, reducing caseload backlog, and increasing scheduling flexibility for agencies and attorneys as well as increasing access for parties.'' [1] At the same time, as the Conference has acknowledged, critics have suggested that the use of VTC may ''hamper communication'' among participants—including parties, their representatives, and the decision maker—or ''hamper a decision-maker's ability to make credibility determinations.'' [2]

The Conference has encouraged agencies, particularly those with high-volume caseloads, to consider ''whether the use of VTC would be beneficial as a way to improve efficiency and/or reduce costs while also preserving the fairness and participant satisfaction of proceedings.'' [3] Recognizing that the use of VTC may not be appropriate in all circumstances and must be legally permissible, the Conference has identified factors for agencies to consider when determining whether to use VTC to conduct hearings. They include whether the nature and type of adjudicative hearings conducted by an agency are conducive to the use of VTC; whether VTC can be used without adversely affecting case outcomes or representation of parties; and whether the use of VTC would affect costs, productivity, wait times, or access to justice.[4] The Conference has also set forth best practices and practical guidelines for conducting video hearings.[5]

When the Conference issued these recommendations, most video participants appeared in formal hearing rooms equipped with professional-grade video screens, cameras, microphones, speakers, and recording systems. Because these hearing rooms were usually located in government facilities, agencies could ensure that staff were on site to maintain and operate VTC equipment, assist participants, and troubleshoot any technological issues. This setup, which this Recommendation calls a ''traditional video hearing,'' gives agencies a high degree of control over VTC equipment, telecommunications connections, and hearing rooms.

Videoconferencing technology continues to evolve, with rapid developments in internet-based videoconferencing software, telecommunications infrastructure, and personal devices.[6] Recently, many agencies have also allowed, or in some cases required, participants to appear remotely using internet-based videoconferencing software. Because individual participants can run these software applications on personal computers, tablets, or smartphones, they can appear from a location of their choosing, such as a home or office, rather than needing to travel to a video-equipped hearing site. This Recommendation uses the term ''virtual hearings'' to refer to proceedings in which individuals appear in this manner. This term includes proceedings in which all participants appear virtually, as well as hybrid proceedings in which some participants appear virtually while others participate by alternative remote means or in person.[7]

Although some agencies used virtual hearings before 2020, their use expanded dramatically during the COVID–19 pandemic, when agencies maximized telework, closed government facilities to the public and employees, and required social distancing.[8] Agencies gained considerable experience conducting virtual hearings during this period,[9] and this Recommendation draws heavily on these experiences.

Virtual hearings can offer several benefits to agencies and parties compared with traditional video hearings. Participants may be able to appear from their home using their own personal equipment, from an attorney's office, or from another location such as a public library or other conveniently located governmental facility, without the need to travel to a video-equipped hearing site. As a result, virtual hearings can simplify scheduling for parties and representatives and may facilitate the involvement of other participants such as interpreters, court reporters, witnesses, staff or contractors who provide administrative or technical support, and other interested persons. Given this flexibility, virtual hearings may be especially convenient for short and relatively informal adjudicative proceedings, such as pre-hearing and settlement conferences.[10]

Because virtual hearings allow participants to appear from a location of their choosing without needing to travel to a facility suitable for conducting an in-person or traditional video hearing, they have the potential to expand access to justice for individuals who belong to certain underserved communities. Virtual hearings may be especially beneficial for individuals whose disabilities make it difficult to travel to hearing facilities or participate in public settings; individuals who live in rural areas and may need to travel great distances to hearing facilities; and low-income individuals for whom it may be difficult to secure transportation to hearing facilities or take time off work or arrange for childcare to participate in in-person or traditional video hearings. The use

[1] Admin. Conf. of the U.S., Recommendation 2011–4, *Agency Use of Video Hearings: Best Practices and Possibilities for Expansion,* 76 FR 48795, 48795–96 (Aug. 9, 2011).

[2] *Id.*

[3] *Id.*

[4] *Id.* ¶ 2.

[5] Admin. Conf. of the U.S., Recommendation 2014–7, *Best Practices for Using Video Teleconferencing for Hearings,* 79 FR 75114 (Dec. 17, 2014); Recommendation 2011–4, *supra* note 1; *see also* Martin E. Gruen & Christine R. Williams, Admin. Conf. of the U.S., Handbook on Best Practices for Using Video Teleconferencing in Adjudicatory Hearings (2015).

[6] For example, some tribunals around the world are now exploring the use of telepresence systems, which rely on high-quality video and audio equipment to give participants at different, specially equipped sites the experience of meeting in the same physical space. *See* Fredric I. Lederer, *The Evolving Technology-Augmented Courtroom Before, During, and After the Pandemic,* 23 Vand. J. Ent. & Tech. L. 301, 326 (2021).

[7] *See* Jeremy Graboyes, Legal Considerations for Remote Hearings in Agency Adjudications 3 (June 16, 2020) (report to the Admin. Conf. of the U.S.).

[8] *Id.* at 1.

[9] *See* Fredric I. Lederer & the Ctr. for Legal & Ct. Tech., Analysis of Administrative Agency Adjudicatory Hearing Use of Remote Appearances and Virtual Hearings 7 (June 3, 2021) (report to the Admin. Conf. of the U.S.).

[10] *See id.* at 3.

of virtual hearings may also expand access to representation, especially for individuals who live in areas far from legal aid organizations.[11]

But virtual hearings can pose significant challenges as well. The effectiveness of virtual hearings depends on individuals' access to a suitable internet connection, a personal device, and a space from which to participate, as well as their ability to effectively participate in an adjudicative proceeding by remote means while operating a personal device and videoconferencing software. As a result, virtual hearings may create a barrier to access for individuals who belong to underserved communities, such as low-income individuals for whom it may be difficult to obtain access to high-quality personal devices or private internet services, individuals whose disabilities prevent effective engagement in virtual hearings or make it difficult to set up and manage the necessary technology, and individuals with limited English proficiency. Some individuals may have difficulty, feel uncomfortable, or lack experience using a personal device or internet-based videoconferencing software to participate in an adjudicative proceeding. Some critics have also raised concerns that virtual participation can negatively affect parties' satisfaction, engagement with the adjudicative process, or perception of justice.[12]

Agencies have devised several methods to address these concerns. The Board of Veterans' Appeals conducts virtual hearings using the same videoconferencing application that veterans use to access agency telehealth services. To enhance the formality of virtual hearings, many adjudicators use a photographic backdrop that depicts a hearing room, seal, or flag. Many agencies use pre-hearing notices and online guides to explain virtual hearings to participants. Several agencies provide general or pre-hearing training sessions at which agency staff, often attorneys, can familiarize participants with the procedures and standards of conduct for virtual hearings. Though highly effective, these sessions require staff time and availability.[13]

Virtual hearings can also pose practical and logistical challenges. They can suffer from technical glitches, often related to short-term, internet bandwidth issues. Virtual hearings may sometimes require agencies to take special measures to ensure the integrity of adjudicative proceedings. Such measures may be necessary, for example, to safeguard classified, legally protected, confidential, or other sensitive information, or to monitor or sequester witnesses to ensure third parties do not interfere with their testimony.[14] Agencies may also need to take special measures to ensure that interested members of the public can observe virtual hearings in appropriate circumstances by, for example, streaming live audio or video of a virtual hearing or providing access to a recording afterward.[15]

Recording virtual hearings may raise additional legal, policy, and practical concerns. To the extent that such recordings become part of the administrative record or serve as the official record of the proceeding, agencies may need to consider whether and for what purposes appellate reviewers may consider and rely on them. Creating recordings may trigger obligations under federal information and record-keeping laws and policies, including the Freedom of Information Act,[16] Privacy Act,[17] and Federal Records Act.[18] Agencies may need to review contract terms when considering the use of videoconferencing software applications to determine whether any other entities own or can access or use recordings made through the applications, or whether an agency may obtain ownership and possession of the recording. Steps may be necessary to ensure that agencies do not inadvertently disclose classified, protected, or sensitive information or make it easy for people to use publicly available recordings for improper purposes. Practically, unless agencies store recordings on external servers, such as in the cloud, agencies would need sufficient technological capacity to store the volume of recordings associated with virtual hearings. Agencies would also need personnel qualified and available to manage and, as appropriate, prepare recordings for public access.

This Recommendation builds on Recommendation 2011–4, *Agency Use of Video Hearings: Best Practices and Possibilities for Expansion,* and Recommendation 2014–7, *Best Practices for Using Video Teleconferencing for Hearings,* by identifying factors for agencies to consider as they determine when and how to conduct virtual hearings. Specifically, this Recommendation provides best practices for conducting virtual hearings in appropriate circumstances and encourages agencies to monitor technological and procedural developments that may facilitate remote participation in appropriate circumstances.

As emphasized in Recommendation 2014–7, the Conference is committed to the principles of fairness, efficiency, and participant satisfaction in the conduct of adjudicative proceedings. When virtual hearings are used, they should be used in a manner that promotes these principles, which form the cornerstones of adjudicative legitimacy. The Conference recognizes that the use of virtual hearings is not suitable for every kind of adjudicative proceeding but believes greater familiarity with existing agency practices and awareness of the improvements in technology will encourage broader use of such technology in appropriate circumstances. This Recommendation aims to ensure that, when agencies choose to offer virtual hearings, they are able to provide a participant experience that meets or even exceeds the in-person hearing experience.[19]

Recommendation

Procedural Practices

1. If legally permissible, agencies should offer virtual hearings consistent with their needs, in accord with principles of fairness and efficiency, and with due regard for participant satisfaction. In developing policies regarding virtual hearings, agencies should consider, at a minimum, the following:

a. Whether the nature and type of adjudicative proceedings are conducive to the use of virtual hearings and whether virtual hearings can be used without affecting the procedural fairness or substantive outcomes of cases;

b. Whether virtual hearings are likely to result in significant benefits for agency and non-agency participants, including improved access to justice, more efficient use of time for adjudicators and staff, reduced travel costs and delays, and reduced wait times and caseload backlogs;

c. Whether virtual hearings are likely to result in significant costs for agency and non-agency participants, including those associated with purchasing, installing, and maintaining equipment and software, obtaining and using administrative and technical support, and providing training;

d. Whether the use of virtual hearings would affect the representation of parties;

e. Whether the use of virtual hearings would affect communication between hearing participants (including adjudicators, parties, representatives, witnesses, interpreters, agency staff, and others);

f. Whether the use of virtual hearings would create a potential barrier to access for individuals who belong to underserved communities, such as low-income individuals for whom it may be difficult to obtain access to high-quality personal devices or private internet services, individuals whose disabilities prevent effective engagement in virtual hearings or make it difficult to set up and manage the necessary technology, and individuals with limited English proficiency, or for other individuals who may have difficulty using a personal device or internet-based videoconferencing software to participate in adjudicative proceedings;

[11] *See* Alicia Bannon & Janna Adelstein, Brennan Ctr. for Justice, The Impact of Video Proceedings on Fairness and Access to Justice in Court 9–10 (2020); Nat'l Ctr. for State Cts., Call to Action: Achieving Civil Justice for All 37–38 (2016); Lederer, *supra* note 6, at 338; Susan A. Bandes & Neal Feigenson, *Virtual Trials: Necessity, Invention, and the Evolution of the Courtroom,* 68 Buff. L. Rev. 1275, 1313–14 (2020).

[12] *See* Lederer, *supra* note 9, at 8–12, 18.

[13] *See id.* at 12, 16–17.

[14] *See id.* at 12, 17.

[15] For evidentiary hearings not required by the Administrative Procedure Act (APA), the Conference has recommended that agencies ''adopt the presumption that their hearings are open to the public, while retaining the ability to close the hearings in particular cases, including when the public interest in open proceedings is outweighed by the need to protect: (a) National security; (b) Law enforcement; (c) Confidentiality of business documents; and (d) Privacy of the parties to the hearing.'' Admin. Conf. of the U.S., Recommendation 2016–4, *Evidentiary Hearings Not Required by the Administrative Procedure Act,* ¶ 18, 81 FR 94312, 94316 (Dec. 23, 2016). Similar principles may also apply in other proceedings, including those conducted under the APA's formal-hearing provisions. *See* Graboyes, *supra* note 7, at 22–23.

[16] 5 U.S.C. 552.

[17] *Id.* § 552a.

[18] 44 U.S.C. 3101 *et seq.*

[19] This Recommendation does not take a position on when parties should be entitled to, or may request, an in-person hearing.

g. Whether the use of virtual hearings would affect adjudicators' ability to make credibility determinations; and

h. Whether there is a reasonable concern that the use of virtual hearings would enable someone to improperly interfere with participants' testimony.

2. Agencies should revise any provisions of their codified rules of practice that unintentionally restrict adjudicators' discretion to allow individuals to participate virtually, when such participation would otherwise satisfy the principles in Paragraph 1.

3. Agencies should adopt the presumption that virtual hearings are open to the public, while retaining the ability to close the hearings in particular cases, including when the public interest in open proceedings is outweighed by the need to protect:

a. National security;

b. Law enforcement;

c. Confidentiality of business documents; or

d. Privacy of hearing participants.

For virtual hearings that are open to the public, agencies should provide a means for interested persons to attend or view the hearing.

4. If agencies record virtual hearings, they should consider the legal, practical, and technical implications of doing so and establish guidelines to seek to ensure, at a minimum, compliance with applicable information and recordkeeping laws and policies and guard against misuse of recordings.

5. Agencies should work with information technology and data security professionals to develop protocols to properly safeguard classified, legally protected, confidential, and other sensitive information during virtual hearings and also to ensure the integrity of the hearing process.

6. Agencies that offer virtual hearings should develop guidelines for conducting them, make those guidelines publicly available prominently on their websites, and consider which of those guidelines to include in their codified rules of practice. Such guidelines should address, as applicable:

a. Any process by which parties, representatives, and other participants can request to participate virtually;

b. Circumstances in which an individual's virtual participation may be inappropriate;

c. Any process by which parties, representatives, and other participants can, as appropriate, object to or express concerns about participating virtually;

d. Technological requirements for virtual hearings, including those relating to access to the internet-based videoconferencing software used for virtual hearings and any technical suggestions for participants who appear virtually;

e. Standards of conduct for participants during virtual hearings, such as those requiring participants to disclose whether they are joined or assisted by any silent, off-camera individuals;

f. The availability of or requirement to attend a general training session or pre-hearing conference to discuss technological requirements, procedural rules, and standards of conduct for virtual hearings;

g. Any protocols or best practices for participating in virtual hearings, such as those addressing:

i. When and how to join virtual hearings using either a personal device or equipment available at another location, such as a public library or other governmental facility;

ii. How to submit exhibits before or during virtual hearings;

iii. Whether and how to use screen sharing or annotation tools available in the videoconferencing software;

iv. How to make motions, raise objections, or otherwise indicate that a participant would like to speak;

v. How to participate effectively in a virtual setting (*e.g.,* recommending that participants not appear while operating a moving vehicle and, to account for audio delays, that they wait several seconds after others finish talking before speaking);

vi. How to indicate that there is a technical problem or request technical support;

vii. When adjudicators will stop or postpone virtual hearings due to technical problems and what actions will be taken to attempt to remedy the problems while preserving participants' hearing rights;

viii. How to examine witnesses who participate virtually and monitor or sequester them, as necessary;

ix. How parties and their representatives can consult privately with each other;

x. When participants should have their microphones or cameras on or off;

xi. Whether participants may communicate with each other using a videoconferencing software's chat feature or other channels of communication, and, if so, how;

xii. How to properly safeguard classified, legally protected, confidential, or other sensitive information;

xiii. Whether participants or interested persons may record proceedings;

xiv. Whether and how other interested persons can attend or view streaming video; and

xv. Whether and how participants or interested persons may access recordings of virtual hearings maintained by the agency.

7. Agencies should provide information on virtual hearings in pre-hearing notices to participants. Such notices should include or direct participants to the guidelines described in Paragraph 6.

Facilities and Equipment

8. When feasible, agencies should provide adjudicators with spaces, such as offices or hearing rooms, that are equipped and maintained for the purpose of conducting hearings that involve one or more remote participants. When designing such a space, agencies should provide for:

a. Dedicated cameras, lighting, and microphones to capture and transmit audio and video of the adjudicator to remote participants;

b. Adjudicators' access to a computer and a minimum of two monitors—one for viewing remote participants and another for viewing the record—and potentially a third for performing other tasks or accessing other information during proceedings; and

c. High-quality bandwidth.

9. Agencies should provide adjudicators who appear from a location other than a space described in Paragraph 8 with a digital or physical backdrop that simulates a physical hearing room or other official space.

Training and Support

10. Agencies should provide training for adjudicators on conducting virtual hearings.

11. Agencies should provide adjudicators with adequate technical and administrative support so that adjudicators are not responsible for managing remote participants (*e.g.,* admitting or removing participants, muting and unmuting participants, managing breakout rooms) or troubleshooting technical issues for themselves or other participants before or during proceedings. Agencies should provide advanced training for administrative and technical support staff to ensure they are equipped to manage virtual hearings and troubleshoot technical problems that may arise before or during proceedings.

12. Agencies should consider providing general training sessions or pre-hearing conferences at which staff can explain expectations, technological requirements, and procedural rules for virtual hearings to parties and representatives.

Assessment and Continuing Development

13. Agencies should try to measure how virtual hearings compare with proceedings conducted using other formats, including whether the use of virtual hearings affects procedural fairness or produces different substantive outcomes. Agencies should recognize the methodological challenges in measuring procedural fairness and comparing substantive outcomes to determine whether different hearing formats, apart from other relevant factors and case-specific circumstances, produce comparable results.

14. Agencies should collect anonymous feedback from participants (*e.g.,* using post-hearing surveys) to determine and assess participants' satisfaction with the virtual format and identify any concerns. Agencies should also maintain open lines of communication with representatives in order to receive feedback about the use of virtual hearings. Agencies should collect feedback in a manner that complies with the Paperwork Reduction Act and review this feedback on a regular basis to determine whether any previously unrecognized deficiencies exist.

15. Agencies should monitor technological and procedural developments to seek to ensure that options for individuals to participate remotely in adjudicative proceedings remain current and that those options reasonably comport with participants' expectations.

16. Agencies should share information with each other to reduce costs, increase efficiency, and provide a hearing experience that seeks to ensure fairness and participant satisfaction. To help carry out this Recommendation, the Conference's Office of the Chairman should provide, as authorized by 5 U.S.C. 594(2), for the ''interchange among administrative agencies of information potentially useful in improving'' virtual hearings and other forms of remote participation in agency adjudicative proceedings.

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2014–0034]

Availability of Revised Compliance Guidelines for Controlling Salmonella and Campylobacter in Raw Poultry

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of availability and response to comments.

SUMMARY: The Food Safety and Inspection Service (FSIS) is announcing the availability of revised guidelines to assist poultry establishments in controlling *Salmonella* and *Campylobacter* in raw poultry. The Agency has revised the content of the guidelines in light of new scientific and technical information, public comments received on the 2015 guideline, and the Agency's decision to issue two separate guidelines—one on controlling *Salmonella* and the other on controlling *Campylobacter.* The guidelines provide ''best practice'' recommendations that poultry establishments may follow to reduce *Salmonella* and *Campylobacter* contamination of raw products.

ADDRESSES: Downloadable versions of the revised guidelines are available at *https://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/guidelines.* The Agency has not published hard copies of these documents.

FOR FURTHER INFORMATION CONTACT: Rachel A. Edelstein, Assistant Administrator, Office of Policy and Program Development, FSIS; Telephone: (202) 205–0495.

SUPPLEMENTARY INFORMATION:

Background

On December 16, 2015, FSIS published a **Federal Register** notice (80 FR 78166) announcing the availability of and opportunity to comment on a revised Agency compliance guideline for controlling *Salmonella* and *Campylobacter* in raw poultry. This revision was the fourth edition of the guideline the Agency had developed to assist establishments that slaughter or process raw poultry products to minimize or prevent the risk of *Salmonella* and *Campylobacter* in their operations.

Updated Guidelines

FSIS has updated the guideline contents to reflect the most recent best practices, supported by current peer-reviewed literature and analyses of FSIS data. Updates include information on using neutralizing agents in sampling to prevent carryover of antimicrobial substances and a current list of antimicrobials for establishment use. Also included are improvements in the information on pre-harvest practices, with a comprehensive revision of the litter/bedding section. With the updated information, establishments of various sizes and configurations have practical options for reducing and inhibiting the growth of pathogens commonly found in raw poultry.

In response to the comments, FSIS also reviewed the recommendations in the previous version of the guideline and assessed each section for utility and effectiveness. The resulting changes include a complete revision of the sections on litter and bedding and updates to FSIS data on the rate at which *Salmonella* or *Campylobacter* contamination can be attributed to source materials of different composition. Also, the Agency is now issuing the revised document as two separate guidelines, one focused on control of *Salmonella,* and the other on *Campylobacter.* The guidelines are posted at *https://www.fsis.usda.gov/policy/fsis-guidelines.* Although comments will no longer be accepted through *regulations.gov* on these guidelines, FSIS will update these documents as necessary if new information becomes available.

Comments and Responses

FSIS received fifteen comments in response to the December 16, 2015, **Federal Register** notice and guideline. The commenters included consumer and industry associations, individuals, and firms that specialize in providing technology and services to the regulated industry. The comments and the Agency's responses, discussed below, have been grouped by topic area.

Pre-Harvest

Comment: A poultry industry association remarked that considerations and sampling for *Salmonella* and *Campylobacter* should not affect the Hazard Analysis and Critical Control Point (HACCP) system of the receiving establishment. The same association stated that, while good husbandry practices are important, the goal of obtaining pathogen-free flocks and many of the recommendations for doing so are unrealistic and unnecessary. According to the association, the Agency should revise the discussion of pre-harvest practices in the guideline to reflect currently available, commercially proven methods that can be practically implemented.

Response: Information about pre-harvest conditions and particularly, pathogen levels on incoming flocks, can inform the establishment's hazard analysis and decisions on controls to include in its HACCP plan. In the guideline, FSIS acknowledges that there may be no single pre-harvest intervention that eliminates *Salmonella* and *Campylobacter* as pre-harvest hazards. The Agency recommends instead a multi-hurdle approach involving successive interventions that can have a cumulative effect in reducing the pathogen contamination of birds. The Agency has modified some language in the pre-harvest section of the guideline to reflect current scientific literature.

Comment: The poultry industry association said that another area of concern is the recommendation to change bedding between each flock. According to the poultry industry association, that is not always the best way to control *Salmonella* growth because new litter can be a bigger risk factor for *Salmonella* than old litter, depending on the pH profile involved. The poultry industry association argued that the section on transportation crate maintenance is similarly impractical.

Response: Litter, or bedding, can be considered a potential reservoir for contamination with *Salmonella* and other pathogens. The presence or absence of contamination in litter is among the pre-harvest conditions of which a prudent establishment should be aware, along with clean transport crates. FSIS has updated the pre-harvest and transportation sections of the guideline with practical suggestions, based on informative studies, and also updated the section on scheduled slaughter (taking account of pathogen loads on incoming flocks).

Sanitation

Comment: An animal health and food-safety technology and services provider recommended changes in the guideline discussion of cleaning procedures by adding, after the removal of debris, dry-pickup of gross soils and pre-rinsing to remove remaining soil before using a cleaning agent, such as a detergent. This commenter also recommended that the guideline include a table (provided by the commenter) showing the factors to consider when choosing a sanitizer for a particular application.

Response: FSIS has accepted the recommended edits to the discussion of cleaning procedures in the sanitation section. The Agency has also removed some outdated references that the commenter noted and added the table of sanitizer characteristics.

Comment: The poultry industry association said that the guideline includes prescriptive practices that are neither reasonable nor necessary and that are not conducive to chicken processing. For example, the association stated that sanitizing hand-held knives between each carcass is not reasonable, nor would it result in significant pathogen reduction on final products. According to the association, sanitization between each carcass would increase handling time and create more opportunity for pathogen outgrowth, thereby increasing food-safety risks.

Response: The guideline recommends sanitizing knives in 180-degree water or an antimicrobial solution after cutting or trimming each carcass, which should result in the reduced transfer of pathogens from one carcass to the next.

FSIS guidance is intended to offer practical solutions to food safety problems, with some recommendations likely more useful in small and very small establishments and others more suitable for large establishments. Most of the information in this guidance should be useful to all establishments, including small and very small establishments. Although bacterial outgrowth is not a result of time alone, it would certainly be one consideration for an establishment contemplating this factor in its process.

Comment: The poultry industry association added that other recommendations in the guidelines, such as that to limit solution reuse during injection marinating to prevent contamination, is not supported by scientific evidence.

Response: FSIS updated the guidelines to include citations to scientific studies indicating that marination of non-heat-treated poultry parts can result in larger bacterial populations on the poultry,[1] depending on the type of marinade used.[2] Injection or other contact across carcasses can introduce a potential point for cross-contamination. A prime example in the guidance showing this mechanism of internalizing pathogens is an outbreak of Escherichia coli O157:H7 in beef steaks that occurred in 2007.[3] Establishments should consider the effects of injected solutions in their hazard analyses (9 CFR 417.2(a)) and support all decisions made in the hazard analysis, 9 CFR 417.5(a)(1). At this step in a process, an establishment could address the risk in several ways, depending on its process. One approach described in the guidelines is the use of an ultraviolet light intervention applied to the marinade solution between uses.[4] Additionally, the formulation of a marinade may include antimicrobial components, to achieve a specific pH or antimicrobial activity; examples of acceptable ingredients for this use are listed in the lookup table of FSIS Directive 7120.1, ''Safe and Suitable Ingredients.''

Lotting Practices

Comment: A poultry industry association asked the Agency to revise its recommendations on lotting practices to remove the emphasis on ''microbiological independence'' relating to pathogens that do not legally adulterate raw product by their presence alone, or per se.

Response: FSIS did not make changes to its recommendations on lotting practices. Concepts related to microbiological independence, or the unlikelihood of cross-contamination, apply to all pathogens. Considering lotting practices in such cases can help to maximize the value of testing and process control throughout production. Under HACCP, establishments may test for pathogens to verify that they are adequately addressing microbial hazards.

Also, as discussed in the December 6, 2012, **Federal Register** Notice on HACCP-plan reassessment for not-ready-to-eat (NRTE) comminuted poultry products (77 FR 72686, at 72689), when a NRTE product is credibly linked to an outbreak of illness caused by a pathogen, FSIS may consider the product to be adulterated, even if the pathogen does not adulterate the implicated NRTE product per se.

Comment: The poultry industry association said that, in addition to the above concerns regarding microbiologically-based lotting practices, the Agency should be aware that: Lot-traceback information may be commercially sensitive; separation in time and space is difficult in establishments running multiple lines and mixing flocks; and microbiological testing takes days to complete—too late for processed poultry already in commerce. For these reasons, according to the poultry industry association, the Agency should remove these recommendations from the guideline.

Response: As mentioned in the previous response, in situations where pathogenic organisms in NRTE products have been linked to foodborne illness outbreaks, FSIS has deemed the products to be adulterated. FSIS and members of the regulated industry have been interested in preventing situations like those. Accordingly, the guideline contains recommendations for lot separation, traceback, and microbiological testing. These approaches to monitoring, tracking, and controlling potentially contaminated products can help in preventing pathogen spread and illness outbreaks.

Comment: The poultry industry association said that recordkeeping recommendations must be relevant to establishment operations and must allow for flexibility according to establishment size and resources.

Response: The recordkeeping recommendations in the guideline are premised on the assumption that the establishment already has records that meets the HACCP, Sanitation Standard Operating Procedures, and other regulatory requirements. Establishments have significant flexibility in meeting these recordkeeping requirements and recordkeeping will vary in technical and other aspects from establishment to establishment. Additionally, the guideline sets out recordkeeping elements that are associated with sampling and testing and that are fairly basic and general. As such, FSIS has not revised the recordkeeping guidance.

Process Control

Comment: A poultry industry association requested that the Agency clarify key concepts and terms used in the guidance. For example, the association said that, while FSIS states throughout the guidance that establishments should reduce pathogens to ''acceptable levels,'' the guideline is not clear enough about what those acceptable levels are. The poultry industry association suggested that FSIS use its pathogen reduction performance standards as examples of acceptable levels and state that other metrics than prevalence might be used in evaluating acceptable levels.

Response: In the context used in the guidelines, ''acceptable levels'' of pathogens are defined by an establishment for use as control

[1] See Hinton, et al., (ARS) abstract for International Association for Food Protection (2004), ''Comparison of psychrotrophic bacterial flora of fresh and marinated chicken breast fillets during refrigerated storage.''

[2] See R. Thanissery and D.P. Smith, ''Effect of Marinade Containing Thyme and Orange Oils on Broiler Breast Fillet and Whole Wing Aerobic Bacteria During Refrigerated Storage,'' in The Journal of Applied Poultry Research 23 (2): 228–232; May 2014

[3] See FSIS. 2007. ''Pennsylvania Firm Recalls Beef Products for Possible E. coli O157:H7'' Recall Release. Available at: *https://www.fsis.usda.gov/wps/wcm/connect/5a217ede-de72-474a-b384-6643a8ac12f8/Recall_019_2007_Release.pdf?MOD=AJPERES.*

[4] Beers KL, Cook PE, Coleman CW, and Waldroup AL. 2010. Efficacy of ultraviolet light systems for control of microorganisms in poultry and beef brine and marinade solutions. Poult Sci. 89 (E-Supplement 1): 615.

parameters in its HACCP system. These upper and lower control limits may use prevalence to measure control of a hazard over time. As defined in the 2009 review of FSIS public health risk-based systems by the Institute of Medicine, ''[a] process is in control when, within the limits of a stable and predictable process variation, all hazards are controlled to an acceptable level.'' [5]

Data collected initially by the establishment can be used in process mapping for HACCP validation. The establishment can compare pathogen levels on incoming and final product to determine whether the process is achieving the desired reduction in microbial loads. Then, if the pathogen testing results demonstrate that the process is functioning correctly, the establishment can use the testing results for indicator bacteria to set a maximum limit for each indicator at each collection point. FSIS agrees with the commenter, however, that where the Agency's pathogen-reduction performance standards apply, an acceptable level would be one that is at or below the pathogen limit of a standard. Just as in the 2015 guidance, the updated guidance continues to advise an establishment seeking to reduce microbial hazards to consider FSIS's applicable *Salmonella* and *Campylobacter* performance standards for carcasses, parts, and comminuted poultry.

Comment: The poultry industry association said that, additionally, the guideline frequently instructs establishments to reevaluate their processes if they are resulting in ''high numbers'' of *Campylobacter* or *Salmonella* subtypes more commonly associated with human illness, without defining what the Agency views as a ''high level'' of these serotypes. Further, the poultry industry association argued that serotypes have little or no practical impact on HACCP systems. According to the commenter, a good HACCP system should work to control all *Salmonella* serotypes or *Campylobacter* species regardless of their serotype.

Response: Under HACCP, criteria for additional testing or actions are defined by the establishment. These criteria could be derived from the establishment's own baseline data, as well as the frequency at which serotypes of human-health concern are identified in that baseline. While FSIS agrees that HACCP systems should address all pathogens, FSIS uses characterization data, including serotypes of increased human health concern, to prioritize further evaluation and assessment of an establishment's HACCP system. Specifically, if an establishment does not meet FSIS performance standards, as part of the public health review evaluation (PHRE), FSIS will assess whether the Agency has found frequent serotypes of public health concern in the establishment's product. If so, FSIS will also likely conduct a food safety assessment (FSA) at the establishment.

Comment: A poultry industry association noted that the 2015 guidance appears to conflate the terms ''prevalence'' and ''load'' when referring to recommendations for decreasing *Salmonella* and *Campylobacter.* According to the poultry industry association, the ''prevalence'' of a pathogen on raw poultry product is a distinctly different microbial sampling metric than the ''load,'' or quantity, of pathogen on a raw poultry product. The prevalence of a pathogen refers to the presence or absence of a pathogen, regardless of quantity and is usually expressed as a percentage or rate of occurrence over time. By contrast, the microbial load of a pathogen refers to the concentration of bacteria (for example, in colony-forming units) in or on a unit of product. Yet, according to the poultry industry association, the guideline uses the terms ''prevalence'' and ''load'' interchangeably when recommending practices to decrease the ''prevalence'' or ''load'' of *Salmonella* and *Campylobacter* on raw poultry products. The poultry industry association argued that these two metrics are not, in fact, interchangeable. Since FSIS had reiterated that the Agency will focus on the presence of *Salmonella* or *Campylobacter* rather than on load, the poultry industry association recommended that the Agency revise the guidance for consistency in referring to ''prevalence'' rather than ''load.'' According to the poultry industry association, the guidance should refer to ''prevalence'' rather than ''load.''

Response: FSIS disagrees that it conflated the terms ''prevalence'' and ''load'' and did not make the poultry association's recommended changes to the guidelines. Establishments are not limited to considering only prevalence, which may be derived from qualitative test results over time, when designing and implementing a HACCP system. Available tools for enumeration can help inform a prudent establishment so that it can consider the impact of pathogen load, or the actual levels of contamination in positive samples, along with the prevalence information in order to improve process-control systems.

Comment: The poultry industry association offered several recommendations intended to improve discussion in the guidance of data analysis techniques. Thus, in the area of process mapping, the poultry industry association recommended that FSIS give establishments the flexibility to use process indicators that reliably reflect their operations and environments. The poultry industry association also suggested edits to make the text more consistent with tables that show median values for indicator organisms on poultry carcasses and parts. The poultry industry association remarked that linking a product with human illness is not necessarily evidence of a loss of control by the establishment that prepared the product. The poultry industry association also stated that the use of (microbiological) performance standards is not the only way to evaluate process controls. The commenter also stated that the ''moving window'' approach to monitoring and assessing whether establishments meet performance standards and use of the category-ranking system has not been evaluated for assessing process control.

Response: Establishments are free to choose appropriate microbiological indicators for determining process-control effectiveness. FSIS has removed some of the material about sampling for specific indicator organisms, including the sections regarding median indicator values, as more detail is provided in the *FSIS Compliance Guideline: Modernization of Poultry Slaughter Inspection—Microbiological Sampling of Raw Poultry* [6] to assist small and very small establishments that may not have their own baseline information.

While microbiological performance standards may not be the only measures of process control, they do help focus industry attention on the public health aspects of poultry processing and the need to improve processes as necessary to prevent foodborne illnesses. During the past two years, FSIS has been employing the ''moving window'' data-frame for microbiological test results on poultry products as a way of determining whether establishments meet performance standards over time. FSIS has evaluated the technique as a more consistent replacement for sampling sets that can better identify trends, such as seasonality, over time.

Comment: The poultry industry association recommended that FSIS

[5] IOM (Institute of Medicine). 2009. *Review of the Use of Process Control Indicators in the FSIS Public Health Risk-Based Inspection System: A Letter Report.* Washington, DC: The National Academies Press. P.12.

[6] Available at: *https://www.fsis.usda.gov/guidelines/2015-0013.*

adjust its picture caption concerning optimal application of antimicrobial spray to a conveyor belt and products on the belt. The poultry industry association also noted that application of the spray does reduce pathogens even if the coverage of the spray is less than complete.

Response: FSIS has modified the language of the caption in question in the guidance to clarify the point that not all the belt is being treated. The Agency acknowledges that there will be some pathogen-reduction effects like those in the illustration but recommends that the spray adequately cover the belt and products.

Comment: The poultry industry association stated that the 2015 guidance instructed establishments to evaluate their process if they encountered ''high numbers'' of serotypes of public health concern. According to the poultry industry association, the Agency should instead advise establishments to work at controlling all species of *Salmonella* or *Campylobacter,* regardless of serotype.

Response: The guidance encourages establishments to control all *Salmonella* and *Campylobacter* throughout their process. Establishments should consider all available information about hazards identified from their operations. This may include information about the point in the process where hazards are most often recovered, the lot or flock information, and characterization of the hazard recovered, including serotype. FSIS provides *Salmonella* serotype results to establishments to facilitate their efforts in identifying the appropriate response, which could include both serotype-specific interventions at pre-harvest (*e.g.,* vaccines) as well as *Salmonella* controls in the establishment.

Comment: The poultry industry association said in the section of the guidance on sampling and testing, it appeared that the Agency expected sampling and testing results for pathogens to be available in real time to assess bacterial load just before processing. The poultry industry association noted that this is not possible.

Response: FSIS has clarified the language in this section of the guidance to note that these testing options would need to be performed with adequate time allowed for the results to be used as effective tools. A number of rapid-testing methodologies may be fit-for-purpose for this use.

Comment: The poultry industry association stated that the Agency should provide additional information relating to its exploratory sampling results for raw, comminuted chicken in the guidance. The associated noted that Table 6 presents the prevalence rates of *Salmonella* and *Campylobacter* in mechanically separated chicken and ground and comminuted chicken products, organized by whether the source material had bone or skin in it. According to the poultry industry association, it would be useful to know how many samples were available for each of the statistics generated for the percent prevalence for these products, given the limited number of samples in the 2015 guideline dataset.

Response: FSIS has updated the statistics reported in Table 6 of the guidance with additional data points to strengthen the analysis. These updated tables represent 934 comminuted turkey samples and 2,688 comminuted chicken samples, more than 10 times the data points for chicken and 40 times the data points for turkey versus the data points used for the 2015 guidance. Analyses of FSIS comminuted poultry exploratory sampling results shows that it is more likely that comminuted chicken will be positive for *Salmonella* when its source materials contain both bone and skin (56.0%). However, for *Campylobacter,* comminuted chicken products made from bone-in and skinless source materials were highest. Comminuted chicken made from deboned and skinless source materials had the lowest prevalence for both pathogens (34.8% for *Salmonella,* and 1.7% for *Campylobacter*). Statistical analyses, including that for independence and for significance, were used to evaluate the data before compiling the relative risk tables that have been updated in this edition of the guidance.

Antimicrobial Interventions

Comment: An environmental advocacy group questioned the Agency's continued support for food irradiation.

Response: The guidance includes irradiation among the safe and effective physical interventions available. While FSIS does not recommend the use of specific interventions or lethality treatments, food irradiation has been demonstrated to be both safe and effective in controlling pathogens. FSIS and the Food and Drug Administration (FDA) regulations authorize its use in the treatment of ready-to-cook poultry (9 CFR 424.22(c), citing 21 CFR 179.26)).

Comment: The same advocacy group noted that the Agency continues to recommend the use of various chemical agents to reduce the levels of *Salmonella* and *Campylobacter* in poultry processing. It asked about the role played by the Occupational Safety and Health Administration (OSHA) in determining permissible exposure levels (PELs) for these substances and their impact on FSIS inspectors and on plant employees.

Response: While FSIS does not recommend the use of specific interventions, many chemical products have been demonstrated to be both safe and effective. Chemical substances used in the processing of meat, poultry, and egg products are approved by both FDA and FSIS before they can be used in official establishments. They are listed in the on-line table referred to in FSIS Directive 7120.1, ''Safe and Suitable Ingredients used in the Production of Meat, Poultry, and Egg Products,''[7] which is updated regularly.

FSIS does not allow the use of chemicals in a manner that may be a health risk to inspection personnel. Inspectors in every establishment verify that establishments use only approved chemicals as ingredients and only within approved limits, as outlined in FSIS Directive 7120.1. In addition, the Agency has a network of occupational safety and health experts in its inspection districts and distributes information on health hazards to its workforce. The information includes the OSHA PELs and other exposure limits applying to chemicals that may be used in meat, poultry, and egg products plants. (See *https://www.fsis.usda.gov/wps/portal/informational/aboutfsis/audience-employees/employee-safety/environmental-safety-health.*)

Comment: A poultry industry association advised FSIS to replace the ''requirement'' to wait ''at least 60 seconds'' for drip time before collecting a product sample with ''a drip time appropriate to prevent excessive antimicrobial carryover.'' According to the poultry industry association, establishments are familiar with the antimicrobial treatments applied to products in their operations and the appropriate neutralization periods for each treatment.

Response: FSIS has edited the language in the guidance to be more inclusive of the many antimicrobial interventions available and the manufacturers' instructions specific to each.

Comment: A poultry industry association recommended that the guidance reflect differences between *Salmonella* and *Campylobacter.* According to the association, the guideline's assertion (in the section on actions to take in response to test

[7] Available at: *https://www.fsis.usda.gov/wps/wcm/connect/bab10e09-aefa-483b-8be8-809a1f051d4c/7120.1.pdf?MOD=AJPERES.*

results) that an intervention to prevent, eliminate, or reduce *Salmonella* will also reduce or prevent *Campylobacter* is not scientifically accurate.

Response: The Agency has modified the language in question to account for the different effects of different interventions. Also, the Agency has divided the guidance into two separate documents—one addressing *Salmonella,* the other *Campylobacter*—with the aim of accounting for differences between the pathogens and ensuring that recommended controls will be effective. FSIS also revised the guidance to include additional literature supporting controls for the pathogens. The updated references may assist establishments in identifying the best process controls for *Salmonella* and *Campylobacter* in their operations.

FSIS agrees that an intervention for controlling one microorganism will not necessarily have a similar effect on the other. For example, hard freezing is likely to be more effective against *Campylobacter* than *Salmonella.* On the other hand, vaccine development for controlling *Salmonella* in flocks is clearly in advance of that for controlling *Campylobacter.*

New Technology Review

Comment: The poultry industry association said that FSIS has recommended several interventions that the industry has sought but that are still awaiting review or approval by FSIS. According to the poultry industry association, the Agency should consider an expedited review and approval process.

Response: The Agency does not have a backlog of new technology submissions. The Agency reviews a new technology to determine whether it may express its ''non-disapproval'' for use of the technology. The technology should be safe to use, compliant with pertinent regulations, not interfere with inspection procedures, and help the establishment achieve the objectives of its HACCP system. FSIS has made available a guideline to assist the industry in preparing and submitting new-technology notifications and protocols to the Agency (See *https://www.fsis.usda.gov/guidelines/2015-0012*). By following the advice in the guideline, the submitter can assist the Agency in completing its review within a reasonable timeframe. FSIS Directive 7,120.1, on ''Safe and Suitable Ingredients,'' is updated every month to incorporate newly approved entries, including new interventions (See *https://www.fsis.usda.gov/wps/wcm/connect/bab10e09-aefa-483b-8be8-809a1f051d4c/7120.1.pdf?MOD=AJPERES*).

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this notice on-line through the FSIS web page located at: *http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register.*

FSIS also will make copies of this **Federal Register** publication available through the FSIS *Constituent Update,* which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS is able to provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: *http://www.fsis.usda.gov/subscribe.* Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

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Done, at Washington, DC.

Paul Kiecker,

Administrator.

[FR Doc. 2021–14554 Filed 7–7–21; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE

Forest Service

Proposed New Fee Site

AGENCY: Forest Service, USDA.

ACTION: Notice of new fee site.

SUMMARY: The Payette National Forest is proposing to charge a new fee at four cabins including Paddy Flat, Burgdorf, Warren Bunkhouse, and Warren Ranger cabins. These units are currently not in use by the public. Rentals of other cabins on the Payette National Forest have shown people appreciate and enjoy the availability of rental cabins.

DATES: Comments will be accepted through September 30, 2021. New fees would go into effect in the spring of 2022, if possible.

ADDRESSES: Payette National Forest, Attention: Linda Jackson, 500 N Mission St., McCall, Idaho 83638

FOR FURTHER INFORMATION CONTACT: Emily Simpson, Recreation Specialist, 208–634–0757. Information about proposed fee changes can also be found on the Payette National Forest website: *http://www.fs.usda.gov/payette.*

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six-month advance notice in the **Federal Register** whenever new recreation fee areas are established. A market analysis indicated that the

proposed fees are both reasonable and acceptable for the type of recreation experience they provide.

Once public involvement is complete, these new fees will be reviewed by a Resource Advisory Committee prior to a final decision and implementation.

Cabins will be available for overnight rental at $160 per night for the Burgdorf Guard Station, $100 per night for the Paddy Flat Guard Station, and $120 per night for a bunkhouse and $130 per night for a cabin at the Warren Guard Station. Seasons for each of these sites will be July 1 to September 30. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, and market assessment. Funds from the rental will be used for the continued operation and maintenance of these sites.

People wanting to rent any of these sites will need to do so through *Recreation.gov,* at *www.recreation.gov* or by calling 1–877–444–6777. *Recreation.gov* charges an $8 fee for reservations.

Dated: July 1, 2021.

Jennifer Eberlien,

Associate Deputy Chief, NFS.

[FR Doc. 2021–14541 Filed 7–7–21; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–802]

Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) to determine whether Camimex Group Joint Stock Company is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation in the context of the antidumping duty (AD) order on certain frozen warmwater shrimp (shrimp) from the Socialist Republic of Vietnam (Vietnam). We also preliminarily determine that Camimex Group Joint Stock Company is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik or Samuel Glickstein, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6905 or (202) 482–5307, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2005, Commerce published the AD order on shrimp from Vietnam.[1] In the original investigation, we selected Camau Frozen Seafood Processing Import Export Corporation as a mandatory respondent and granted it a separate rate.[2] Camau Frozen Seafood Processing Import Export Corporation's separate rate status has not changed in subsequent administrative reviews of the *Order.* Most recently, in the administrative review covering the period February 1, 2017, through January 31, 2018, we assigned Camau Frozen Seafood Processing Import Export Corporation a separate rate, as a non-individually examined exporter under review.[3]

On June 2, 2021, Camimex Group Joint Stock Company requested that, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), Commerce conduct a CCR of the *Order* to confirm that Camimex Group Joint Stock Company is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation and, accordingly, to assign it the cash deposit rate of its predecessor.[4] In its request, Camimex Group Joint Stock Company stated that it undertook a legal name change from Camau Frozen Seafood Processing Import Export Corporation, but the company is, otherwise, unchanged with regard to the factors to be examined.[5] No interested parties filed comments opposing the CCR request.

Scope of the Order

The merchandise subject to the *Order* is certain frozen warmwater shrimp. The product is currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) item numbers: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. Although the HTSUS numbers are provided for convenience and for customs purposes, the written product description, provided in the Appendix, remains dispositive.

Initiation and Preliminary Results of CCR

Pursuant to section 751(b)(1) of the Act, and 19 CFR 351.216, Commerce will conduct a CCR upon receipt of information concerning, or a request from an interested party for a review of, an AD order which shows changed circumstances sufficient to warrant a review of the order. The information submitted by Camimex Group Joint Stock Company supporting its claim that it is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation, demonstrates changed circumstances sufficient to warrant such a review.[6] Therefore, in accordance with 751(b)(1)(A) of the Act and 19 CFR 351.216(d), we are initiating a CCR based on the information contained in the CCR Request. Section 351.221(c)(3)(ii) of Commerce's regulations permits Commerce to combine the notice of initiation of a CCR and the notice of preliminary results if Commerce concludes that expedited action is warranted. In this instance, because the record contains information necessary to make a preliminary finding, we find that expedited action is warranted and have combined the notice of initiation and the notice of preliminary results.[7]

In making a successor-in-interest determination, Commerce examines several factors, including, but not limited to, changes in the following: (1)

[1] *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam,* 70 FR 5152 (February 1, 2005) (*Order*).

[2] *Id.*

[3] *See Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review, 2017–2018,* 84 FR 44859, 44860 (August 27, 2019).

[4] *See* Camimex Group Joint Stock Company's Letter, ''Request for Changed Circumstances Review,'' dated June 2, 2021 (CCR Request). Camimex Group Joint Stock Company also requested that Commerce conduct an expedited initiation and preliminary results of CCR, pursuant to 19 CFR 351.221(c)(3)(ii).

[5] *Id.* at 4–9.

[6] *See* 19 CFR 351.216(d); *see also Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Mexico,* 75 FR 67685 (November 3, 2010).

[7] *See* 19 CFR 351.221(C)(3)(II); *see also, e.g., Notice of Initiation and Preliminary Results of Changed Circumstances Reviews: Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China,* 85 FR 5193 (January 29, 2020), unchanged in *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Final Results of Changed Circumstances Reviews,* 85 FR 14638 (March 13, 2020).

Management; (2) production facilities; (3) supplier relationships; and (4) customer base.[8] While no single factor, or combination of factors, will necessarily provide a dispositive indication of a successor-in-interest relationship, generally, Commerce will consider the new company to be the successor to the previous company if the new company's resulting operation is not materially dissimilar to that of its predecessor.[9] Thus, if the record evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, Commerce may assign the new company the cash deposit rate of its predecessor.[10]

In its CCR Request, Camimex Group Joint Stock Company provided information to demonstrate that it is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation. We have reviewed the information provided to determine whether there were changes in management, production facilities, supplier relationships, and customer base.

With respect to management prior to and following the name change, Camimex Group Joint Stock Company demonstrated that it has the same management team, including the chairman and members of the board, as Camau Frozen Seafood Processing Import Export Corporation.[11] Additionally, Camimex Group Joint Stock Company provided evidence that its organizational structure is identical to that of predecessor Camau Frozen Seafood Processing Import Export Corporation.[12] Furthermore, Camimex Group Joint Stock Company provided evidence that its production facilities and contents therein and those of predecessor Camau Frozen Seafood Processing Import Export Corporation are unchanged; Camimex Group Joint Stock Company retained the same address as Camau Frozen Seafood Processing Import Export Corporation.[13]

Camimex Group Joint Stock Company also demonstrated that it continues to source finished product from its affiliated subsidiary, Camimex Seafood Company Ltd. (the producer of subject merchandise), which Camimex Group Joint Stock Company, in turn, resells to foreign and domestic markets. This is unchanged from the producer/seller relationship between subsidiary producer, Camimex Seafood Company Ltd. and predecessor Camau Frozen Seafood Processing Import Export Corporation.[14] With regard to customer base, in its CCR Request, Camimex Group Joint Stock Company provided a letter sent to customers and partners notifying them of the company's name change, thereby demonstrating that it retained the predecessor company's customers.[15]

Therefore, given the continuity noted above, and consistent with our practice,[16] we preliminarily determine that no significant changes occurred with respect to Camau Frozen Seafood Processing Import Export Corporation's management, production facilities, suppliers, or customer base as a result of the name change to Camimex Group Joint Stock Company. In accordance with 19 CFR 351.216, we preliminarily determine that Camimex Group Joint Stock Company is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation. Record evidence demonstrates that Camimex Group Joint Stock Company operates as the same business entity as Camau Frozen Seafood Processing Import Export Corporation with respect to subject merchandise, as discussed above. As such, Camimex Group Joint Stock Company is entitled to Camau Frozen Seafood Processing Import Export Corporation's cash deposit rate with respect to entries of subject merchandise.

Should our final results remain unchanged from these preliminary results, we will instruct U.S. Customs and Border Protection to assign entries of subject merchandise exported by Camimex Group Joint Stock Company the AD cash deposit rate applicable to Camau Frozen Seafood Processing Import Export Corporation. Commerce will issue its final results of the review in accordance with the time limits set forth in 19 CFR 351.216(e).

Public Comment

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice. In accordance with 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the case briefs, in accordance with 19 CFR 351.309(d).[17] Parties who submit case or rebuttal briefs are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[18] All comments are to be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) available to registered users at *https://access.trade.gov,* and must also be served on interested parties. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day it is due.[19] Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[20]

Consistent with 19 CFR 351.216(e), Commerce will issue the final results of this CCR no later than 270 days after the date on which this review was initiated, or within 45 days of publication of these preliminary results, if all parties agree to our preliminary finding.

This notice is published in accordance with sections 751(b)(1) and 777(i) of the Act and 19 CFR 351.216(b) and 351.221(c)(3)(ii).

[8] *See Certain Pasta from Italy: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review,* 80 FR 33480, 33480–41 (June 12, 2015), unchanged in *Certain Pasta from Italy: Final Results of Changed Circumstances Review,* 80 FR 48807 (August 14, 2015) (*Pasta from Italy*); {*Certain*} *Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Initiation and Preliminary Results of Changed Circumstances Review,* 76 FR 20318 (April 12, 2011), unchanged in {*Certain*} *Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Changed Circumstances Review,* 76 FR 30648 (May 26, 2011) (*Shrimp from Vietnam*).

[9] *See Pasta from Italy;* and *Shrimp from Vietnam.*

[10] *Id.; see also Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber from Japan,* 67 FR 58 (January 2, 2002); *see also Ball Bearings and Parts Thereof from France: Final Results of Changed-Circumstances Review,* 75 FR 34688 (June 18, 2010) (Commerce found successorship where the company changed its ownership structure, but made only minor changes to its operations, management, supplier relationships, and customer base).

[11] *See* CCR Request at 6–7 and Attachment 5.

[12] *Id.*

[13] *Id.* at 7, 9–10 and Attachments 1 and 9. Camimex Group Joint Stock Company also included sales documentation demonstrating that it and the predecessor company share the same address, telephone number, and email address.

[14] *Id.* at 7 and Attachment 6.

[15] *Id.* at 8–9 and Attachment 8.

[16] *See, e.g., Certain Softwood Lumber Products from Canada: Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review,* 86 FR 22934 (April 30, 2021), unchanged in *Certain Softwood Lumber Products from Canada: Notice of Final Results of Antidumping Duty Changed Circumstances Review,* 86 FR 33222 (June 24, 2021).

[17] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020).

[18] *See* 19 CFR 351.309(c)(2).

[19] *See* 19 CFR 351.303(b).

[20] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

Dated: July 1, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations.

Appendix

Scope of the Order

The scope of the order includes certain frozen warmwater shrimp and prawns, whether wildcaught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,[21] deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the scope of the order, regardless of definitions in the Harmonized Tariff Schedule of the United States (''HTS''), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the *Penaeidae* family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, white-leg shrimp (*Penaeus vannemei*), banana prawn (*Penaeus merguiensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of the order. In addition, food preparations, which are not ''prepared meals,'' that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of the order. Excluded from the scope are: (1) Breaded shrimp and prawns (HTS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the *Pandalidae* family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTS subheading 1605.20.10.40); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) That is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a ''dusting'' layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and 10 percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen (''IQF'') freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried. The products covered by this order are currently classified under the following HTS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. These HTS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this order is dispositive.[22]

[21] ''Tails'' in this context means the tail fan which includes the telson and the uropods.

[22] On April 26, 2011, Commerce amended the order to include dusted shrimp, pursuant to the U.S. Court of International Trade (CIT) decision in *Ad Hoc Shrimp Trade Action Committee* v. *United States,* 703 F. Supp. 2d 1330 (CIT 2010) and the U.S. International Trade Commission (USITC) determination, which found the domestic like product to include dusted shrimp. *See Certain Frozen Warmwater Shrimp from Brazil, India, the People's Republic of China, Thailand, and the Socialist Republic of Vietnam: Amended Antidumpling Duty Orders in Accordance with Final Court Decision,* 76 FR 23277 (April 26, 2011); *see also Ad Hoc Shrimp Trade Action Committee* v. *United States,* 703 F. Supp. 2d 1330 (CIT 2010; and *Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam* (Investigation Nos. 731–TA–1063, 1064, 1066–1068 (Review), USITC Publication 4221, March 2011.

[FR Doc. 2021–14571 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–135]

Certain Chassis and Subassemblies Thereof From the People's Republic of China: Antidumping Duty Order

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and International Trade Commission (ITC), Commerce is issuing its antidumping duty (AD) order on certain chassis and subassemblies thereof (chassis) from the People's Republic of China (China).

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Mary Kolberg, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3477 or (202) 482–1785, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 17, 2021, Commerce published its affirmative final determination in the less-than-fair-value (LTFV) investigation of chassis from China.[1] On July 1, 2021, the ITC notified Commerce of its affirmative final determination that, pursuant to sections 735(b)(1)(A)(i) and 735(d) of the Act, an industry in the United States is materially injured by reason of imports of subject merchandise from China that are sold in the United States at LTFV.[2]

Scope of the Order

The products covered by the order are certain chassis and subassemblies thereof from China. For a full description of the scope of this order, *see* the appendix of this notice.

AD Order

On July 1, 2021, in accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC notified Commerce of its final determination that an industry in the United States is materially injured by reason of imports of chassis from China that are sold in the United States at LTFV.[3] Therefore, in accordance with section 735(c)(2) of the Act, we are issuing this AD order. Because the ITC determined that imports of chassis from China are materially injuring a U.S. industry, unliquidated entries of such merchandise from China entered, or withdrawn from warehouse, for consumption are subject to the assessment of antidumping duties.

Therefore, in accordance with sections 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Patrol (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise for all relevant entries of chassis from China. Antidumping duties will be assessed on unliquidated entries of chassis from China entered, or withdrawn from warehouse, for consumption on or after March 4, 2021, the date of publication of the *AD Preliminary Determination,* but will not include entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final injury

[1] *See Certain Chassis and Subassemblies Thereof from the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value,* 86 FR 26694 (May 17, 2021).

[2] *See* ITC's Letter, ''Notification of ITC Final Determination,'' dated July 1, 2021 (ITC Notification Letter)

[3] *Id.*

determination under section 735(b) of the Act, as further described in the ''Provisional Measures'' section of this notice.[4]

Continuation of Suspension of Liquidation and Cash Deposits

Except as noted in the ''Provisional Measures'' section of this notice, in accordance with section 735(c)(1)(B) of the Act, Commerce will instruct CBP to continue to suspend liquidation on all relevant entries of chassis from China. These instructions suspending liquidation will remain in effect until further notice.

Commerce will also instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the table below, adjusted by the export subsidy offset.[5] Accordingly, effective on the date of publication in the **Federal Register** of the notice of the ITC's final affirmative injury determination, CBP must require, at the same time as importers would deposit estimated normal customs duties on subject merchandise, a cash deposit equal to the rates listed in the table below.

Producer/exporter	Estimated weighted-average dumping margin (percent)	Estimated weighted-average dumping margin adjusted for export subsidy offset(s) (percent)
China-Wide Entity	188.05	177.05

Provisional Measures

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *AD Preliminary Determination* in this investigation on March 4, 2021.

The provisional measures period, beginning on the date of publication of the *AD Preliminary Determination,* ends on July 1, 2021. Therefore, in accordance with section 733(d) of the Act and our practice, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of chassis from China entered, or withdrawn from warehouse, for consumption after July 1, 2021, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Notification to Interested Parties

This notice constitutes the AD order with respect to chassis from China pursuant to section 736(a) of the Act. Interested parties can find a list of AD orders currently in effect at *http://enforcement.trade.gov/stats/iastats1.html.*

This order is published in accordance with sections 736(a) of the Act, and 19 CFR 351.211(b).

Dated: July 1, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Order

The merchandise covered by this order consists of chassis and subassemblies thereof, whether finished or unfinished, whether assembled or unassembled, whether coated or uncoated, regardless of the number of axles, for carriage of containers, or other payloads (including self-supporting payloads) for road, marine roll-on/roll-off (RORO) and/or rail transport. Chassis are typically, but are not limited to, rectangular framed trailers with a suspension and axle system, wheels and tires, brakes, a lighting and electrical system, a coupling for towing behind a truck tractor, and a locking system or systems to secure the shipping container or containers to the chassis using twistlocks, slide pins or similar attachment devices to engage the corner fittings on the container or other payload.

Subject merchandise includes, but is not limited to, the following subassemblies:

- Chassis frames, or sections of chassis frames, including kingpin assemblies, bolsters consisting of transverse beams with locking or support mechanisms, goosenecks, drop assemblies, extension mechanisms and/or rear impact guards;
- Running gear assemblies or axle assemblies for connection to the chassis frame, whether fixed in nature or capable of sliding fore and aft or lifting up and lowering down, which may or may not include suspension(s) (mechanical or pneumatic), wheel end components, slack adjusters, axles, brake chambers, locking pins, and tires and wheels;
- Landing gear assemblies, for connection to the chassis frame, capable of supporting the chassis when it is not engaged to a tractor; and
- Assemblies that connect to the chassis frame or a section of the chassis frame, such as, but not limited to, pintle hooks or B-trains (which include a fifth wheel), which are capable of connecting a chassis to a converter dolly or another chassis.

Importation of any of these subassemblies, whether assembled or unassembled, constitutes an unfinished chassis for purposes of this order.

Subject merchandise also includes chassis, whether finished or unfinished, entered with or for further assembly with components such as, but not limited to: Hub and drum assemblies, brake assemblies (either drum or disc), axles, brake chambers, suspensions and suspension components, wheel end components, landing gear legs, spoke or disc wheels, tires, brake control systems, electrical harnesses and lighting systems.

Processing of finished and unfinished chassis and components such as trimming, cutting, grinding, notching, punching, drilling, painting, coating, staining, finishing, assembly, or any other processing either in the country of manufacture of the in-scope product or in a third country does not remove the product from the scope. Inclusion of other components not identified as comprising the finished or unfinished chassis does not remove the product from the scope.

Individual components entered and sold by themselves are not subject to the order, but components entered with or for further assembly with a finished or unfinished chassis are subject merchandise. A finished chassis is ultimately comprised of several different types of subassemblies. Within each subassembly there are numerous components that comprise a given subassembly.

This scope excludes dry van trailers, refrigerated van trailers and flatbed trailers. Dry van trailers are trailers with a wholly enclosed cargo space comprised of fixed sides, nose, floor and roof, with articulated panels (doors) across the rear and occasionally at selected places on the sides, with the cargo space being permanently incorporated in the trailer itself. Refrigerated van trailers are trailers with a wholly enclosed cargo space comprised of fixed sides, nose, floor and roof, with articulated panels (doors) across the rear and occasionally at selected places on the sides, with the cargo space being permanently incorporated in the trailer and being insulated, possessing specific thermal properties intended for use with self-contained refrigeration systems. Flatbed (or platform) trailers consist of load-carrying main frames and a solid, flat or stepped loading deck or floor permanently incorporated with and supported by frame rails and cross members.

The finished and unfinished chassis subject to this order are typically classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 8716.39.0090 and 8716.90.5060. Imports of

[4] *See Certain Chassis and Subassemblies Thereof from the People's Republic of China People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value,* 85 FR 12616 (March 4, 2020) (*AD Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[5] *See Certain Chassis and Subassemblies Thereof from the People's Republic of China; Final Affirmative Countervailing Duty Determination,* 86 FR 15186 (March 22, 2021), and accompanying Issues and Decision Memorandum; *see also Certain Chassis and Subassemblies Thereof from the People's Republic of China; Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination,* 86 FR 24844 (May 10, 2021).

finished and unfinished chassis may also enter under HTSUS subheading 8716.90.5010. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under order is dispositive.

[FR Doc. 2021–14561 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–412–824]

Certain Cold-Rolled Steel Flat Products From the United Kingdom: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that the sole producer/exporter subject to this administrative review, Liberty Performance Steels, Ltd. (Liberty), made sales of certain cold-rolled steel flat products (CR steel) at less than normal value (NV) during the period of review (POR) September 1, 2019, through August 31, 2020. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3477.

SUPPLEMENTARY INFORMATION:

Background

On September 20, 2016, we published in the **Federal Register** an antidumping duty (AD) order on CR steel from the United Kingdom.[1] On September 1, 2020, we published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On October 30, 2020, based on timely requests for an administrative review, we initiated an administrative review of one company, Liberty.[3] On May 17, 2021, we extended the preliminary results by 30 days, to no later than July 2, 2021.[4]

Scope of the Order

The products covered by the antidumping duty *Order* are CR steel products. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.[5]

Methodology

Commerce conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be found at *https://enforcement.trade.gov/frn/.* A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

Preliminary Results of the Administrative Review

We preliminarily determine that the following weighted-average dumping margin exists for Liberty for the period September 1, 2019, through August 31, 2019:

Producer or exporter	Weighted-average dumping margin (percent)
Liberty Performance Steels, Ltd	8.65

Disclosure and Public Comment

We intend to disclose the calculations performed for the preliminary results of this administrative review to parties within five days after public announcement or publication of the preliminary results in accordance with 19 CFR 351.224(b).

Case briefs or other written comments on non-scope issues may be submitted to the Assistant Secretary for Enforcement and Compliance. Interested parties will be notified of the timeline for the submission of such case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.[6] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Case and rebuttal briefs should be filed using ACCESS[7] and must be served on interested parties.[8]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.[9] An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.[10]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, unless

[1] *See Certain Cold-Rolled Steel Flat Products from Brazil, India, the Republic of Korea, and the United Kingdom: Amended Final Affirmative Antidumping Determinations for Brazil and the United Kingdom and Antidumping Duty Orders,* 81 FR 64432 (September 20, 2016) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review,* 85 FR 54349 (September 1, 2020).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 85 FR 68840 (October 30, 2020) (*Initiation Notice*).

[4] *See* Memorandum, ''Certain Cold-Rolled Steel Flat Products from the United Kingdom: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2019–2020,'' dated May 17, 2021.

[5] *See* Memorandum, ''Certain Cold-Rolled Steel Flat Products from the United Kingdom: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2019–2020,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] *See* 19 CFR 351.309(d); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).'')

[7] *See* 19 CFR 351.303 (for general filing requirements).

[8] *See* 19 CFR 351.303(f).

[9] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

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

extended, pursuant to section 751(a)(3)(A) of the Act.

Verification

On November 23, 2020, AK Steel Corporation (the petitioners) requested, pursuant to 19 CFR 351.307(b)(1)(v), that Commerce conduct verification of the questionnaire responses submitted in this administrative review by Liberty.[11] Commerce is currently unable to conduct on-site verification of the information relied upon in making its final results of this administrative review. Accordingly, we intend to take additional steps in lieu of on-site verification to verify the information. Commerce will notify interested parties of any additional documentation or information required.

Assessment Rate

Upon issuing the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[12] If the respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1).[13] If the respondent's weighted-average dumping margin is zero or *de minimis* in the final results, or an importer-specific assessment rate is zero or *de minimis,* then we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable.

For entries of subject merchandise during the POR produced by Liberty for which it did not know its merchandise was destined for the United States, we intend to instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue liquidation instructions to CBP no earlier than 35 days after publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the liquidation instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this review for all shipments of CR steel from the United Kingdom entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Liberty, subject to this review, will be equal to the weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior completed review, or the original less-than-fair-value (LTFV) investigation but the producer has been covered in a completed segment of this proceeding, then the cash deposit rate will be the company-specific cash deposit cash deposit rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 22.58 percent,[14] the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(4).

Dated: July 1, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2021–14562 Filed 7–7–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–838]

Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Italy: Preliminary Results of the Administrative Review of the Antidumping Duty Order; 2019–2020

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that sales of certain cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from Italy have not been made at less than normal value (NV) during the period of review (POR) June 1, 2019, through May 31, 2020. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Whitley Herndon, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6274.

SUPPLEMENTARY INFORMATION:

Background

On June 11, 2018, Commerce published the antidumping duty order on cold-drawn mechanical tubing from Italy.[1] On August 6, 2020, Commerce

[11] *See* Petitioner's Letter, ''Cold-Rolled Steel Flat Products from the United Kingdom/Request for Verification,'' dated November 23, 2020.

[12] *See* 19 CFR 351.212(b)(1).

[13] In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

[14] *See Order,* 81 FR at 64434.

[1] *See Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from the People's Republic of China, the Federal Republic of Germany, India, Italy, the Republic of Korea, and Switzerland:*

initiated an administrative review of the antidumping duty order on cold-drawn mechanical tubing from Italy in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[2] This review covers one producer/exporter of subject merchandise, Dalmine S.p.A. (Dalmine).[3] For details regarding the events that occurred subsequent to the initiation of the review, *see* the Preliminary Decision Memorandum.[4]

Pursuant to section 751(a)(3)(A) of the Act, Commerce determined that it was not practicable to complete the preliminary results of this review within the 245 days and extended these preliminary results by 120 days, until June 30, 2021.[5]

Scope of the Order

The products covered by the *Order* are certain cold-drawn mechanical tubing of carbon and alloy steel products from Italy. For a full description of the scope, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. We calculated export price and constructed export price in accordance with section 772 of the Act. We calculated NV in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum is available at *http://enforcement.trade.gov/frn/.*

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margin exists for the period June 1, 2019, through May 31, 2020:

Exporter/producer	Weighted-average dumping margin (percent)
Dalmine S.p.A	0.00

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If Dalmine's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis.* If Dalmine's weighted-average dumping margin is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[6]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Dalmine for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate in the original less-than-fair value (LTFV) investigation (*i.e.,* 47.87 percent)[7] if there is no rate for the intermediate company(ies) involved in the transaction.[8]

Consistent with its recent notice,[9] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the finals results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Dalmine in the final results of review will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 47.87 percent,[10] the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after public announcement of the

Antidumping Duty Orders; and Amended Final Determinations of Sales at Less Than Fair Value for the People's Republic of China and Switzerland, 83 FR 26962 (June 11, 2018) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 85 FR 47731 (August 6, 2020) (*Initiation Notice*).

[3] *Id.,* 85 FR at 47734.

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Italy; 2019–2020,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See* Memorandum, ''Certain Cold Drawn Mechanical Tubing from Italy: Extension of Deadline for Preliminary Results of the Antidumping Duty Administrative Review, 2019–2020,'' dated February 3, 2021.

[6] *See* section 751(a)(2)(C) of the Act.

[7] *See Order.*

[8] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[9] *See Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings,* 86 FR 884 (January 15, 2021).

[10] *See Order.*

preliminary results.[11] Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[12] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities.[13] Executive summaries should be limited to five pages total, including footnotes. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[14]

Interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary for Enforcement and Compliance using Enforcement and Compliance's ACCESS system.[15] Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

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

Notification to Interested Parties

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

Dated: June 30, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Methodology
V. Product Comparisons
VI. Date of Sale
VII. Export Price and Constructed Export Price
VIII. Normal Value
IX. Currency Conversion
X. Recommendation

[FR Doc. 2021–14560 Filed 7–7–21; 8:45 am]

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

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

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

[14] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

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

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 99–14A05]

Export Trade Certificate of Review

ACTION: Notice of Application To Amend the Export Trade Certificate of Review Issued to California Almond Export Association, LLC (''CAEA''), Application No. 99–14A05.

SUMMARY: The Secretary of Commerce, through the Office of Trade and Economic Analysis (''OTEA'') of the International Trade Administration, received an application for an amended Export Trade Certificate of Review (''Certificate''). This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, OTEA, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at *etca@trade.gov.*

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) (''the Act'') authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the **Federal Register**, identifying the applicant and each member and summarizing the proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as ''Export Trade Certificate of Review, application number 99–14A05.''

Summary of the Application

Applicant: CAEA
Contact: Deeana Estigarribia, *DEstigarribia@BDGrowers.com*
Application No.: 99–14A05
Date Deemed Submitted: June 22, 2021

Proposed Amendment: CAEA seeks to amend its Certificate by adding the following companies as Members of the Certificate within the meaning of

section 325.2(1) of the Regulations (15 CFR 325.2(1)):

- Bear Nut Republic, Chico, CA
- JSS Almonds, LLC, Bakersfield, CA
- VF Marking Corporation DBA Vann Family Orchards, Williams, CA

CAEA's proposed amendment of its Certificate would result in the following Members list:

Almonds California Pride, Inc., Caruthers, CA
Baldwin-Minkler Farms, Orland, CA
Bear Nut Republic, Chico, CA
Blue Diamond Growers, Sacramento, CA
Campos Brothers, Caruthers, CA
Chico Nut Company, Chico, CA
Del Rio Nut Company, Livingston, CA
Fair Trade Corner, Inc., Chico, CA
Fisher Nut Company, Modesto, CA
Hilltop Ranch, Inc., Ballico, CA
Hughson Nut, Inc., Hughson, CA
JSS Almonds, LLC, Bakersfield, CA
Mariani Nut Company, Winters, CA
Nutco, LLC d.b.a. Spycher Brothers, Turlock, CA
Pearl Crop, Inc., Stockton, CA
P–R Farms, Inc., Clovis, CA
Roche Brothers International Family Nut Co., Escalon, CA
RPAC, LLC, Los Banos, CA
South Valley Almond Company, LLC, Wasco, CA
Stewart & Jasper Marketing, Inc., Newman, CA
SunnyGem, LLC, Wasco, CA
VF Marking Corporation DBA Vann Family Orchards, Williams, CA
Western Nut Company, Chico, CA
Wonderful Pistachios & Almonds, LLC, Los Angeles, CA

Dated: July 2, 2021.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 2021–14596 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of an Opportunity To Apply for Membership on the United States Investment Advisory Council; Correction

AGENCY: SelectUSA, United States Investment Advisory Council (IAC), International Trade Administration, Department of Commerce.

ACTION: Notice; correction.

SUMMARY: The International Trade Administration, Department of Commerce published a document in the **Federal Register** on May 17, 2021 concerning the notice of an opportunity to apply for membership on the Investment Advisory Council. Corrections were made to the deadline for submitting information for consideration serve on the IAC.

DATES: Applications for immediate consideration for membership must be received by the Office of SelectUSA by 5:00 p.m. Eastern Daylight Time (EDT) on Monday, August 2, 2021. The International Trade Administration will continue to accept applications under this notice for two years from the deadline to fill any vacancies.

ADDRESSES: Please submit application information by email to *IAC@trade.gov*.

FOR FURTHER INFORMATION CONTACT: Rachel David, SelectUSA, U.S. Department of Commerce; telephone: (202) 302–6858; email: *IAC@trade.gov*.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of May 17, 2021, in FR Doc. 2021–10358, on page 26696, in the third column, fifth paragraph under **DATES** correct the caption to read: Applications for immediate consideration for membership must be received by the Office of SelectUSA by 5:00 p.m. Eastern Daylight Time (EDT) on Monday, August 2, 2021. The International Trade Administration will continue to accept applications under this notice for two years from the deadline to fill any vacancies.

William Burwell,

Deputy Executive Director, SelectUSA.

[FR Doc. 2021–14608 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Preliminary Results and Intent To Rescind the Review, in Part; 2019–2020

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that certain companies under review sold tapered roller bearings and parts thereof, finished and unfinished, (TRBs) from the People's Republic of China (China) at less than normal value (NV) during the period of review (POR), June 1, 2019, through May 31, 2020. Additionally, we preliminarily determine that certain companies did not make a *bona fide* sale of TRBs from China during the POR and preliminary intend to rescind the review with respect to these companies. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Alex Wood, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1959.

SUPPLEMENTARY INFORMATION:

Background

On August 6, 2020, Commerce published a notice of initiation of an administrative review of the antidumping duty (AD) order on TRBs from China covering the period June 1, 2019, through May 31, 2020, with respect to 10 companies.[1] In November 2020, following timely withdrawal of their requests for review, we rescinded the review with respect to four companies.[2] This review now covers BRTEC Wheel Hub Bearing Co., Ltd. (BRTEC); C&U Group Shanghai Bearing Co., Ltd. (C&U Group); Hebei Xintai Bearing Forging Co., Ltd. (Hebei Xintai); Shanghai Tainai Bearing Co., Ltd., (Tainai); Xinchang Newsun Xintianlong Precision Bearing Manufacturing Co., Ltd. (XTL); and Zhejiang Jingli Bearing Technology Co. Ltd. (Jingli).

For a complete description of the events that followed the initiation of this administrative review, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included in the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov*. In addition, a complete version of the Preliminary

[1] *See Initiation of Antidumping and Countervailing Duty Reviews,* 85 FR 47731 (August 6, 2020) (*Initiation Notice*); *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 85 FR 54983, 54990 (September 3, 2020) (*Initiation Notice Correction*), correcting the *Initiation Notice.*

[2] *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Rescission, in Part, of Antidumping Duty Administrative Review; 2019–2020,* 85 FR 76527 (November 30, 2020).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2019–2020 Antidumping Duty Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.*

Scope of the Order

Imports covered by the order are shipments of tapered roller bearings and parts thereof, finished and unfinished, from China; flange, take up cartridge, and hanger units incorporating tapered roller bearings; and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. These products are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 8482.20.00, 8482.91.00.50, 8482.99.15, 8482.99.45, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.80, 8708.70.6060, 8708.99.2300, 8708.99.4850, 8708.99.6890, 8708.99.8115, and 8708.99.8180. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.[4]

China-Wide Entity

The C&U Group did not submit a separate rate application; therefore, it has failed to rebut *de facto* and *de jure* control by the Government of China. Commerce preliminarily determines that C&U Group is not eligible for a separate rate and is a part of the China-wide entity.

Under Commerce's current policy regarding the conditional review of the China-wide entity, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review and the entity's rate is not subject to change (*i.e.,* 92.84 percent).

Preliminary Partial Recession of the AD Administrative Review

As discussed in the Bona Fides Analysis Memoranda,[5] Commerce preliminarily finds that the sales made by BRTEC and Jingli, which serve as the basis for our review of these companies, are not *bona fide* sales. Commerce reached this conclusion based on the totality of the circumstances surrounding the reported sales. Further, given that the factual information used in our *bona fides* analysis of BRTEC's and Jingli's sales involves business proprietary information, *see* the *Bona Fides* Memoranda for a full discussion of the basis for our preliminary findings.

Rate for Non-Examined Companies That Are Eligible for a Separate Rate

Commerce calculated an individual estimated weighted-average dumping margin for Tainai, the only individually examined exporter/producer in this investigation. Because the only individually calculated weighted-average dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the weighted-average dumping margin calculated for Tainai is the basis to determine the weighted-average dumping margin for the separate rate, non-examined companies, consistent with section 735(c)(5)(A) of the Act which provides for the determination of the estimated weighted-average dumping margin for all other producers and exporters in an investigation.

As indicated in the ''Preliminary Results of Review'' section below, we preliminarily determine that a weighted-average dumping margin of 36.75 percent applies to the two companies not selected for individual examination which are eligible for a separate rate (*i.e.,* Hebei Xintai and XTL). For further information, *see* the Preliminary Decision Memorandum at ''Weighted-Average Dumping Margin for the Separate Rate Companies.''

Preliminary Results of Review

Commerce preliminarily determines that the following weighted-average dumping margins exist for the period June 1, 2019, through May 31, 2020:

Exporter	Weighted-average dumping margin (percent)
Shanghai Tainai Bearing Co., Ltd	36.75
Hebei Xintai Bearing Forging Co., Ltd	36.75
Xinchang Newsun Xintianlong Precision Bearing Manufacturing Co., Ltd	36.75

Disclosure

Commerce will disclose calculations performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Interested parties will be notified of the deadlines for the submission of case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.[6] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this administrative review are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing.[7]

All submissions must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by 5:00 p.m. Eastern Time on the established due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business

[4] *See* Preliminary Decision Memorandum at ''Discussion of the Methodology.''

[5] *See* Memorandum, ''Analysis of the *Bona Fides* of BRTEC Wheel Hub Bearing Co., Ltd.'s Sale,'' dated concurrently with, and hereby adopted by, this notice; and Memorandum, ''Analysis of the *Bona Fides* of Zhejiang Jingli Bearing Technology Co. Ltd.'s Sale,'' dated concurrently with, and hereby adopted by, this notice (collectively, *Bona Fides* Memoranda).

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

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

proprietary information, until further notice.[8]

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of all issues raised in the case briefs, within 120 days after the date of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results of the administrative review, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[9] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce intends to calculate importer-specific assessment rates for antidumping duties, in accordance with 19 CFR 351.212(b)(1).[10] Where the respondent reported reliable entered values, Commerce intends to calculate importer-specific *ad valorem* assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer and dividing this amount by the total entered value of the merchandise sold to the importer.[11] Where the respondent did not report entered values, Commerce will calculate importer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[12] Where an importer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer-specific *ad valorem* assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[13]

For the final results, if we continue to treat the C&U Group as part of China-wide entity, we will instruct CBP to apply an *ad valorem* assessment rate of 92.84 percent, the rate previously established for the China-wide entity,[14] to all entries of subject merchandise during the POR that were exported or produced by the C&U Group.

For the companies which are receiving a separate rate and which were not individually examined, their assessment rate will be equal to the weighted-average dumping margin determined in the final results of this review.

For BRTEC and Jingli, if the review is rescinded for these two companies, then Commerce will instruct CBP to liquidate, as entered, the entries associated with these two companies. In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above which have a separate rate the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review (except, if the rate is zero or *de minimis,* then a cash deposit rate of zero will be established for that company); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be equal to the exporter-specific weighted-average dumping margin published for the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the cash deposit rate established for the China-wide entity, 92.84 percent; and (4) for all exporters of subject merchandise that are not located in China and that are not eligible for a separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(l), 751(a)(2)(B), and 777(i)(l) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 30, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Methodology
V. Recommendation

[FR Doc. 2021–14559 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DS–P

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

[9] *See* 19 CFR 351.212(b)(1).

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

[11] *See* 19 CFR 351.212(b)(1).

[12] *Id.*

[13] *See Final Modification,* 77 FR at 8103.

[14] *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Final Results of Antidumping Duty Administrative Review,* 74 FR 3987 (January 22, 2009).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–801]

Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019

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

SUMMARY: The Department of Commerce (Commerce) determines that Vinh Hoan Corporation (Vinh Hoan), an exporter of certain frozen fish fillets (fish fillets) from the Socialist Republic of Vietnam (Vietnam), did not sell subject merchandise in the United States at prices below normal value during the period of review (POR) August 1, 2018, through July 31, 2019. Further, Commerce determines that 20 companies had no shipments during the POR.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Javier Barrientos, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2243.

SUPPLEMENTARY INFORMATION:

Background

On December 28, 2020, Commerce published the *Preliminary Results* and invited interested parties to comment.[1] On February 3 and 12, 2021, the petitioners,[2] Vinh Hoan, the Hung Vuong Group (HVG), Colorado Boxed Beef Company (CBBC), QMC Foods, Inc. (QMC), Nam Viet Corporation (NAVICO), and Can Tho Import Export Joint Stock Company (CASEAMEX) submitted case and/or rebuttal briefs.[3]

Following briefing, in response to comments filed by interested parties, on May 19, 2021, Commerce placed additional information obtained from U.S Customs and Border Protection (CBP) on the record and solicited comments.[4] The petitioners and HVG filed comments regarding the information.[5]

On April 7, 2021, we extended the deadline for issuance of these final results to June 25, 2021.[6] On June 8, 2021 we conducted a public hearing in this matter.[7]

Scope of the Order[8]

The products covered by the order are frozen fish fillets, including regular, shank, and strip fillets and portions thereof, whether or not breaded or marinated, of the species *Pangasius Bocourti, Pangasius Hypophthalmus* (also known as *Pangasius Pangasius*) and *Pangasius Micronemus.* For a complete description of the scope of this order, *see* the Issues and Decision Memorandum.[9]

Analysis of Comments Received

We addressed all issues raised in the case and rebuttal briefs filed by interested parties in the Issues and Decision Memorandum. Attached to this notice in Appendix I is a list of the issues which parties raised. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/index.html.*

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties, and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to Vinh Hoan's weighted-average dumping margin and revised the list of companies within the Vinh Hoan collapsed entity. For these final results, Commerce also updated the weighted-average dumping margin assigned to the non-individually-examined company receiving a separate rate, *i.e.,* NAVICO. For a discussion of the above-referenced changes, *see* the ''Changes Since the Preliminary Results'' section of the Issues and Decision Memorandum.

Final Determination of No Shipments

In the *Preliminary Results,* Commerce preliminarily determined that 21 companies had no shipments of subject merchandise during the POR.[10] Following the publication of the *Preliminary Results,* we received no comments from interested parties

[1] *See Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Preliminary Results of the Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Partial Rescission of the Antidumping Duty Administrative Review; 2018–2019,* 85 FR 84300 (December 28, 2020) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] The petitioners are the Catfish Farmers of America and individual U.S. catfish processors America's Catch, Inc., Alabama Catfish, LLC d/b/a Harvest Select Catfish, Inc., Consolidated Catfish Companies, LLC d/b/a Country Select Catfish, Delta Pride Catfish, Inc., Guidry's Catfish, Inc., Heartland Catfish Company, Magnolia Processing, Inc. d/b/a Pride of the Pond, and Simmons Farm Raised Catfish, Inc. (collectively, the petitioners).

[3] *See* Petitioners' Letter, ''CFA Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Case Brief of the Catfish Farmers of America, et al.,'' dated February 3, 2021; Vinh Hoan's Letter, ''Certain Frozen Fish Fillets from Vietnam: Case Brief of Vinh Hoan Corporation,'' dated February 3, 2021; HVG's Letter, ''Administrative Review of AD Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam (08/01/18–07/31/19): HVG Case Brief,'' dated February 3, 2021; Petitioners' Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Rebuttal Brief on Behalf of the Catfish Farmers of America, et al.,'' dated February 12, 2021; CBBC/QMC's Letter, ''Administrative Review of AD Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam (08/01/18–7/31/19): QMC and CBBC Rebuttal to CFA's Case Brief,'' dated February 12, 2021; Vinh Hoan's Letter, ''Certain Frozen Fish Fillets from Vietnam: Rebuttal Brief of Vinh Hoan Corporation,'' dated February 12, 2021; HVG's Letter, ''Administrative Review of AD Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam (08/01/18–07/31/19): HVG Rebuttal Brief,'' dated February 12, 2021; NAVICO's Letter, ''Certain Frozen Fish Fillets from Vietnam: Rebuttal Brief of Nam Viet Corporation,'' dated February 12, 2021; and CASEAMEX's Letter, ''Certain Frozen Fish Fillets from Vietnam: Rebuttal Brief of CASEAMEX,'' dated February 12, 2021.

[4] *See* Memorandum, ''U.S. Customs and Border Protection Entry Query,'' dated May 19, 2021.

[5] *See* Petitioners' Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Comments on the May 19th CBP Entry Information,'' dated May 24, 2021; Petitioners' Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Errata to Comments on the May 19th CBP Entry Information,'' dated May 25, 2021; HVG's Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam (08/01/18–07/31/19): HVG Response to Department Request for Information on Liquidated Entry,'' dated May 25, 2021; HVG's Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam (08/01/18–07/31/19): ERRATA to HVG May 25 Response to Department Request for Information on Liquidated Entry,'' dated June 3, 2021; Petitioners' Letter, ''Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Response to HVG's Comments Regarding Commerce's Request for Information on Liquidated Entry,'' dated May 27, 2021; and HVG's Letter, ''Certain Frozen Fish Fillets from Vietnam (08/01/18–7/31/19): Hung Vuong Group Rebuttal to CFA Comments on CBP Entry Data,'' dated May 27, 2021.

[6] *See* Memorandum, ''Frozen Fish Fillets from Vietnam: Extension of Deadline for Final Results of Antidumping Duty Administrative Review, 2018–2019,'' dated April 7, 2021.

[7] *See* Hearing, ''Administrative Review of the Antidumping Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Public Hearing,'' dated June 8, 2021.

[8] *See Notice of Antidumpimg Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam,* 68 FR 47909 (August 12, 2003) (*Order*).

[9] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review; 2018–2019,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum) at 3.

[10] *See Preliminary Results,* 85 FR at 84300.

regarding 19 of these companies, nor has any party submitted record evidence which would call our preliminary no shipment determination into question for them. Therefore, for these final results, we find that these 19 companies had no shipments during the POR.

With respect to the remaining two companies, HVG [11] and Thanh Binh Dong Thap One Member Company Limited (Thanh Binh),[12] we received comments from interested parties requesting that Commerce reevaluate our no shipment determination. With regard to HVG, Commerce continues to find that HVG had no shipments during the POR.[13] With regard to Thanh Binh, Commerce now finds that this company is part of the Vinh Hoan single entity.[14]

For a list of the 20 companies for which we find ''no shipments'' for these final results, *see* Appendix II. Consistent with our practice, we will issue appropriate instructions to CBP consistent with the reseller policy. [15]

Separate Rates

We continue to find that the non-individually-examined exporter NAVICO and individually-examined respondent Vinh Hoan have demonstrated eligibility for separate rates. As noted below, we have assigned NAVICO the rate established for Vinh Hoan, in accordance with section 735(c)(5)(A) of the Tariff Act of 1930, as amended (the Act).

Vietnam-Wide Entity

In the *Preliminary Results,* we denied Seafood Joint Stock Company No.4 Branch Dongtam Fisheries Processing Company (DOTASEAFOOD) a separate rate.[16] For the reasons explained in the Issues and Decision Memorandum, we continue to find that DOTASEAFOOD is not eligible for a separate rate.[17] Thus, we find DOTASEAFOOD to be part of the Vietnam-wide entity.

In the *Preliminary Results,* Commerce found that certain additional companies for which a review was requested did not establish eligibility for a separate rate.[18] We have received no information since the issuance of the *Preliminary Results* that provides a basis for reconsidering this preliminary finding. Therefore, Commerce continues to find that these companies are part of the Vietnam-wide entity.[19]

Final Results of Administrative Review

The weighted-average dumping margins for the final results of this administrative review are as follows:

Exporter	Weighted-average dumping margin (dollars/kilogram) [20]
Vinh Hoan Corporation *	0.00
Nam Viet Corporation **	0.00

* The Vinh Hoan single entity includes Vinh Hoan Corporation, Van Duc Food Export Joint Stock Company, Van Duc Tien Giang Food Export Company, Thanh Binh Dong Thap One Member Company Limited, and Vinh Phuoc Food Company Limited.

** NAVICO is a separate rate respondent not individually examined.

Disclosure

We intend to disclose the calculations performed regarding these final results within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b), Commerce has determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Consistent with its recent notice,[21] Commerce intends to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Because we calculated a weighted-average dumping margin of zero for Vinh Hoan, and applied that rate to NAVICO in the final results of this review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. Pursuant to Commerce's assessment practice, for entries of Vinh Hoan's merchandise that were not reported in the U.S. sales data submitted by Vinh Hoan during this review, Commerce will instruct CBP to liquidate such entries at the Vietnam-wide entity rate.

Where we determined that an exporter under review had no shipments of the subject merchandise to the United States during the POR, any suspended entries that entered during the POR under that exporter's CBP case number will be liquidated at a rate of $2.39 per kilogram, the rate for the Vietnam-wide entity consistent with Commerce's reseller policy.[22]

Likewise, for companies that were found to be ineligible for a separate rate, we will instruct CBP to liquidate entries of subject merchandise exported by such companies also at a rate of $2.39 per kilogram, the rate for the Vietnam-wide entity.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be equal to the weighted-averaged dumping margin established in the final results of review; (2) for previously investigated or reviewed Vietnamese and non-Vietnamese exporters not listed above that maintain their eligibility for a separate rate, the cash deposit rate will continue to be the exporter-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) for all Vietnamese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be $2.39 per kilogram, the rate established for the Vietnam-wide entity; and (4) for all non-Vietnamese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnamese exporters that supplied that non-Vietnamese exporter.

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

[11] *See* Issues and Decision Memorandum at Comment 4.

[12] *Id.* at Comment 8.

[13] *Id.* at Comment 4.

[14] *Id.* at Comment 8.

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

[16] *See Preliminary Results,* 85 FR at 84300–84301.

[17] *See* Issues and Decision Memorandum at Comment 5.

[18] *See Preliminary Results,* 85 FR at 84301.

[19] *See* Appendix III.

[20] In the third administrative review of this order, Commerce determined that it would calculate per-unit assessment and cash deposit rates for all future reviews. *See Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review and Partial Rescission,* 73 FR 15479, 15481 (March 24, 2008).

[21] *See Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings,* 86 FR 3995 (January 15, 2021).

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

Notification to Importers

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

Administrative Protective Order

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

Notification to Interested Parties

We are issuing and publishing these final results of administrative review in accordance with sections 751(a)(l) and 777(i) of the Act.

Dated: June 25, 2021.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Changes Since the *Preliminary Results*
V. Separate Rates
VI. Discussion of the Issues
- Comment 1: Whether Colorado Boxed Beef Company (CBBC) and QMC Foods, Inc. (QMC) Have Standing as Wholesalers to Request a Review
- Comment 2: Whether the Vietnam-Wide Entity Is Under Review
- Comment 3: Selection of Surrogate Country
- Comment 4: Hung Vuong Group (HVG) ''No Shipments'' Determination
- Comment 5: Applying Adverse Facts Available (AFA) to Seafood Joint Stock
- Company No. 4 Branch Dongtam Fisheries Processing Company (DOTASEAFOOD)
- Comment 6: Whether to Grant Nam Viet Corporation (NAVICO) a Separate Rate
- Comment 7: Treatment of Can Tho Import Export Joint Stock Company (CASEAMEX)
- Comment 8: Vinh Hoan Corporation (Vinh Hoan) Collapsing
- Comment 9: Vinh Hoan Calculation Issues

VII. Recommendation

Appendix II

Companies With No Shipments During the POR

1. Bentre Forestry and Aquaproduct Import Export Joint Stock Company (aka Bentre Forestry and Aquaproduct Import and Export Joint Stock Company, Ben Tre Forestry and Aquaproduct Import-Export Joint Stock Company, Ben Tre Forestry and Aquaproduct Import-Export Company, Ben Tre Forestry Aquaproduct Import-Export Company, Ben Tre Frozen Aquaproduct Export Company, or Faquimex)
2. Cafatex Corporation (aka Cafatex)
3. Cantho Import-Export Seafood Joint Stock Company (aka CASEAMEX, Cantho Import Export Seafood Joint Stock Company, Cantho Import-Export Joint Stock Company, Can Tho Import Export Seafood Joint Stock Company, Can Tho Import-Export Seafood Joint Stock Company, or Can Tho Import-Export Joint Stock Company)
4. C.P. Vietnam Corporation
5. Dai Thanh Seafoods Company Limited (aka DATHACO, Dai Thanh Seafoods, or Dai Thanh Seafoods Co., Ltd.)
6. Fatifish Company Limited (aka FATIFISH or FATIFISHCO)
7. Golden Quality Seafood Corporation (aka Golden Quality, GoldenQuality, GoldenQuality Seafood Corporation, or GOLDENQUALITY)
8. Green Farms Seafood Joint Stock Company (aka Green Farms, GreenFarm SeaFoods Joint Stock Company, Green Farms Seafoods Joint Stock Company, or Green Farms Seafood JSC)
9. Hai Huong Seafood Joint Stock Company (aka HHFish, HH Fish, or Hai Houng Seafood)
10. Hung Vuong—Mien Tay Aquaculture Corporation (aka HVMT or Hung Vuong Mien Tay Aquaculture Joint Stock Company)
11. Nha Trang Seafoods, Inc. (aka Nha Trang Seafoods-F89, Nha Trang Seafoods, or Nha Trang Seaproduct Company)
12. NTSF Seafoods Joint Stock Company (aka NTSF or NTSF Seafoods)
13. QVD Dong Thap Food Co., Ltd. (aka Dong Thap or QVD DT)
14. QVD Food Company, Ltd. (aka QVD, QVD Food Co., Ltd., or QVD Aquaculture)
15. Seavina Joint Stock Company (aka Seavina)
16. Southern Fishery Industries Company, Ltd. (aka South Vina, South Vina Co., Ltd., Southern Fisheries Industries Co., Ltd., or Southern Fisheries Industries Company Limited)
17. Thuan Hung Co., Ltd. (aka THUFICO)
18. Viet Hai Seafood Company Limited (aka Viet Hai, Vietnam Fish-One Co, Ltd. Viet Hai Seafood Co., Viet Hai Seafood Co., Ltd., Vietnam Fish One Co., Ltd., or Fish One)
19. Vinh Quang Fisheries Corporation (aka Vinh Quang, Vinh Quang Fisheries Joint Stock Company, Vinh Quang Fisheries Co. Ltd., or Vinh Quang Fisheries Corp.)
20. The Hung Vuong Group, which consists of:
    - a. Hung Vuong Joint Stock Company (aka Hung Vuong Corporation or HVC or HV Corp.);
    - b. An Giang Fisheries Import and Export Joint Stock Company (also known as Agifish, AnGiang Fisheries Import and Export, or An Giang Fisheries Import & Export Joint Stock Company);
    - c. Asia Pangasius Company Limited (aka ASIA);
    - d. Europe Joint Stock Company;
    - e. Hung Vuong Ben Tre Seafood Processing Company Limited (aka Ben Tre, HVBT, or HVBT Seafood Processing);
    - f. Hung Vuong Mascato Company Limited;
    - g. Hung Vuong—Sa Dec Co. Ltd. (aka Hung Vuong Sa Dec Company Limited); and
    - h. Hung Vuong—Vinh Long Co., Ltd (aka Hung Vuong Vinh Long Company Limited)

Appendix III

Vietnam-Wide Entity

1. An Phat Import-Export Seafood Co., Ltd. (also known as An Phat Seafood Co. Ltd. or An Phat Seafood Co., Ltd.)
2. Anvifish Joint Stock Company (also known as Anvifish, Anvifish JSC, or Anvifish Co., Ltd.)
3. Basa Joint Stock Company (BASACO)
4. Ben Tre Aquaproduct Import and Export Joint Stock Company (also known as Bentre Aquaproduct, Bentre Aquaproduct Import & Export Joint Stock Company, or Aquatex Bentre)
5. Binh Dinh Import Export Company (also known as Binh Dinh)
6. Cadovimex II Seafood Import-Export and Processing Joint Stock Company (also known as Cadovimex II, Cadovimex II Seafood Import-Export, Cadovimex II Seafood Import Export and Processing Joint Stock Company, or Cadovimex II Seafood Import-Export & Processing Joint Stock Company)
7. Can Tho Animal Fishery Products Processing Export Enterprise (aka Cafatex)
8. Cuu Long Fish Import-Export Corporation (also known as CL Panga Fish)
9. Cuu Long Fish Joint Stock Company (also known as CL-Fish, CL–FISH CORP, or Cuu Long Fish Joint Stock Company)
10. East Sea Seafoods LLC (also known as ESS LLC, ESS, ESS JVC, East Sea Seafoods Limited Liability Company, East Sea Seafoods Joint Venture Co., Ltd.)
11. Go Dang An Hiep One Member Limited Company
12. Go Dang Ben Tre One Member Limited Liability Company
13. Hoa Phat Seafood Import-Export and Processing J.S.C. (also known as HOPAFISH, Hoa Phat Seafood Import-Export and Processing Joint Stock Company, or Hoa Phat Seafood Import-Export and Processing JSC)
14. Hoang Long Seafood Processing Company Limited (also known as HLS, Hoang Long Seafood, Hoang Long Seafood Processing Co., Ltd., Hoang Long, or HoangLong Seafood)
15. Hung Vuong Seafood Joint Stock Company
16. Lian Heng Investment Co., Ltd. (also known as Lian Heng Investment or Lian Heng)

17. Lian Heng Trading Co., Ltd. (also known as Lian Heng or Lian Heng Trading)
18. Nam Phuong Seafood Co., Ltd. (also known as Nam Phuong, NAFISHCO, Nam Phuong Seafood, or Nam PhuongSeafood Company Ltd.)
19. NTACO Corporation (also known as NTACO or NTACO Corp.)
20. Quang Minh Seafood Company Limited (also known as Quang Minh, Quang Minh Seafood Co., Ltd., or Quang Minh Seafood Co.)
21. Seafood Joint Stock Company No. 4 Branch Dongtam Fisheries Processing Company (also known as DOTASEAFOODCO or Seafood Joint Stock Company No. 4-Branch Dong Tam Fisheries Processing Company)
22. Thanh Hung Co., Ltd. (also known as Thanh Hung Frozen Seafood Processing Import Export Co., Ltd. or Thanh Hung)
23. Thien Ma Seafood Co., Ltd. (also known as THIMACO, Thien Ma, Thien Ma Seafood Company, Ltd., or Thien Ma Seafoods Co., Ltd.)
24. Thuan An Production Trading and Service Co., Ltd. (also known as TAFISHCO, Thuan An Production Trading and Services Co., Ltd., Thuan An Production & Trading Service Co., Ltd., or Thuan An Production & Trading Services Co., Ltd.)
25. Viet Phu Foods and Fish Corporation (also known as Vietphu, Viet Phu, Viet Phu Food and Fish Corporation, or Viet Phu Food & Fish Corporation)
26. Viet Phu Foods & Fish Co., Ltd.
27. Vinh Long Import-Export Company (also known as Vinh Long, Imex Cuu Long or Vinh Long Import/Export Company)

[FR Doc. 2021–14509 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–878]

Glycine From Japan: Preliminary Results of Antidumping Administrative Review; 2018–2020

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that Yuki Gosei Kogyo Co., Ltd. and Nagase & Co., Ltd. (Nagase) (collectively, YGK/Nagase) made sales of subject merchandise at less than normal value during the period of review (POR) October 31, 2018, through May 31, 2020.

DATES: Applicable July 8, 2021.

FOR FURTHER INFORMATION CONTACT: Joshua A. DeMoss, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3362.

SUPPLEMENTARY INFORMATION:

Background

Commerce initiated this review on August 6, 2020.[1] We selected two mandatory respondents in this review, Nagase and Showa Denko K.K. (Showa Denko). On October 8, 2020, Showa Denko withdrew from participation in this administrative review.[2] For a more detailed description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3]

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/index.html.* A list of topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

Scope of the Order

The merchandise subject to the order is glycine. For a complete description of the scope of this administrative review, *see* the Preliminary Decision Memorandum.[3]

Methodology

Commerce is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* Preliminary Decision Memorandum.

Facts Available

Pursuant to section 776(a) of the Act, Commerce is preliminarily relying upon facts otherwise available to assign an estimated weighted-average dumping margin to Showa Denko in this review because Showa Denko withheld necessary information that was requested by Commerce, thereby significantly impeding the conduct of the review. Further, Commerce preliminarily determines that Showa Denko failed to cooperate by not acting to the best of its ability to comply with requests for information and, thus, Commerce is applying adverse facts available (AFA) in determining a weighted-average dumping margin for Showa Denko, in accordance with section 776(b) of the Act. For a full description of the methodology underlying our conclusions regarding the application of AFA, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We preliminarily determine that, for the period October 31, 2018, through May 31, 2020, the following weighted-average dumping margins exist:[4]

Producer/exporter	Weighted-average dumping margin (percent)
Yuki Gosei Kogyo Co., Ltd./ Nagase & Co., Ltd[5]	27.71
Showa Denko K.K	86.22

Disclosure and Public Comment

We intend to disclose the calculations performed to parties in this administrative review within five days after public announcement of the preliminary results, in accordance with 19 CFR 351.224(b).

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[6] Commerce has modified certain

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 85 FR 47731 (August 6, 2020).

[2] *See* Showa Denko's Letter, ''Antidumping Duty Administrative Review of Glycine from Japan: Withdrawal of Participation as Mandatory Respondent,'' dated October 8, 2020.

[3] *See* Memorandum, ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Glycine from Japan,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] As AFA, we preliminarily assign Showa Denko a dumping margin of 86.22 percent, the highest rate on the record of the proceeding. *See Glycine from Japan: Final Determination of Sales at Less Than Fair Value,* 84 FR 18484 (May 1, 2019). This rate achieves the purpose of applying an adverse inference, *i.e.,* it is sufficiently adverse to ensure that the uncooperative party does not obtain a more favorable result by failing to cooperate than if it had fully cooperated. Because we previously applied this rate in the investigation, according to 776(c)(2) of the Act, this rate does not require corroboration.

[5] As explained in the Preliminary Decision Memorandum, based on the record information, Commerce preliminarily determines that Nagase & Co., Ltd. and a non-selected respondent, Yuki Gosei Kogyo Co., Ltd., are affiliated within the meaning of section 771(33)(E) of the Act and should be treated as a single entity pursuant to 19 CFR 351.401(f) for these preliminary results of review.

[6] *See* 19 CFR 351.309(d); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020)

Continued

of its requirements for serving documents containing business proprietary information until further notice.[7] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[8]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.[9]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If the weighted-average dumping margin for YGK/Nagase is not zero or *de minimis* in the final results of this review, we will calculate, for each company, an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales, in accordance with 19 CFR 351.212(b)(1).[10] If any of these companies' weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate for one of these companies is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regards to antidumping duties.[11] For entries of subject merchandise during the POR produced by any of these companies for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries.[12]

Consistent with its recent notice,[13] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication). The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for YGK/Nagase and Showa Denko listed above will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or in the investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be the all-others rate of 53.66 percent, the rate established in the less-than-fair-value investigation.[14] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 30, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Affiliation and Collapsing
V. Application of Facts Available and Adverse Inference
VI. Discussion of the Methodology
VII. Currency Conversion
VIII. Recommendation

[FR Doc. 2021–14563 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB219]

Endangered Species; File Nos. 25696 and 25716

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

ACTION: Notice; receipt of application.

("To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).").

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

[8] *See* 19 CFR 351.303 (for general filing requirements).

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

[10] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[11] *Id.* at 8102–03; *see also* 19 CFR 351.106(c)(2).

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

[13] *See Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings,* 86 FR 3995 (January 15, 2021).

[14] *See Glycine From India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders,* 84 FR 29170 (June 21, 2019).

SUMMARY: Notice is hereby given that Inwater Research Group, Inc., 4160 NE Hyline Dr., Jensen Beach, FL 34957 (Responsible Party: Michael Bresette) and the NMFS Northeast Fisheries Science Center (NEFSC), 166 Water Street, Woods Hole, MA 02543 (Responsible Party: Jon Hare), have applied in due form for a permit to take green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), Kemp's ridley (*Lepidochelys kempii*), leatherback (*Dermochelys coriacea*), loggerhead (*Caretta caretta*), and unidentified hardshell sea turtles for purposes of scientific research.

DATES: Written, telefaxed, or email comments must be received on or before August 9, 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. 25696 or 25716 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 the relevant File No. 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 Jordan Rutland, (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).

File No. 25696: The applicant proposes to study the habitat preference, species abundance, size frequencies, and fibropapillomatosis rates of sea turtles inhabiting inshore lagoons and nearshore reefs between Indian River and Miami-Dade Counties in southeastern Florida. Annually up to 200 green, 25 loggerhead, 10 Kemp's ridley and 10 hawksbill sea turtles would be counted and captured by hand, dip net, or tangle net. Captured turtles would be measured, weighed, temporarily marked, flipper tagged, and passive integrated transponder (PIT) tagged, photographed, and skin and blood sampled prior to release. In addition, all loggerhead sea turtles would receive a sonic or satellite transmitter and all green sea turtles would undergo gastric lavage prior to release. A subset of greens would be transported to a local facility for imaging and/or receive a transmitter prior to their return to the wild. Another 1,350 green, 100 loggerhead, 75 hawksbill, and 20 Kemp's ridley sea turtles may be pursued during unsuccessful capture attempts annually. The permit would be valid for 10 years.

File No. 25716: The NEFSC proposes to continue studying sea turtles legally bycaught within commercial fisheries operating in the Northwest Atlantic Ocean. The objective is to monitor the take of ESA listed sea turtle species in observed commercial fisheries and to collect data to help estimate total bycatch. Up to 50 loggerhead, 10 Kemp's ridley, 10 green, 20 leatherback, and 20 unidentified sea turtles would be photographed, measured, weighed, flipper tagged and PIT tagged, and skin biopsied prior to release annually. Carcasses, tissues or parts also may be salvaged from dead sea turtles. The permit would be valid for 5 years.

Dated: July 2, 2021.

Julia Marie Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2021–14570 Filed 7–7–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB213]

Marine Mammals; File No. 24054

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Terrie Williams, Ph.D., University of California at Santa Cruz, Long Marine Lab, Center for Ocean Health, 115 McAllister Way, Santa Cruz, CA 95060, has applied in due form for a permit to conduct research on captive marine mammals.

DATES: Written, telefaxed, or email comments must be received on or before August 9, 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. 24054 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. 24054 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: Jennifer Skidmore or Courtney Smith, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant is requesting a permit to continue research activities to compare the energetic and cardiovascular responses and diving physiology of captive cetaceans and pinnipeds to determine key biological capabilities. A maximum of 4 dolphins (*Tursiops truncatus*), 10 California sea lions (*Zalophus californianus*), and 3 Hawaiian monk seals (*Neomonachus schauinslandi*) would be maintained and participate in the research at Long Marine Laboratory at any given time. Up to 60 bottlenose dolphins from the U.S. Navy, and up to 10 Hawaiian monk seals and 1 non-releasable Cook Inlet beluga whale (*Delphinapterus leucas*) at other permitted facilities may also participate in the research at their respective facilities.

Other species in rehabilitation status may also be added opportunistically and transported to Long Marine Laboratory for research purposes (up to 10 species per year with less than 6 animals onsite at a time). Typical rehabilitation species are bottlenose dolphins, harbor porpoises (*Phocoena phocoena*), Guadalupe fur seals

(*Arctocephalus townsendi*), and Northern fur seals (*Callorhinus ursinus*), among others.

Research methods include training for voluntary participation to the maximum extent feasible to (1) assess body condition and morphometrics, (2) measure metabolic rate, (3) sample blood, (4) attach instruments (*e.g.,* ECG/accelerometer), (5) monitor tissue blood flow via a portable near-infrared spectroscopy, heat flux tags, and ultrasound, (6) measure heat flow, and skin or body temperature (see application for details by method). In addition, receipt, import, and export activities are requested for marine mammal parts from up to 140 individuals per taxon group (pinniped and cetacean) world-wide. The permit is requested for the maximum duration of 5 years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: July 2, 2021.

Julia Marie Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

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BUREAU OF CONSUMER FINANCIAL PROTECTION

Supervisory Highlights, Issue 24, Summer 2021

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Supervisory highlights.

SUMMARY: The Bureau of Consumer Financial Protection (CFPB or Bureau) is issuing its twenty fourth edition of *Supervisory Highlights.*

DATES: The Bureau released this edition of the Supervisory Highlights on its website on June 29, 2021. The findings included in this report cover examinations in the areas of auto servicing, consumer reporting, debt collection, deposits, fair lending, mortgage origination, mortgage servicing, private education loan origination, payday lending, and student loan servicing that were completed from January 1, 2020 to December 31, 2020.

FOR FURTHER INFORMATION CONTACT: Jaclyn Sellers, Counsel, at (202) 435–7449. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.*

SUPPLEMENTARY INFORMATION:

1. Introduction

The consumer financial marketplace saw significant impacts from the COVID–19 pandemic beginning around March 2020. The Bureau of Consumer Financial Protection (CFPB or Bureau) adapted its work by, among other things, focusing approximately half of its supervisory activities on prioritized assessments (PAs) starting in May 2020. PAs were designed to obtain real-time information from a broad group of supervised entities that operate in markets posing elevated risk of consumer harm due to pandemic-related issues. The Bureau analyzed pandemic-related market developments to determine which markets were most likely to pose risk to consumers. Observations from the Bureau's PA work were detailed in a special edition of *Supervisory Highlights,* Issue 23.[1]

This issue of *Supervisory Highlights* covers findings from the other supervisory work the Bureau has engaged in since its last regular edition, Issue 22.[2] The findings included in this report cover examinations in the areas of auto servicing, consumer reporting, debt collection, deposits, fair lending, mortgage origination, mortgage servicing, private education loan origination, payday lending, and student loan servicing that were completed from January 1, 2020 to December 31, 2020. To maintain the anonymity of the supervised institutions discussed in this edition of *Supervisory Highlights,* references to institutions generally are in the plural and the related findings pertain to one or more institutions unless otherwise noted.

The information contained in *Supervisory Highlights* is disseminated to help institutions and the general public better understand how the Bureau examines institutions for compliance with Federal consumer financial law. Supervisory Highlights summarizes existing requirements under the law and summarizes findings made in the course of exercising the Bureau's supervisory and enforcement authority.[3]

2. Supervisory Observations

2.1 Auto Servicing

The Bureau continues to examine auto loan servicing activities, primarily to assess whether entities have engaged in any unfair, deceptive or abusive acts or practices prohibited by the Consumer Financial Protection Act (CFPA). Examiners identified two unfair acts or practices related to lender-placed collateral protection insurance. Examiners also found unfair or deceptive acts or practices related to payment application. And examiners identified an unfair act or practice related to payoff amounts where consumers had ancillary product rebates due.

2.1.1 Collateral Protection Insurance

Auto finance contracts generally require consumers to maintain comprehensive and collision insurance that covers physical damage to the vehicle in order to protect the value of the collateral. If the consumer fails to maintain appropriate coverage, some contracts provide that servicers can purchase insurance for the vehicle, often called collateral protection insurance (CPI). CPI policies only cover damage to the vehicle. Charges for CPI policies are added to consumers' accounts and paid on a monthly basis. Servicers generally use electronic databases to monitor whether consumers are maintaining adequate insurance coverage. If the database suggests that a consumer is not maintaining adequate coverage, the servicer will send a notice requesting proof of insurance and stating that if the borrower does not provide proof of insurance, then a CPI policy will be purchased at the consumer's expense. When the CPI policy is purchased, the servicer sends the consumer another notice with information about the policy. If the consumer later proves that they had adequate insurance during any portion of the CPI policy period, the servicer will generally remove any CPI charges for that period. Examiners identified unfair and deceptive acts or practices related to placement and removal of CPI policies and charges.

[1] A copy of Issue 23, Jan. 2021, is available at *https://files.consumerfinance.gov/f/documents/cfpb_supervisory-highlights_issue-23_2021-01.pdf.*

[2] A copy of Issue 22, Sept. 2020, is available at *https://files.consumerfinance.gov/f/documents/cfpb_supervisory-highlights_issue-22_2020-09.pdf.*

[3] If a supervisory matter is referred to the Office of Enforcement, Enforcement may cite additional violations based on these facts or uncover additional information that could impact the conclusion as to what violations may exist.

2.1.2 Charging for Unnecessary CPI

Under the prohibition on unfair acts or practices in sections 1031 and 1036 of the CFPA, an act or practice is unfair when: (1) It causes or is likely to cause substantial injury; (2) the injury is not reasonably avoidable by consumers; and (3) the substantial injury is not outweighed by countervailing benefits to consumers or to competition.

Examiners found that servicers engaged in an unfair act or practice by charging consumers for unnecessary CPI.

Servicers caused consumers substantial injury by adding and maintaining charges for CPI premiums as a result of deficient processes when consumers had adequate insurance in place under their contracts. If a consumer has an adequate insurance policy that covers the vehicle, the CPI policy provides no benefit to the servicer or consumer. Placing or maintaining charges for CPI when consumers have adequate insurance causes consumers injury because consumers must either pay for the duplicative insurance or incur late fees or other consequences of delinquency. Additionally, some servicers caused additional injury because they applied any refunds of paid CPI charges to principal instead of returning those amounts directly to the consumer. Consumers could not reasonably avoid the injury for at least three reasons. First, in many instances, servicers sent notices regarding CPI charges to inaccurate addresses, so consumers had no notice that servicers planned to place CPI. Second, servicers did not have adequate procedures for processing insurance cards submitted by consumers as proof of insurance. Third, in many instances, servicers failed to process insurance documentation from consumers. The substantial injury to consumers was not outweighed by any countervailing benefits to consumers or competition, such as the cost of improving notices and improving document processing. Servicers have ceased issuing CPI policies.

2.1.3 Charging for CPI After Repossession

Examiners found that servicers engaged in unfair acts or practices by collecting or attempting to collect CPI premiums after repossession even though no actual insurance protection was provided for those periods.

CPI automatically terminates on the date of repossession, per the terms of the contract, and consumers should not be charged after this date. Despite this, servicers charged consumers for CPI after repossession in four different circumstances. First, servicers failed to communicate the date of repossession to the CPI service provider due to system errors. Second, servicers used an incorrect formula to calculate the CPI charges that needed to be removed due to the repossession. Third, servicers' employees entered the wrong repossession date into their system of record, resulting in improper termination dates. Fourth, servicers charged consumers—who had a vehicle repossessed and subsequently reinstated the loan—for the days the vehicle was in the servicer's possession, despite the automatic termination of the policy on the date of repossession.

These errors caused consumers substantial injury because they paid amounts they did not owe or were subject to collection attempts for amounts they did not owe. This injury was not reasonably avoidable because consumers did not control the servicers' cancellation processes and did not have a reasonable way to determine that the charges were inaccurate. The substantial injury to consumers was not outweighed by any countervailing benefits to consumers or competition. Servicers have ceased issuing CPI policies.

2.1.4 Inaccurate Payment Posting

Examiners found that servicers engaged in unfair acts or practices by posting payments to the wrong account or by posting certain payments as principal-only payments instead of periodic installment payments, resulting in late fees and additional interest charges. Servicers engaged in two types of errors.[4] First, some payments were applied to the wrong loan account, despite the consumer providing their account information. Second, for some payment types, servicer employees applied the payment as a principal-only payment instead of a periodic payment. In both instances, consumers' accounts were marked as delinquent for the month they made the payment, resulting in late fees and additional interest. Servicers did not have a reliable method to detect the errors, and primarily relied on consumer complaints to identify misapplied payments. In some instances, even when consumers complained, the servicers did not provide refunds.

This conduct caused or was likely to cause substantial injury to consumers because the servicers misapplied payments, resulting in late fees and additional interest. Consumers could not reasonably avoid the injury because they had no control over the servicers' misapplication of their payments. Even if consumers contacted the servicers regarding the errors, late fees and interest had accrued. The injury was not outweighed by countervailing benefits to consumers or competition. For example, servicers could improve their procedures to reduce the error rate. In response to examiner findings, servicers remediated affected consumers and implemented new automated systems.

2.1.5 Failure To Follow Disclosed Payment Application Order

Under the prohibition against deceptive acts or practices in sections 1031 and 1036 of the CFPA, an act or practice is deceptive when: (1) It misleads or is likely to mislead the consumer; (2) the consumer's interpretation is reasonable under the circumstances; and (3) the misleading act or practice is material.

Examiners found that servicers engaged in deceptive acts or practices by representing on their websites a specific payment application order, and subsequently applying payments in a different order. Specifically, servicers represented on their websites that payments would be applied to interest, then principal, then past due payments, before being applied to other charges, such as late fees. Instead, the servicers applied partial payments to late fees first, in contravention of the methodology disclosed on the website. As the result of applying payments to late fees first, servicers repossessed some consumers' vehicles.

The representation that payments would be applied to interest, then principal, then past due payments, and then other charges was likely to mislead consumers because the servicers actually applied payments to late fees first. It was reasonable for consumers under the circumstances to believe that the servicers' websites provided accurate information about payment allocation order. In some instances, the underlying contract provides the servicer the right to apply payments in any order. But consumers reasonably relied on the representations on servicers' websites regarding payment application. And the representation was material because it was likely to affect consumers' decisions about how much to pay. Servicers remediated impacted consumers and now use the disclosed payment application hierarchy.

2.1.6 Inaccurate Payoff Amounts

Examiners found that servicers engaged in unfair acts or practices by accepting loan payoff amounts that included overcharges for optional products after incorrectly telling

[4] 12 U.S.C. 5531, 5536.

consumers that they owed this larger amount.[5]

Consumers financed the purchase of the optional product by adding it to the loan amount of a vehicle purchase. The contracts provided that consumers or servicers could cancel the product at any time and receive a ''pro-rata'' refund less a cancellation fee. Servicers prepared payoff statements in response to consumers' requests that included a line listing credits for refunds from optional products and a total ''payoff amount.'' Servicers calculated this refund based on the actuarial value of the policies, instead of using the pro-rata calculation specified in the contract. In some instances, this resulted in payoff statements that listed a total amount due that was larger than the amount the consumer owed.

The conduct caused or was likely to cause substantial injury to consumers because servicers accepted money from consumers that the consumers did not actually owe. Consumers could not reasonably avoid the injury because they paid the servicers the amount they told them they owed. Consumers are not required to independently verify that servicers correctly calculated optional product refund amounts and therefore the injury could not be reasonably avoided. The injury is not outweighed by countervailing benefits to consumers or competition. Servicers can update their systems to perform appropriate calculations without significant cost. Servicers have refunded overpayments to consumers and updated their systems to perform calculations that are consistent with the contract terms.

2.2 Consumer Reporting

Entities that obtain or use consumer reports from consumer reporting companies (CRCs),[6] or that furnish information relating to consumers for inclusion in consumer reports, play a vital role in the consumer reporting process. They are subject to several requirements under the Fair Credit Reporting Act (FCRA)[7] and its implementing regulation, Regulation V.[8] These include the requirement to furnish data subject to the relevant accuracy and dispute handling requirements. In recent reviews, examiners found deficiencies in, among other things, CRCs' compliance with FCRA: (i) Accuracy requirements, (ii) security freeze requirements applicable only for nationwide CRCs as defined in FCRA section 603(p),[9] and (iii) requirements regarding ID theft block requests. Examiners also found deficiencies in furnisher compliance with FCRA and Regulation V accuracy and dispute investigation requirements.

2.2.1 CRC Duty To Follow Reasonable Procedures To Assure Maximum Possible Accuracy

The FCRA requires that, whenever a CRC ''prepares a consumer report it shall follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates.'' [10] In reviews of CRCs, examiners found that CRCs' accuracy procedures failed to comply with this obligation because the CRC continued to include information in consumer reports that was provided by unreliable furnishers. Specifically, the furnishers had responded to disputes in ways that suggested that the furnishers were no longer sources of reliable, verifiable information about consumers. For example, CRCs received furnisher dispute responses indicating that, for several months, furnishers failed to respond to all or nearly all disputes, deleted all or nearly all tradelines disputed by consumers, or verified as accurate all or nearly all tradelines disputed by consumers. Despite observing this dispute response behavior by these furnishers, CRCs continued to include information from these furnishers. After identification of these issues, CRCs were directed to revise their accuracy procedures to identify and take corrective action regarding data from furnishers whose dispute response behavior indicates the furnisher is not a source of reliable, verifiable information about consumers.

2.2.2 CRC Duty To Timely Place Security Freezes on Consumer Reports Upon Consumer Request

The FCRA requires that nationwide CRCs must, free of charge, place a security freeze on a consumer's report ''upon receiving a direct request from a consumer'' and upon ''receiving proper identification from the consumer. . . .'' [11] The security freeze must be placed not later than ''(ii) in the case of a request that is by mail, 3 business days after receiving the request directly from the consumer.'' [12] In reviews of nationwide CRCs, examiners found that CRCs failed to place security freezes within three business days after receiving the request by mail. One root cause was determined to be inadequate training, and to address that root cause, targeted training to appropriate staff regarding the requirements and timing of placing security freezes was provided.

2.2.3 CRC Duty To Block Reporting of Information Identified as Resulting From Identity Theft

The FCRA requires that CRCs must ''block the reporting of any information in the file of a consumer that the consumer identifies as information that resulted from an alleged identity theft. . . .'' [13] The block must be made ''not later than 4 business days after the date of receipt'' of a qualifying block request.[14] In reviews of CRCs, examiners found that CRCs failed to place ID theft blocks within four business days of receipt of qualifying block requests. The block requests were delayed due to a backlog that the CRCs subsequently resolved. In response to these issues, the CRCs updated policies and procedures to ensure the timely processing and blocking of information identified in ID theft block requests.

2.2.4 Furnisher Duty To Update and Correct Information

The FCRA requires that persons who regularly and in the ordinary course of business furnish information to CRCs about that person's transactions or experiences with consumers must, upon determining that information furnished to CRCs is not complete or accurate, ''promptly notify the consumer reporting agency of that determination.'' The furnisher must then provide to the agency any corrections to that information, or any additional information, that is necessary to make the information provided by the person to the agency complete and accurate, and shall not thereafter furnish to the agency any of the information that remains not complete or accurate.'' [15]

In a review of auto loan furnishers, examiners found that furnishers failed to send updating or correcting information to CRCs after making a determination that information furnishers had reported was no longer accurate. For example, examiners found that after consumers had applied for an auto loan but later communicated they

[5] *Id.*

[6] The term ''consumer reporting company'' means the same as ''consumer reporting agency,'' as defined in the Fair Credit Reporting Act, 15 U.S.C. 1681a(f), including nationwide consumer reporting agencies as defined in 15 U.S.C. 1681a(p) and nationwide specialty consumer reporting agencies as defined in 15 U.S.C. 1681a(x).

[7] 15 U.S.C. 1681 *et seq.*

[8] 12 CFR part 1022.

[9] 15 U.S.C. 1681a(p).

[10] 15 U.S.C. 1681e(b).

[11] 15 U.S.C. 1681c–1(i)(2)(A).

[12] 15 U.S.C. 1681c–1(i)(2)(A)(ii).

[13] 15 U.S.C. 1681c–2(a).

[14] *Id.*

[15] 15 U.S.C. 1681s–2(a)(2)(B).

no longer wanted to proceed with the loan, and the furnisher had removed the loan from its system of record, the furnisher continued to furnish information to CRCs as though the loans had been issued rather than cancelled. Furnishers attributed the errors to failures by a service provider to follow furnisher's procedures. Following identification of these issues furnishers implemented a new process that reconciles loan cancellations and removals of loans from the system of record with responsive corrections to CRCs.

2.2.5 Furnisher Duty To Conduct Reasonable Investigation of Direct Disputes

Regulation V requires that, after receiving a direct dispute notice from a consumer, a furnisher must ''[c]onduct a reasonable investigation with respect to the disputed information. . . .[16] Further, Regulation V provides that a ''furnisher is not required to investigate a direct dispute if the furnisher has reasonably determined that the dispute is frivolous or irrelevant.'' [17] However, if a furnisher determines that a dispute is frivolous or irrelevant, the furnisher must ''notify the consumer of the determination not later than five business days after making the determination, by mail or, if authorized by the consumer for that purpose, by any other means available to the furnisher.'' [18] The notice must ''include the reasons for such determination and identify any information required to investigate the disputed information, which notice may consist of a standardized form describing the general nature of such information.'' [19]

In reviews of mortgage furnishers, examiners found that furnishers failed to conduct reasonable investigations of direct disputes. Furnishers' dispute procedures instructed their direct dispute investigating agents to verify that consumers' signatures matched the signature on file and, if they did not match, send a letter to the borrower stating that the information provided in the dispute did not match the furnishers' records. Examiners found that furnishers' agents had sent such letters to consumers whose dispute letters included only a typed name or electronic image of a signature. Furnishers' agents did so without: Conducting an investigation of such disputes, otherwise reasonably determining that such disputes were frivolous or irrelevant, or providing any qualifying frivolous or irrelevant notices to consumers. After identification of these issues, furnishers updated their policies and procedures to define circumstances when disputes should reasonably be deemed frivolous because they appear to have originated from credit repair organizations; furnishers also created templates to send to consumers whose disputes they deemed frivolous. Further, furnishers provided training to agents on the new policies and procedures and the new letter templates.

2.3 Debt Collection

The Bureau has the supervisory authority to examine certain entities that engage in consumer debt collection activities, including nonbanks that are larger participants in the consumer debt collection market and nonbanks that are service providers to certain covered persons. Recent examinations of larger participant debt collectors identified violations of the Fair Debt Collection Practices Act (FDCPA).

2.3.1 Prohibited Calls to Consumer's Workplace

Section 805(a)(3) of the FDCPA prohibits a debt collector from communicating with a consumer in connection with the collection of a debt at the consumer's workplace if the debt collector knows or has reason to know that the consumer's employer prohibits such communications.[20] Examiners determined that debt collectors communicated with consumers at their workplaces after they knew or should have known that the consumers' employers prohibit such communications, in violation of section 805(a)(3). In response to these findings, the collectors are improving their training and monitoring.

In addition, section 805(a) of the FDCPA restricts the circumstances under which a debt collector may contact a consumer.[21] Specifically, section 805(a)(1) prohibits a debt collector from communicating with a consumer in connection with the collection of any debt at a time or place that the collector knows or should know is inconvenient to the consumer.[22] Examiners found that debt collectors communicated with consumers at their places of employment during work hours when the debt collectors knew or should have known that calls during work hours were inconvenient to the consumers, in violation of section 805(a)(1). For example, one debt collector called a consumer during work hours at a time the consumer had previously specified as inconvenient. Another debt collector called a consumer on a workplace phone number after being informed by the consumer that calls to the workplace number were inconvenient. In response to these findings, the collectors are improving their training and monitoring.

2.3.2 Communication With Third Parties

Section 805(b) of the FDCPA prohibits a debt collector from communicating in connection with the collection of a debt with any person other than the consumer and certain other parties.[23] Exceptions to this prohibition are set out in sections 804 and 805(b).[24]

Examiners found that debt collectors communicated with third parties in violation of section 805(b). The communications were not within an exception listed in sections 804 or 805(b). This violation of the FDCPA resulted from inadequate compliance controls to verify right-party contact during efforts to locate the consumer. In several instances, the third party had a name similar to the consumer's name. In response to this finding, the collectors are improving various aspects of their compliance management systems (CMS).

In addition, section 804(1) of the FDCPA states that, when communicating with third parties for the purpose of acquiring location information for the consumer, a debt collector may only disclose the name of their employer if expressly requested.[25] Examiners observed that debt collectors identified their employers when communicating with third parties who had not expressly requested it, in violation of section 804(1). In response to these findings, the collectors are improving their training and monitoring.

2.3.3 Failure To Cease Communication Upon Written Request or Refusal To Pay

Section 805(c) of the FDCPA provides that if a consumer notifies a debt collector in writing that the consumer wishes the collector to cease further communication or that the consumer refuses to pay the debt, the collector must cease further communication with the consumer, with certain exceptions.[26] Examiners found that a

[16] 12 CFR 1022.43(e)(1).
[17] 12 CFR 1022.43(f)(1).
[18] 12 CFR 1022.43(f)(2).
[19] 12 CFR 1022.43(f)(3).
[20] 15 U.S.C. 1692c(a)(3).
[21] 15 U.S.C. 1692c(a).
[22] 15 U.S.C. 1692c(a)(1).
[23] 15 U.S.C. 1692c(b).
[24] 15 U.S.C. 1692b, c(b).
[25] 15 U.S.C. 1692b(1).
[26] 15 U.S.C. 1692c(c).

consumer used a model form to mail a written statement to a debt collector stating that the debt was the result of identity theft, requesting that the collector cease further communication, and requesting that the collector provide confirmation along with information concerning the disputed account. After receiving this form, the collector continued attempts to collect the debt from the consumer in violation of FDCPA section 805(c). These attempts were not efforts to respond to the consumer's request for information about the identity theft claim. In response to these findings, the collector is improving board and management oversight and monitoring.

2.3.4 Harassment Regarding Inability To Pay

Section 806 of the FDCPA prohibits a debt collector from engaging in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.[27] Examiners found when consumers stated they were unable to make or complete payment arrangements, debt collectors emphasized two or more times to each of the consumers that the collector would place a note in the account system stating that the consumer was refusing to make a payment. The natural consequence of these inaccurate statements was to harass or oppress the consumers, in violation of section 806. In response to these finding, the collectors are improving their training and monitoring.

2.3.5 Communicating, and Threatening To Communicate, False Credit Information

Section 807 of the FDCPA prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt.[28] Section 807(8) specifically prohibits communicating or threatening to communicate credit information which is known or which should be known to be false, including the failure to communicate that a disputed debt is disputed.[29] Examiners found that debt collectors knew or should have known that debts were disputed, resulted from identity theft, and were not owed by the relevant consumers. Nonetheless, in these circumstances, the collectors threatened to report to CRCs that the consumer owed the debt if it was not paid. The collectors then reported the debt to CRCs and failed to report that the consumer disputed the debt. This course of action violated section 807(8) of the FDCPA. In response to these finding, the collectors are improving their training.

2.3.6 False Representations or Deceptive Means of Collection

Section 807(10) of the FDCPA prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt or obtain information concerning a consumer.[30]

Examiners found that several debt collectors falsely represented to consumers the impact that paying off their debts would have on their credit profiles, in violation of section 807(10).[31] For example, one debt collector told a consumer the debt would no longer ''impact'' her credit profile once paid, which was false. Another debt collector told a consumer that making a payment would help to ''fix'' the consumer's credit. In response to this finding, the collectors are improving various aspects of their CMS.

2.3.7 Incorrect Systemic Implementation of State Interest Rate Cap

Section 808 of the FDCPA states that a debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt.[32] Section 808(1) specifically designates ''the collection of any amount . . . unless such amount is expressly authorized by the agreement creating the debt or permitted by law'' as an unfair practice.[33] Examiners found that debt collectors entered inaccurate information regarding State interest rate caps into an automated system, resulting in some consumers being overcharged, in violation of section 808(1). In response to these findings, the collectors remediated impacted consumers and are improving their training and monitoring.

2.3.8 Unlawful Initiation of Administrative Wage Garnishment During Consolidation Process

Section 808 of the FDCPA states that a debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt.[34] Examiners found that debt collectors sent administrative wage garnishment orders to consumers' employers by mistake despite having received completed applications from the consumers to consolidate the debt, which should have stopped the wage garnishment process based on standard procedures, in violation of section 808. In response to these findings, the collectors are improving their training and monitoring.

2.3.9 Failure To Send Complete Validation Notices

Section 809(a) of the FDCPA requires a debt collector to send a notice containing certain information (commonly called a ''validation notice'') to the consumer within five days after the initial communication with the consumer, with certain exceptions.[35] Examiners found that debt collectors violated section 809(a) by sending validation notices that lacked some of the required information. Examiners found that the issue resulted from template changes that had not been reviewed by compliance personnel. In response to these findings, the collectors are improving their board and management oversight of new letter templates.

2.4 Deposits

The CFPB continues its examinations of financial institutions for compliance with Regulation E,[36] which implements the Electronic Fund Transfer Act (EFTA).[37] The CFPB also examines for compliance with other relevant statutes and regulations, including Regulation DD,[38] which implements the Truth in Savings Act,[39] and the Dodd-Frank Act's prohibition on unfair, deceptive, or abusive acts or practices (UDAAPs).[40]

2.4.1 Regulation E Error Resolution Violations

EFTA establishes a legal framework for the offering and use of electronic fund transfer (EFT) services. One of the primary objectives of the EFTA and its implementing regulation, Regulation E, is to protect consumers engaging in EFTs.

Supervision continues to find violations of EFTA and Regulation E that it previously discussed in the Fall 2014, Summer 2017, and Summer 2020 editions of *Supervisory Highlights,* respectively. These violations include:

- Requiring written confirmation of an oral notice of error before investigating;

[27] 15 U.S.C. 1692d.

[28] 15 U.S.C. 1692e.

[29] 15 U.S.C. 1692e(8).

[30] 15 U.S.C. 1692e.

[31] *See* CFPB Bulletin 2013–08, ''Representations Regarding Effect of Debt Payments on Credit Reports and Scores'' (July 10, 2013).

[32] 15 U.S.C. 1692f.

[33] 15 U.S.C. 1692f(1).

[34] 15 U.S.C. 1692f.

[35] 15 U.S.C. 1692g(a).

[36] 12 CFR part 1005 *et seq.*

[37] 15 U.S.C. 1693 *et seq.*

[38] 12 CFR part 1030 *et seq.*

[39] 12 U.S.C. 4301 *et seq.*

[40] 12 U.S.C. 5531, 5536.

• Requiring consumers to contact merchants about alleged unauthorized transactions before investigating;
• Relying on incorrect dates to assess the timeliness of an EFT error notice;
• Failing to provide an explanation or an accurate explanation of investigation results when determining no error or a different error occurred; and
• Failing to include in the error investigation report a statement regarding a consumer's right to obtain the documentation that an institution relied on in its error investigation.

An effective compliance strategy for institutions includes evaluation of their practices, including through transaction testing, monitoring, and review of their policies and procedures. This will help ensure compliance with applicable Federal consumer financial laws and stop any practices that were previously identified as violations. Examples of other violations found by examiners are described below.

2.4.2 Issues With Provisional Credits

Under Regulation E, a financial institution generally must complete its investigation and determine whether an error occurred within 10 business days of receiving a notice of error.[41] But an institution may take up to 45 days [42] to complete its investigation if it, among other things, provisionally credits the alleged error amount (including interest where applicable) to the consumer's account within 10 business days of receiving the error notice.[43] The institution need not issue a provisional credit if it requires, but does not receive, written confirmation of an oral notice of error within 10 business days.[44] When institutions issue provisional credits, they must inform the consumer of the amount and date the credit was applied to the account within two business days after provisionally crediting the account.[45] Within three business days of completing an error investigation, the financial institution must report the results to the consumer, including, if applicable, notice that a provisional credit has been made final.[46]

If an institution debits a provisional credit from a consumer's account because it determines that no error occurred or that an error occurred in a manner or amount different from that described by the consumer, it must, among other things, notify consumers of the debiting.[47] The notice must State the date and amount of the debit and that the financial institution will honor checks, drafts, or similar instruments payable to third parties and preauthorized EFTs from the consumer's account for five business days after the notification.[48] As an alternative to this notice, which is specified in the text of Regulation E, the associated Staff Commentary provides that a financial institution may notify the consumer that the consumer's account will be debited five business days from the transmittal of the notification and specify the calendar date on which the debiting will occur.[49]

Examiners found that numerous institutions violated Regulation E's provisional credit requirements, including as follows:
• Failing to provide provisional credits, despite not completing error investigations within 10 business days of notice of an error;
• Failing to provide provisional credits to consumers who timely provided required written confirmation of oral error notices;
• Posting the provisional credit to the wrong account, by failing to ensure that the ownership of the credited account matched the account that should have received the credit;
• Excluding interest from the provisional credit;
• Using notification templates that either had a timeframe to disclose when a provisional credit would be applied instead of a specific date or lacked any date information;
• Failing to provide notice that a provisional credit had been made final due to process weakness, including: (i) An unsuccessful attempt to combine the letter informing consumers of a provisional credit with the letter notifying them the credit would be final, and (ii) a process deficiency in which both the financial institution and the merchant of the disputed charge issued a simultaneous credit; and
• Sending consumers notices that provisional credits would be reversed, but excluding either the exact date a credit was or would be debited or notice that it would honor checks, drafts, or similar instruments payable to third parties and preauthorized transfers from the customer's account for five business days after the notification, or excluding both.

The institutions took a variety of corrective actions to remedy these violations, including making improvements to compliance management systems and providing remediation to consumers.

2.4.3 Failure To Timely Investigate Errors

If a financial institution is unable to complete its investigation within 10 business days, 12 CFR 1005.11(c)(2) provides that an institution may take up to 45 days from receipt of the notice of error to investigate and determine whether an error occurred provided it, among other things, provisionally credits the consumer's account as discussed above. If the alleged error involves an EFT that was not initiated within a state, resulted from a point-of-sale debit card transaction, or occurred within 30 days after the first deposit to the account was made, the institution may take up to 90 days to investigate and determine whether an error occurred, provided it otherwise complied with the requirements of 12 CFR 1005.11(c)(2).[50]

Examiners found that financial institutions violated Regulation E by failing to complete investigations and make a determination within 45 days from receipt of the notice of error and within 90 days from receipt of the notice of error for point-of-sale debit transactions, respectively, after providing provisional credit within 10 business days of the error notice. In each instance, the financial institutions exceeded the applicable timelines.

In response to examiners' findings, the financial institutions updated their training to ensure that employees were properly trained on the applicable Regulation E timelines and modified certain policies and procedures.[51]

2.4.4 Failure To Conduct Reasonable Investigations

All error investigations ''must be reasonable.'' [52] When it applies, Regulation E, 12 CFR 1005.11(c)(4), requires that a financial institution in

[41] 12 CFR 1005.11(c)(1). Note that this 10-day period may be extended to 20 days for certain new accounts. 12 CFR 1005.11(c)(3)(i).

[42] This time period may be extended to 90 days for certain transactions, such as transactions outside the U.S., point of sale transactions, or transactions that occurred within 30 days of the first deposit to the account. 12 CFR 1005.11(c)(3)(ii).

[43] 12 CFR 1005.11(c)(2)(i).

[44] 12 CFR 1005.11(c)(2)(i)(A). Note that even though a financial institution may request written confirmation within 10 days of receipt of an oral notice, it must begin its investigation promptly upon receipt of an oral notice.

12 CFR 1005, supp. I, comment 11(b)(1).

[45] 12 CFR 1005.11(c)(2)(ii).

[46] 12 CFR 1005.11(c)(2)(iv).

[47] 12 CFR 1005.11(d)(2)(i).

[48] 12 CFR 1005.11(d)(2)(ii).

[49] 12 CFR part 1005, supp. I, comment 11(d)(2)–1.

[50] *See also* 12 CFR 1005.2(l) (defining ''state'').

[51] While certain payment network rules may impose alternative timing requirements or limitations, network rules do not excuse institutions from complying with the applicable Regulation E timelines to complete the error investigation and make a determination. 12 CFR 1005.11(c)(2) and (3).

[52] 71 FR 1638, 1654 (Jan. 10, 2006). *See also* USAA Federal Savings Bank Consent Order, File No. 2019–BCFP–0001.

investigating an error must conduct, at a minimum, a ''review of its own records regarding [the] alleged error.'' [53] This review must include at least ''any relevant information within the institution's own records.'' [54]

Examiners found that some financial institutions violated Regulation E by failing to conduct a reasonable investigation and instead denied claims solely because the consumers had previously conducted business with a merchant. One institution, upon seeing that a consumer was challenging a charge from a merchant with whom the consumer had prior transactions, closed error investigations without completing them, and instead instructed consumers to first direct the claim to the merchant that made the charge.

In response to examiners' findings, the financial institutions updated their training to ensure that employees were properly trained on the applicable Regulation E investigation requirements and enhanced certain policies and procedures and monitoring to ensure investigations are completed properly. In addition, the financial institutions identified and remediated all consumers whose Regulation E error claims were wrongly denied based upon pre-existing relationships with the merchant and whose error resolution claims were not investigated as required.

2.4.5 Failure To Properly Remediate Errors

When a financial institution determines an alleged error did occur, commentary to Regulation E highlights ''it must correct the error . . . including, where applicable, the crediting of interest and the refunding of any fees imposed by the institution.'' [55]

Examiners determined that some financial institutions failed to refund associated fees and credit interest when correcting an error. One such institution implemented automated processes, as well as policy updates and enhanced training to address the issue. At another institution, employees failed to provide proper credits and refunds although it was required by the institution's procedures. This failure indicated a lack of proper training, which the institution was asked to enhance. Both institutions stated that they would or had remediated impacted consumers.

For another institution, this violation occurred because the institution's ACH teams reviewed issues on a transaction-by-transaction basis, which did not allow it to evaluate the impact of the issue at the account or claim level. This institution reorganized its staff to evaluate consumer accounts on an individual or account level, conducted a lookback to remediate impacted consumers, and updated policies to ensure that fees were credited to the accounts.

Similarly, an organizational issue caused the problem at another institution. This institution used multiple divisions to investigate and correct errors, depending on the type of error alleged. Differing policies and procedures between divisions created various levels of authority for error resolution. Because of these differences, the institution failed to refund the fees as is required by the Regulation E commentary, despite determining the alleged error occurred. The institution rectified this situation by reviewing and consolidating the role of error investigation into one division to ensure all Regulation E errors were consistently processed and committed to remediate harmed consumers.

2.4.6 Overdraft Opt-In and Disclosure Violations

The CFPB continues to examine financial institutions' overdraft opt-in and disclosure practices for compliance with relevant statutes and regulations, including Regulation E,[56] Regulation DD,[57] which implements the Truth in Savings Act,[58] and the Dodd-Frank Act's prohibition on unfair, deceptive, or abusive acts or practices.[59]

Many institutions provide various overdraft products that charge fees for transactions that overdraw accounts. Regulation E prohibits financial institutions from charging overdraft fees on ATM and one-time debit card transactions unless consumers affirmatively opt in to overdraft service.[60] Among other things, Regulation E requires that institutions provide consumers ''a reasonable opportunity for the consumer to affirmatively consent, or opt in, to the service for ATM and one-time debit card transactions.'' [61] Moreover, institutions must provide consumers ''with confirmation of the consumer's consent in writing, or if the consumer agrees, electronically, which includes a statement informing the consumer of the right to revoke such consent.'' [62] Regulation E requires institutions to maintain evidence of compliance for a period of not less than two years from the date action is required to be taken or disclosures are required to be given.[63]

Examiners identified a number of violations in connection with these overdraft opt-in requirements, including the following:

- Failing to obtain affirmative consent from consumers before charging them overdraft fees for ATM and one-time debit card transactions, due to coding errors, systems mergers, or inadequate phone-based opt-in procedures. These institutions provided remediation to consumers assessed these overdraft fees without their authorization and ceased charging overdraft fees to consumers who did not opt in.
- Failing to advise consumers who opted-in to overdraft online of their right to revoke their opt-in to ATM and one-time debit overdraft services as part of the opt-in confirmation notice. Supervision issued a Matter Requiring Attention (MRA) regarding the need for a notice that included the right to revoke and also remediation for consumers impacted by the previous deficient notice.
- Failing to retain evidence of having obtained affirmative consent from consumers to opt into overdraft services for ATM and one-time debit card transactions, including due to process deficiencies for in-branch opt-in and general document retention failures. The institutions were directed to rectify their procedures.
- Failing to provide consumers overdraft opt-in notices that were substantially similar to the Model Form A–9 disclosure, in violation of Regulation E.[64] Institutions corrected their notices.

Supervision identified violations of Regulation DD requirements related to overdraft services as well, including:

- Disclosing to consumers, through automated systems, available account balance amounts that included discretionary overdraft credit that the bank potentially could provide; [65] and
- Failing to correctly disclose on periodic statements the amount of overdraft fees incurred by consumers during a statement cycle.[66]

The institutions implemented or proposed policy and procedure changes to address the violations.

[53] 12 CFR 1005.11(c)(4). Section 1005.11(c)(4) applies when the conditions in § 1005.11(c)(4)(i) and (ii) are satisfied.

[54] 12 CFR part 1005, supp. I, comment 11(c)(4)–5.

[55] 12 CFR part 1005, supp. I, somment 11(c)–6.

[56] 12 CFR 1005, *et seq.*

[57] 12 CFR 1030, *et seq.*

[58] 12 U.S.C. 4301, *et seq.*

[59] 12 U.S.C. 5531, 5536.

[60] 12 CFR 1005.17.

[61] 12 CFR 1005.17(b)(1)(ii).

[62] 12 CFR 1005.17(b)(iv).

[63] 12 CFR 1005.13(b)(1).

[64] 12 CFR 1005.17(d).

[65] 12 CFR 1030.11(c).

[66] *See* 12 CFR part 1030(6)(a)(3).

2.5 Fair Lending

The Bureau's fair lending supervision program assesses compliance with the Equal Credit Opportunity Act (ECOA) [67] and its implementing regulation, Regulation B,[68] as well as the Home Mortgage Disclosure Act (HMDA) [69] and its implementing regulation, Regulation C,[70] at banks and nonbanks over which the Bureau has supervisory authority. Examiners found that supervised institutions engaged in violations of HMDA and Regulation C, and ECOA and Regulation B.

2.5.1 HMDA Examination Findings—2018 & 2019 Data

The Bureau continues to examine mortgage originators, including bank and nonbank financial institutions, for compliance with HMDA and its implementing regulation, Regulation C. Regulation C requires financial institutions to collect and report data regarding applications for covered loans that they receive, covered loans that they originate, and covered loans that they purchase each calendar year.[71] Recent examinations identified HMDA violations due to inaccuracy of HMDA data submitted by financial institutions, including fields newly added to the HMDA loan application register (LAR) beginning in 2018. In October 2015, the CFPB issued a final rule (2015 HMDA Rule) that included changes to the types of institutions that are subject to Regulation C; the types of transactions subject to Regulation C; the specific information that covered institutions are required to collect, record, and report; and processes for reporting and disclosing data.[72] For HMDA data collected on or after January 1, 2018, certain covered institutions were required to collect, record, and report data points newly added or modified by the 2015 HMDA Rule.

Specifically, the 2015 HMDA Rule added new data points for Applicant or Borrower Age, Credit Score, Automated Underwriting System information, Unique Loan Identifier, Property Value, Application Channel, Points and Fees, Borrower-paid Origination Charges, Discount Points, Lender Credits, Loan Term, Prepayment Penalty, Non-amortizing Loan Features, Interest Rate, and Loan Originator Identifier as well as other data points. The 2015 HMDA Rule also modified several existing data points.[73] Most of the additions and modifications to the HMDA LAR fields within the 2015 HMDA rule became effective January 1, 2018. Examinations evaluating data reported in 2018 and 2019 were the first examinations in which the Bureau reviewed the accuracy of the data in HMDA LAR fields added by the 2015 HMDA Rule.

The CFPB's HMDA examinations include transaction testing of a sample of the institution's HMDA LAR and review of its CMS as it relates to HMDA. Transaction testing consists of comparing a sample of the institution's HMDA LAR to source documents from the loan files corresponding to each LAR entry (LAR line or row of the data) and assessing whether or not the LAR entry is accurate. When errors are identified, examiners evaluate the number of errors relative to the resubmission threshold, which is the data accuracy standard used in the CFPB's examinations. Specifically, the HMDA interagency resubmission thresholds provide that in a LAR of more than 500 entries, when the total number of errors in any data field exceeds four, examiners should direct the institution to correct any such data field in the full HMDA LAR and resubmit its HMDA LARs with the corrected field(s).[74] These resubmission thresholds are included in the CFPB's HMDA examination procedures.[75]

2.5.2 2018 & 2019 HMDA LAR Errors

Examiners identified widespread errors within 2018 HMDA LARs of several covered financial institutions. To date, examiners have not identified widespread LAR errors within institutions' 2019 LARs. In several examinations, examiners identified errors that exceed the HMDA resubmission thresholds. In general, examiners identified more errors in data fields collected beginning in 2018 pursuant to the 2015 HMDA rule than for other fields. For example, the fields with the highest number of identified errors across several institutions were the newly required ''Initially Payable to Your Institution'' field and the ''Debt-to-Income Ratio'' field.

2.5.3 Root Causes of HMDA Data Errors

In several examinations in which examiners identified numerous errors, the root causes of the HMDA violations were deficiencies in the institutions' CMS. The CMS deficiencies included the institutions' board and management oversight, policies and procedures, training, monitoring and audit, and the institutions' service provider oversight.

Many of the widespread or systemic errors related to problems within the institutions' data mapping—the data transfers from operations-based systems, such as loan origination systems, to data storage systems that populate the HMDA LARs. For example:

- Examiners determined that numerous errors within the Credit Scoring model fields were caused by data transfer deficiencies in which institutions extracted data from credit scoring models then transferred them to systems that reported inaccurate codes and descriptions of the credit scores.
- Examiners identified errors within the Rate Spread field and observed that these errors occurred due to data mapping or data transfer deficiencies. Institutions allowed erroneous software updates within their loan processing systems to result in inaccurate Rate Spread values reported on their HMDA LARs. Examiners determined that service provider oversight deficiencies resulted in institutions' failure to correct the erroneous data transfers.
- Examiners identified inaccurate values for the debt-to-income ratio. The institutions acknowledged the errors and stated the fields reported incorrectly were the result of a change made to the programming of their loan origination system.

Many of the widespread or systemic errors were caused by misinterpretation of Regulation C requirements or the institution's specific policy. For example:

- Examiners determined that employees at one institution misinterpreted the institution's policies and procedures for calculating the ages of applicants and co-applicants. Examiners determined that these errors were caused by deficiencies in the institution's monitoring and audit function.
- Examiners determined that an institution's senior management misinterpreted HMDA and Regulation C, concluding erroneously that the Origination Charges, Discount Points, and/or Lender Credits fields should be reported as ''Not applicable.'' For

[67] 15 U.S.C. 1691–1691*f*.

[68] 12 CFR part 1002.

[69] 12 U.S.C. 2801–2810.

[70] 12 CFR part 1003.

[71] 12 CFR 1003.4(a).

[72] 80 FR 66128 (Oct. 28, 2015).

[73] See the CFPB HMDA Summary of Reportable Data chart (2015), *https://files.consumerfinance.gov/f/201510_cfpb_hmda-summary-of-reportable-data.pdf.*

[74] LARs of 500 entries or fewer have a resubmission threshold of three errors. CFPB Examination Procedures, updated April 1, 2019, *available at https://files.consumerfinance.gov/f/documents/cfpb_supervision-and-examination-manual_hmda-exam-procedures_2019-04.pdf.*

[75] For more information about CFPB HMDA LAR transaction testing and samples, refer to the CFPB HMDA Examination Procedures, updated April 1, 2019, *available at https://files.consumerfinance.gov/f/documents/cfpb_supervision-and-examination-manual_hmda-exam-procedures_2019-04.pdf.*

example, examiners observed Origination Charges, displayed as ''zero'' within source documentation, inaccurately reported as ''Not applicable.'' The Origination Charges field should be entered, in dollars for the total of all itemized amounts that are designated borrower-paid at or before closing. If the total is zero, enter 0. Enter ''NA'' if the requirement to report origination charges does not apply to the covered loan or application that the institution is reporting.

2.5.4 HMDA Supervisory Actions

In response to widespread HMDA LAR inaccuracies identified during examinations, institutions will review, correct, and resubmit their HMDA LAR.[76] Some institutions have already resubmitted their HMDA LARs.

In addition, institutions will enhance monitoring practices to ensure they are completed timely and appropriately identify and measure HMDA risk. Some institutions will develop and implement an effective HMDA monitoring program that prevents, detects, and corrects violations of HMDA and Regulation C, and ensures appropriate corrective actions are taken.

Some institutions will make improvements to CMS components that were the cause of errors, including through (1) implementation of policies, procedures and/or a plan that ensures that fields that had errors are reported accurately; (2) improvements to board and management oversight to ensure that the board and management promptly responds to CMS deficiencies and violations of Regulation C; and (3) improvements to their HMDA training program regarding collecting and recording data for the HMDA LAR, including ensuring it is specifically tailored to staff with responsibilities relating to HMDA.

2.5.5 Redlining

Regulation B prohibits discouragement of ''applicants or prospective applicants''. Specifically, it states: ''A creditor shall not make any oral or written statement, in advertising or otherwise, to applicants or prospective applicants that would discourage on a prohibited basis a reasonable person from making or pursuing an application.'' [77] The Official Interpretations of Regulation B also explain that this prohibition ''covers acts or practices directed at prospective applicants that could discourage a reasonable person, on a prohibited basis, from applying for credit.'' [78]

In the course of conducting supervisory activity, examiners observed that a lender violated ECOA and Regulation B by engaging in acts or practices directed at prospective applicants that would have discouraged reasonable people in minority neighborhoods in Metropolitan Statistical Areas (MSAs) from applying for credit.

Initial statistical analysis of the HMDA data and U.S. census data showed that the lender received significantly fewer applications from majority-minority and high-minority neighborhoods relative to other peer lenders in the MSA, which resulted in the prioritization of the institution for a redlining examination. The examination teams' subsequent, in-depth analyses, including general and refined peer analyses, confirmed these differences relative to its peer lenders in the MSA.[79] Examiners identified evidence of communications directed at prospective applicants that would discourage reasonable persons on a prohibited basis from applying to the lender for a mortgage loan. First, the lender conducted a number of direct mail marketing campaigns that featured models, all of whom appeared to be non-Hispanic white. Second, the lender included headshots of its mortgage professionals in its open house marketing materials, and in almost all of these materials, the headshots showed only professionals who appeared to be non-Hispanic white. Third, the lender's office locations were nearly all concentrated in majority non-Hispanic white areas, as confirmed by the lender's website communicating where the offices are located. Each of these acts or practices is a form of communication directed at prospective applicants.

Also, the lender's direct marketing campaign and Multiple Listing Service (MLS) advertising was focused on majority-white areas in the MSA, which provided additional evidence of its intent to discourage on a prohibited basis. In addition, the examination team determined that the lender employed mostly non-Hispanic white mortgage loan officers and identified emails among mortgage loan officers containing racist and derogatory content. The lender plans to undertake remedial and corrective actions regarding this violation, which are under review by the Bureau.

2.6 Mortgage Origination

Supervision assessed the mortgage origination operations of several supervised entities for compliance with applicable Federal consumer financial laws. Examinations of these entities identified violations of Regulation Z and deceptive acts or practices prohibited by the CFPA.

2.6.1 Compensating Loan Originators Differently Based on Product Type

Regulation Z generally prohibits compensating mortgage loan originators in an amount that is based on the terms of a transaction.[80] Compensation is based on the term of a transaction if the objective facts and circumstances indicate that the compensation would have been different if a transaction term had been different.[81] In the preamble to the Bureau's 2013 Loan Originator Final Rule, the Bureau responded to questions from commenters about whether it was permissible to compensate differently based on product types, such as credit extended pursuant to government programs for low-to moderate-income borrowers.[82] As part of its response to these questions, the Bureau explained that it is not permissible to differentiate compensation based on credit product type, since products are simply a bundle of particular terms.[83]

Examiners found that lenders' compensation policies specified lower compensation for originating a bond loan subject to requirements set forth by a State Housing Finance Agency (HFA), and that the lenders followed these policies. Examiners also found that

[76] On December 21, 2017, the Bureau issued a Statement with respect to HMDA compliance announcing among other things that the Bureau does not intend to assess penalties for errors in data collected in 2018 and that the Bureau does not intend to require data resubmission unless errors are material. *See* Consumer Fin. Prot. Bureau, *CFPB Issues Public Statement On Home Mortgage Disclosure Act Compliance* (Dec. 21, 2017), *available at https://www.consumerfinance.gov/about-us/newsroom/cfpb-issues-public-statement-home-mortgage-disclosure-act-compliance/.* During examinations of 2018 data in which CFPB Supervision required financial institutions to resubmit data, Supervision concluded that the errors identified were material.

[77] 12 CFR 1002.4(b).

[78] 12 CFR part 1002, supp. I, para. 4(b)–1.

[79] Examination teams defined majority-minority areas as >50% minority and high-minority areas as >80% minority.

[80] 12 CFR 1026.36(d)(1)(i).

[81] 12 CFR part 1026, supp. I, comment 36(d)(1)–1.i.

[82] 2013 Loan Originator Compensation Rule, 78 FR 11279, 11326 (Feb. 15, 2013). The Bureau noted that the meaning of loan ''product'' is ''not firmly established and varies with the person using the term, but it generally refers to various combinations of features such as the type of interest rate and the form of amortization.'' *Id.* at 11284.

[83] *Id.* at 11326–27, note 82. The Bureau further noted in the preamble that permitting different compensation based on different product types would create ''precisely the type of risk of steering'' that the statutory provisions implemented through the 2013 Loan Originator Final Rule sought to avoid. *Id.* at 11328. The Bureau also declined to exclude State housing finance authority loans from the scope of the rule. *Id.* at 11332–33.

lenders compensated loan originators by paying them more for originating construction loans than for other types of loans. Examiners determined that by compensating loan originators differently based on whether the loan was an HFA loan or construction loan, the lenders compensated loan originators based on the terms of the transaction because the compensation would have been different if the terms of the transaction had been different. As a result, each lender involved agreed to no longer compensate loan originators differently based on product type.

2.6.2 Disclosure of Simultaneously Purchased Lender and Owner Title Insurance

Where there is simultaneous purchase of lender and owner title insurance policies, Regulation Z requires creditors to disclose the lender's title insurance based on the amount of the premium, without any discount that might be available for the simultaneous purchase of an owner's title insurance policy.[84] Creditors are required to disclose the premium for the owner's policy showing the impact of the simultaneous purchase discount.[85] The intent of this rule is to provide consumers with information on the incremental additional cost associated with obtaining an owner's title insurance policy, and the cost they would be required to pay for the lender's policy if they did not purchase an owner's policy. Examiners found that some creditors violated Regulation Z by disclosing the lender's title insurance premium at the discounted rate and the owner's title insurance at the full premium on the Loan Estimate. Supervision requested that the creditors revise their policies and procedures to ensure correct disclosure of title insurance premiums where there is a simultaneous issuance rate for lender's and owner's title policies.

2.6.3 Deceptive Waivers of Borrowers' Rights in Security Deed Riders and Loan Security Agreements

Regulation Z states that a ''contract or other agreement relating to a consumer credit transaction secured by a dwelling . . . may not be applied or interpreted to bar a consumer from bringing a claim in court pursuant to any provision of law for damages or other relief in connection with any alleged violation of Federal law.'' [86] In light of this provision, examiners previously concluded that certain waiver provisions are deceptive where reasonable consumers could construe the waivers to bar them from bringing Federal claims in court related to their mortgages. For example, examiners previously identified waiver provisions in home equity installment loan agreements that provided that consumers who signed the agreements waived all other notices or demands in connection with the delivery, acceptance, performance, default or enforcement of the agreement and concluded that those provisions violated the CFPA's prohibition on deceptive acts or practices.[87] Similarly, in the mortgage servicing context, examiners previously identified broad waiver of rights clauses in forbearance, loan modification, and other loss mitigation options and concluded that they violated the CFPA's prohibition against unfair or deceptive acts or practices.[88]

Examiners identified a waiver provision in a rider to a security deed that is in use in one state.[89] The waiver provided that borrowers who signed the agreement waived all of their rights to notice or to judicial hearing before the lender exercises its right to nonjudicially foreclose on the property. Examiners concluded that the use of this provision by mortgage lenders violated the CFPA's prohibition on deceptive acts or practices. Regulation X, 12 CFR 1024.41, implementing the Real Estate Settlement Procedures Act (RESPA), requires mortgage servicers to provide borrowers with certain notices in the loss mitigation context and borrowers may bring suit to enforce those provisions. A reasonable consumer could understand the provision to waive the consumer's right to sue over a loss mitigation notice violation in the nonjudicial foreclosure context. This misrepresentation is material because it could dissuade consumers from consulting a lawyer or otherwise bringing Federal claims in court related to the transaction. Thus, examiners concluded that the waiver provision was deceptive. In response to the examination findings, the entities committed to discontinuing use of the form containing the waiver.

Examiners also found that entities required borrowers in another State to agree to a waiver, in the event of default, of any equity or right of redemption in the loan security agreement for cooperative units. Specifically, the waiver stated that in the event of default, lenders may sell the security at public or private sale and thereafter hold the security free from any claim or right whatsoever of the borrower, who waives all rights of redemption, stay or appraisal which the borrower has or may have under any rule or statute. Examiners determined that the waiver language would likely mislead a consumer into believing that by signing the agreement they waived their right to bring any claim in court, including Federal claims.[90] This interpretation could appear reasonable to a consumer. The misrepresentation was material because it was likely to affect whether a consumer would choose to retain counsel or pursue claims against the entity in the future. As a result, the entities implemented an agreement resolving the issue and committed to providing clarification to all affected borrowers.

2.7 Mortgage Servicing

Bureau examinations continue to review for violations of mortgage servicing requirements. Examiners determined that servicers violated Regulation X by making the first notice or filing for foreclosure when it was prohibited.[91] Examiners also determined that servicers engaged in a deceptive act or practice when they represented to borrowers that they would not initiate a foreclosure action until a specified date, but nevertheless initiated foreclosures prior to that date. Examiners also found that servicers failed to maintain policies and procedures, as required by Regulation X, reasonably designed to achieve specific objectives described in Regulation X.[92]

Additionally, examiners found that servicers violated Regulation X by conducting an annual escrow analysis that assumed that private mortgage insurance (PMI) payments would continue for the entire escrow analysis period, despite the servicers' knowledge that PMI would be automatically terminated before the end of the escrow analysis period.[93]

2.7.1 Dual Tracking Violations

Regulation X generally prohibits a servicer from making the first notice or filing required for foreclosure if the consumer submits a complete loss mitigation application unless the servicer has completed the review of the application, considered any appeals, the borrower rejects all loss mitigation

[84] 12 CFR 1026.37(f)(2); 12 CFR part 1026, supp. I, comment 37(f)(2)–4.

[85] 12 CFR 1026.37(g)(4); 12 CFR part 1026, supp. I, comment 37(g)(4)–2.

[86] 12 CFR 1026.36(h)(2).

[87] *Supervisory Highlights,* Summer 2015, at 15.

[88] *Supervisory Highlights,* Summer 2017, at 22.

[89] This examination work was completed after the review period for this report.

[90] 15 U.S.C. 602(dd)(5), (w).

[91] 12 CFR 1024.41(f)(2)(i).

[92] 12 CFR 1024.38(a), (b).

[93] 12 CFR 1024.17(c)(7).

options offered by the servicer, or the borrower fails to perform under an agreement on a loss mitigation option. If a consumer submits all of the documents requested by the servicer in response to the notice in 12 CFR 1024.41(b)(2)(i)(B), then the application is ''facially complete'' and the servicer must treat the application as complete for the purposes of the foreclosure referral protections of 12 CFR 1024.41(f)(2) until the borrower is given a reasonable opportunity to complete the application.

Examiners found that servicers violated Regulation X by making the first filing for foreclosure after the loan application was facially complete but before meeting the requirements of 12 CFR 1024.41(f)(2). The servicers received all the information requested in the 12 CFR 1024.41(b)(2)(i)(B) notice and therefore the application was facially complete. However, the servicers did not place a foreclosure hold on the account when the documents were received. Instead, the servicers waited until they had completed internal analysis that the application was facially complete, which took more than a day, during which time a foreclosure filing occurred in spite of the facially complete application having been received.

As a result of this finding, servicers remediated foreclosure fees that were charged to consumers who had submitted facially complete applications prior to the first foreclosure filing. They also enhanced their procedures, employee training, and monitoring controls.

Regulation X also prohibits a servicer from making the first notice or filing for foreclosure before making a decision on a borrower's timely appeal of a denied loss mitigation application.[94]

Institutions violated Regulation X by making the first notice or filing for foreclosure before they had evaluated borrowers' appeals. The servicers denied the borrowers' loss mitigation applications and provided the borrowers with information about appealing the determination as required under Regulation X. The borrowers submitted the appeal within the 14-day period under 12 CFR 1024.41(h)(2). Prior to making a determination regarding the appeal, the servicers made a first notice or filing for foreclosure, violating Regulation X.[95] In response to this finding, servicers enhanced policies and procedures, training, and monitoring controls.

Regulation X requires servicers to maintain policies and procedures reasonably designed to achieve specific objectives described in the regulation.[96] It provides that servicers' policies and procedures shall be reasonably designed to facilitate the sharing of accurate and current information regarding the status of any evaluation of a borrower's loss mitigation application and the status of any foreclosure proceeding among appropriate servicer personnel, including service provider personnel responsible for handling foreclosure proceedings.[97]

Some servicers had policies and procedures to notify foreclosure counsel to stop all legal fillings only after the servicer had sent borrowers the notice acknowledging receipt of a complete loss mitigation application, which may be sent to a consumer up to five days after receipt of their application. This represents a failure to facilitate the sharing with its service providers of accurate and current information regarding the status of borrowers' loss mitigation applications. Because the servicers did not inform foreclosure counsel that a complete loss mitigation application had been submitted until it sent the loss mitigation acknowledgement notice, they failed to maintain policies and procedures reasonably designed to achieve the objective of 12 CFR 1024.38(b)(3)(iii). In response to these findings, servicers updated their policies and procedures.

2.7.2 Misrepresentations Regarding Foreclosure Timelines

Regulation X's requirements related to loss mitigation applications do not apply to consumers submitting additional loss mitigation applications under certain circumstances. Specifically, they do not apply where a servicer has previously complied with the regulation's loss mitigation requirements for a complete loss mitigation application and the borrower has been delinquent at all times since submitting the prior complete application.[98]

Some servicers failed to adopt appropriate policies and procedures for responding accurately to such repeat loss mitigation applications. Examiners identified a deceptive practice when servicers represented to borrowers that they would not initiate a foreclosure action until a specified date, but nevertheless initiated a foreclosure prior to that date. These servicers maintained a policy of using model communications for all borrowers that included language reflecting Regulation X protections for borrowers submitting loss mitigation applications regardless of whether Regulation X protections actually applied to those borrowers. Examiners identified loss mitigation files where the servicers specifically indicated in letters that they would not initiate a foreclosure action until a specific date. Examiners noted that the date was consistent with the timeline that Regulation X would require if the application were protected by those provisions. Nevertheless, the servicers did initiate foreclosure actions prior to that date.

The inaccurate representations regarding the day foreclosure action would be initiated were likely to mislead borrowers into believing that they had more time until foreclosure than they actually did. It was reasonable for consumers to believe these representations since the information was provided on multiple loss mitigation related disclosures sent in response to the application. The representations were material because borrowers plan how they will obtain and when they will send necessary documents, and what actions they will take regarding their delinquent mortgages, based on the information provided—including the timeline for foreclosure. In response to these findings, servicers updated the information contained in letters sent to consumers.

2.7.3 Failure To Consider PMI Termination Date During Annual Escrow Analysis

Regulation X requires servicers to conduct an annual escrow analysis, in which they estimate the disbursement amounts of escrow account items.[99] If the servicer ''knows the charge'' for an item ''in the next computation year,'' then it ''shall use that amount'' in its estimate.[100] Servicers violated the requirements of 12 CFR 1024.17(c)(7) by including in the annual escrow analysis a full year of PMI disbursements, despite knowing that PMI would be charged for only part of the year.

PMI, when required, is automatically terminated when the principal balance of the mortgage loan reaches 78 percent of the original value of the property based on the amortization schedule, as long as the borrower is current. Examiners found that one or more servicers' systems maintain all relevant information to determine the termination date. Therefore, these

[94] 12 CFR 1024.41(f)(2)(i).

[95] 12 CFR 1024.41(f)(2)(i).

[96] 12 CFR 1024.38(a), (b).

[97] 12 CFR 1024.38(b)(3)(iii).

[98] 12 CFR 1024.41(i).

[99] 12 CFR 1024.17(c)(3).

[100] 12 CFR 1024.17(c)(7).

servicers ''know'' that the charges for PMI will not last a full twelve months and will terminate before the end of the escrow year. Because the servicers know the charges for PMI will terminate for certain mortgages, including PMI charges after the termination date in the annual escrow analysis violates 12 CFR 1024.17(c)(7). In response to these findings, the servicers began considering the PMI termination information in their systems while conducting the annual escrow analysis.

2.8 Payday Lending

The Bureau's Supervision program covers entities that offer or provide payday loans. Examinations of these lenders identified deceptive acts or practices.

2.8.1 Misrepresentations Regarding an Intent To Sue

Examiners found that lenders engaged in deceptive acts or practices in violation of the CFPA when they sent delinquent borrowers collection letters stating an ''intent to sue'' if the consumer did not pay the loan.[101] Examiners found the representations misled or were likely to mislead consumers, and that consumers' interpretations were reasonable. A reasonable borrower could understand the letters to mean that the lender had decided it would sue if a borrower did not make payments as required by the letter. In fact, the lenders had not decided prior to sending the letters that they would sue if borrowers did not pay, and in most cases did not sue borrowers who did not pay. The representations were material because they could induce delinquent borrowers to change their conduct regarding their loans. For example, consumers may have made payments they otherwise would not have, in order to avoid the possibility of suit. In response to examination findings, the entities ceased issuing letters stating an intent to sue where such a determination had not already been made, and enhanced collections communication-related policies and procedures, training, and monitoring.

2.8.2 Misrepresentations That No Credit Check Will Be Conducted

Examiners observed that lenders engaged in a deceptive act or practice in violation of the CFPA when they falsely represented on storefronts and in photos on proprietary websites that they would not check a consumer's credit history. In fact, the lenders used consumer reports from at least one consumer reporting agency in determining whether to extend credit. It was reasonable for a consumer to interpret the representations as meaning that the lenders would not check a consumer's credit history when deciding whether to extend credit, and the representations were material because they were likely to affect consumers' conduct with respect to applying for loans. Prospective customers may have had concerns about their credit histories and ability to obtain credit, and consequently made a different choice. Moreover, storefront advertising claims were express and presumed material. In response to these findings, the lenders ceased making misleading representations on signage at branch locations and websites, and implemented enhanced advertising oversight.

2.8.3 Deceptive Presentation of Repayment Options to Borrowers Contractually Eligible for No-Cost Repayment Plans

When consumers indicated an inability to repay their payday loans, lenders engaged in a deceptive act or practice by presenting payment options to consumers in a manner that misled or was likely to mislead them. Examiners found that, as a result of the institutions' process of presenting fee-based refinance options to struggling borrowers while withholding information about contractually available no-cost repayment plan options, many consumers entered into fee-based refinances despite being eligible for a no-cost repayment option.

The presentation of payment options misled, or was likely to mislead, consumers into believing that there was not a no-cost installment repayment option despite the loan agreements providing for one. Consumers may have also been misled into believing that a no-cost option was only available if the consumers first rejected or were found ineligible for other options, such as a fee-based refinance. A consumer's misunderstanding of their repayment options would be reasonable in light of the fact that the consumers who elected these other options were not told about the no-cost repayment plan option by the institution at the time that the consumers expressed difficulty repaying their loans. The institutions' misleading practice was material because it caused consumers to incur fees, such as for refinances, that could have been avoided had they been aware of their contractual right to a no-cost repayment option.

2.9 Private Education Loan Origination

The Bureau has supervisory authority over entities that offer or provide private education loans.[102] The Bureau examines private education loan origination activities for compliance with applicable Federal consumer financial laws, including assessing whether entities have engaged in any unfair, deceptive, or abusive acts or practices prohibited by the CFPA. Examinations of these entities identified at least one deceptive act or practice.

2.9.1 Deceptive Marketing Regarding Private Education Loan Rates

Examiners found that entities engaged in a deceptive act or practice[103] by (1) advertising rates ''as low as'' X%, (2) disclosing certain conditions to obtain that rate (*e.g.,* the borrower must make automatic payments and the rate was available only for applications filed by a date certain), and (3) omitting that a borrower's rate would depend on their creditworthiness. Examiners determined that the net impression of the marketing materials misled or was likely to mislead consumers to believe the ''as low as'' rate was available regardless of creditworthiness. The consumers' interpretation of such representations was reasonable under the circumstances and the entities' misleading representations were material to consumers' decisions to apply for a private education loan because it could impact the consumer's decision to apply for or take the loan. As a result, the entities have removed the phrase ''as low as'' from its marketing materials and, rather, advertises the entire range of rates (*e.g.,* ''X.XX%–YY.YY%''). Also, each entity involved now discloses that the lowest rates are only available for the most creditworthy applicants, in addition to other disclosures.

2.10 Student Loan Servicing

The Bureau continues to examine student loan servicing activities, primarily to assess whether entities have engaged in any unfair, deceptive or abusive acts or practices prohibited by the CFPA. Examiners identified three types of misrepresentations servicers made regarding consumer eligibility for the Public Service Loan Forgiveness (PSLF) program. Examiners also identified two unfair acts or practices related to failure to reverse negative consequences of automatic natural disaster forbearances and an unfair act or practice related to failing to honor consumer payment allocation

[101] 12 U.S.C. 5531, 5536(a)(1)(B).

[102] 12 U.S.C. 5514(a)(1)(D).

[103] 12 U.S.C. 5531 and 5536(a)(1)(B).

instructions. Additionally, examiners continued to find that servicers engaged in unfair acts or practices related to providing inaccurate monthly payment amounts to consumers after a loan transfer, as previously discussed in *Supervisory Highlights.*[104]

2.10.1 Public Service Loan Forgiveness

PSLF may provide significant relief for consumers that work at 501(c)(3) nonprofits; government organizations; or other types of non-profit organizations that provide certain types of qualifying public services. Under the program, consumers that make 120 qualifying payments on their Direct Loans while working for an eligible employer and repaying under an eligible repayment plan may have the balance of their loans forgiven. There is significant confusion about eligibility for PSLF, which is further complicated by the relative complexity of student loan types and terms. Consequently, examiners observed borrowers with Federal Family Education Loan Program (FFELP) loans requesting information from servicers about their eligibility for PSLF or inquiring about terms of the program.

While FFELP loans are not initially eligible for PSLF, FFELP borrowers can consolidate into a Direct Consolidation Loan, which is eligible. Once consolidated, the consumer can start making eligible payments toward the 120 needed for forgiveness. Direct Consolidation Loan borrowers are also eligible for other benefits like improved income-driven repayment options, while their FFELP loan counterparts are not.

Examiners observed that servicers regularly provide FFELP borrowers information about PSLF. Examiners found that servicers regularly provided inaccurate information about eligibility for PSLF or Direct Consolidation Loans, resulting in deceptive acts or practices described below.

2.10.2 Misrepresenting the Effect of Employer Certification Forms

In examinations of student loan servicers, examiners identified a deceptive act or practice where servicer employees represented to FFELP loan borrowers that they could submit their employer certification forms (ECF) to receive a determination on whether their employers are eligible employers for PSLF. Yet under PSLF program guidelines, FFELP borrowers who submit an ECF prior to consolidation into a Direct Loan will be rejected, without any determination about employer eligibility.

The servicers' representations are likely to mislead borrowers into believing that they should submit an ECF prior to consolidation to receive confirmation that their employers are eligible. Consumers' interpretation was reasonable under the circumstances and they were likely to be misled by the servicers' representations, given the specificity of agents' statements and the fact that agents routinely provided information about the PSLF program. FFELP borrowers were likely interested in entering the PSLF program as soon as possible, so that they could begin making the 120 payments required for forgiveness. The agents' information was material because it was likely to affect FFELP borrowers' conduct in taking the steps necessary to enter PSLF—most notably, consolidating their loans—and could delay these borrowers' entry into the program by the time it takes to go through the ECF process.

2.10.3 Misrepresenting Eligibility of FFELP Loans for PSLF

Examiners found that servicers engaged in a deceptive act or practice by advising borrowers with FFELP loans that the loans could not become eligible for PSLF.

Consumers with FFELP loans can consolidate their loans into a Direct Consolidation Loan and become eligible for PSLF. Examiners found that during calls servicers represented to consumers with FFELP loans that they had no potential course of action to become eligible for PSLF. This representation was likely to mislead consumers because, in fact, their loans could become eligible through consolidation. Consumers' interpretation was reasonable under the circumstances because they reasonably believed that they had made their interest in eligibility for PSLF clear, and reasonably interpreted the servicers' representations to mean that they could not take steps to qualify for PSLF. The representations were material because consumers called to inquire about loan forgiveness and if they had received accurate information may have taken steps to convert their FFELP loans to Direct Loans.

2.10.4 Misrepresenting Employer Types Eligible for PSLF

Examiners found that servicers risked engaging in a deceptive act or practice by informing borrowers interested in the PSLF program that they are only eligible if their employer is a nonprofit. The PSLF program provides loan forgiveness for eligible Federal student loans after ten years of payments by consumers who meet certain requirements, including that they work for a qualifying employer. Qualifying employers include local, State, Federal or tribal government entities; 501(c)(3) nonprofits; and or other types of non-profit organizations that provide certain types of qualifying public services. Servicers stated in calls that consumers could be eligible for PSLF if they worked for nonprofits but did not mention that government employees and other types of employees are also eligible. This statement created the net impression that only employees of nonprofits were eligible. This was likely to mislead consumers, because other employment types are also eligible. This was a reasonable interpretation under the circumstances because servicers routinely provide consumers with information about eligibility for various programs. Finally, the representation was material to eligible consumers' decision regarding whether to pursue PSLF. As a result of examiner findings, the servicers implemented a new training program for agents.

2.10.5 Failure To Reverse the Consequences of Automatic Natural Disaster Forbearances

Examiners identified unfair practices related to enrollment in natural disaster forbearances at entities servicing private student loans. Generally, student loan borrowers become eligible for a natural disaster forbearance when they, or their cosigners, reside in a zip code impacted by a declared natural disaster. In most situations this forbearance is opt-in, allowing consumers to contact their servicer and request the payment relief. However, at some servicers, examiners identified that certain populations of loans were automatically enrolled in the forbearance without a specific request from the consumer—even if they were otherwise current on their loans. Within this subset of consumers whose accounts were automatically placed into a natural disaster forbearance, examiners identified two unfair practices.

First, examiners noted that despite the natural disaster declaration, some consumers did not want to be enrolled in the forbearance and requested to return to repayment. Often consumers identified negative consequences of forbearance and complained to their servicer about enrollment. For example, forbearance resulted in certain consumers losing payment incentives such as interest rate reductions for making on-time payments. It also resulted in consumers accruing unpaid interest during the period. And

[104] *Supervisory Highlights,* Issue 21, Winter 2020.

following a consumer complaint, one servicer failed to reverse the consequences of these unwanted automatic forbearances.

Second, at one servicer, enrollment in the automatic forbearance resulted in unenrollment of borrowers in the auto-debit program completely. In other words, auto-debit did not resume when these forbearances ended following cancelation of the forbearance or the regular termination of the forbearance period. This resulted in consumers becoming past due on the loan when they believed that their payments had been automatically debited.

Consumers could not reasonably avoid the injury from either practice because the natural disaster forbearance was placed on their accounts automatically. Even where consumers recognized the forbearance was placed and contacted their servicer to opt-out, the servicers failed to fully reverse the consequences of the action. For consumers who explicitly do not want a natural disaster forbearance, the injuries were not outweighed by countervailing benefits to consumers or competition. The servicers have ceased automatically enrolling consumers in natural disaster forbearances.

2.10.6 Inaccurate Monthly Payment Amounts After Servicing Transfer

Examiners found that servicers engaged in an unfair act or practice by failing to waive or refund overcharges they assessed after loan transfers. In previous editions of *Supervisory Highlights,* the Bureau has discussed other findings related to inaccurately billed amounts after loan transfers.

More specifically, consumers had enrolled in Income-Based Repayment (IBR) plans that lowered their student loan payment to a percentage of their discretionary income. When the loans were transferred to new servicers, they did not honor the terms of the IBR plan and sent consumers periodic statements listing inaccurate payment amounts, and in some instances, initiated automatic electronic debits in the incorrect amount. The servicers notified consumers of the error but did not refund or offer to refund any overpayments.

The conduct caused or was likely to cause substantial injury to consumers because the servicers required payments in excess of the amount required under the terms of the consumers' IBR plans. Consumers could not reasonably avoid the injury because they relied on the servicers' calculations and representations in the periodic statements. Further, the servicers did not provide refunds to consumers if they requested refunds of the overpayments. The injury from this activity is not outweighed by the countervailing benefits to consumers or competition. For example, the benefits to consumers or competition from avoiding the cost of better monitoring of servicing transfers between entities would not outweigh the substantial injury to consumers. In response to the examination findings, these servicers added additional controls to their loan onboarding process.

2.10.7 Failure To Honor Payment Allocation Instructions

Most servicers handle multiple student loans for one borrower in combined student loan accounts. Servicers bill borrowers for the sum of the minimum monthly payments for each loan.

Examiners found that servicers engaged in an unfair practice by failing to follow borrowers' explicit standing instructions regarding payment allocation.[105]

Examiners found that certain accounts contained at least one incorrectly applied payment. The failure to follow payment instructions resulted in borrowers paying more over the life of their loans or experiencing lost or delayed borrower benefits, such as co-signer release. Consumers were unable to reasonably avoid the injury because they relied on the servicers' representation that they would allocate payments in accordance with the instructions provided. Finally, the injury from these errors is not outweighed by the countervailing benefits to consumers or competition. In response to these findings, services implemented new training and additional monitoring of payment allocation instructions.

3. Supervisory Program Developments

3.1.1 CFPB and NCUA Enter Into a MOU

The CFPB and the National Credit Union Administration (NCUA) announced a Memorandum of Understanding (MOU) agreement to improve coordination between the agencies related to the consumer protection supervision of credit unions with over $10 billion in assets.[106]

The MOU better facilitates coordinated examinations to reduce redundancy and unnecessary overlap. CFPB and NCUA will also share information on training activities and content. Finally, the MOU will permit both agencies to share information related to supervisory activities and potential enforcement actions.

3.1.2 CFPB Issues Final Rule on the Role of Supervisory Guidance

On January 19, 2021, the CFPB issued a final rule regarding the Bureau's use of supervisory guidance for its supervised institutions.[107] The rule codifies the statement, with amendments, that the Bureau and other Federal financial regulatory agencies issued in September 2018, which clarified the differences between regulations and supervisory guidance. The final rule states that unlike a law or regulation, supervisory guidance does not have the force and effect of law and the Bureau does not take enforcement actions or issue supervisory criticisms based on non-compliance with supervisory guidance. Rather, supervisory guidance outlines supervisory expectations and priorities, or articulates views regarding appropriate practices for a given subject area.

The Bureau collaborated closely with other Federal financial regulatory agencies in this rulemaking, including by issuing a joint proposal for public comment.

3.1.3 CFPB Issues Interpretive Rule

On March 9, 2021, the Bureau issued an interpretive rule clarifying that the prohibition against sex discrimination under ECOA and Regulation B includes sexual orientation discrimination and gender identity discrimination.[108] This prohibition also covers discrimination based on actual or perceived nonconformity with traditional sex- or gender-based stereotypes, and discrimination based on an applicant's social or other associations.

3.1.4 CFPB Rescinds Its Statement of Policy on Abusive Acts or Practices

On March 11, 2021, the Bureau announced that it has rescinded its January 24, 2020 policy statement, ''Statement of Policy Regarding Prohibition on Abusive Acts or Practices.''[109]

[105] The Bureau has previously discussed payment allocation practices in *Supervisory Highlights,* Issue 9, Fall 2015 and Issue 10, Winter 2016.

[106] The MOU is available at: *https://files.consumerfinance.gov/f/documents/cfpb_ncua-memorandum-of-understanding_2021-01.pdf.*

[107] The final rule is available at: *https://files.consumerfinance.gov/f/documents/cfpb_role-of-supervisory-guidance_final-rule_2021-01.pdf.*

[108] The interpretive rule is available at: *https://files.consumerfinance.gov/f/documents/cfpb_ecoa-interpretive-rule_2021-03.pdf.*

[109] The Rescission of the Policy Statement is available at: *https://files.consumerfinance.gov/f/documents/cfpb_abusiveness-policy-statement-consolidated_2021-03.pdf.*

The Bureau intends to exercise its supervisory and enforcement authority consistent with the full scope of its statutory authority under the Dodd-Frank Act as established by Congress.

3.1.5 CFPB Rescinds Series of Policy Statements

On March 31, 2021, the Bureau announced it is rescinding seven policy statements issued last year that provided temporary flexibilities to financial institutions in consumer financial markets, including mortgages, credit reporting, credit cards and prepaid cards.[110] The seven rescissions, effective April 1, provide guidance to financial institutions on complying with their legal and regulatory obligations. With the rescissions, the CFPB provided notice that it intends to exercise the full scope of the supervisory and enforcement authority provided under the Dodd-Frank Act.[111]

3.1.6 Bureau Issues Bulletin Regarding Changes to Supervisory Communications

On March 31, 2021, the Bureau issued a bulletin to announce changes to how its examiners articulate supervisory expectations to supervised entities in connection with supervisory events.[112] The bulletin states that the CFPB will continue to issue Matters Requiring Attention (MRAs), explains the circumstances under which it will do so, and announces that the CFPB will discontinue use of Supervisory Recommendations. This new bulletin rescinds and replaces CFPB Bulletin 2018–01 (September 25, 2018).

3.1.7 CFPB Compliance Bulletin Warns Mortgage Servicers: Unprepared Is Unacceptable

On April 1, 2021, the Bureau warned mortgage servicers to take all necessary steps to prevent a wave of avoidable foreclosures this fall.[113] Millions of homeowners currently in forbearance will need help from their servicers when the pandemic-related Federal emergency mortgage protections expire this summer and fall. Servicers should dedicate sufficient resources and staff to ensure they are prepared for a surge in borrowers needing help. The CFPB will closely monitor how servicers engage with borrowers, respond to borrower requests, and process applications for loss mitigation. The CFPB will consider a servicer's overall effectiveness in helping consumers when using its discretion to address compliance issues that arise.

3.1.8 Bureau Issues Interim Final Rule on FDCPA

On April 19, 2021, the Bureau issued an interim final rule in support of the Centers for Disease Control and Prevention (CDC)'s eviction moratorium.[114] The CFPB's rule requires debt collectors to provide written notice to tenants of their rights under the eviction moratorium and prohibits debt collectors from misrepresenting tenants' eligibility for protection from eviction under the moratorium. The CDC established the eviction moratorium to protect the public health and reduce the spread of the Coronavirus. Debt collectors who evict tenants who may have rights under the moratorium without providing notice of the moratorium, or who misrepresent tenants' rights under the moratorium, can be prosecuted by Federal agencies and State attorneys general for violations of the FDCPA and are also subject to private lawsuits by tenants.

4. Remedial Actions

4.1 Public Enforcement Actions

The Bureau's supervisory activities resulted in and supported the following public enforcement actions.

4.1.1 TD Bank, N.A.

On August 20, 2020, the Bureau announced a settlement with TD Bank, N.A. (TD Bank) regarding its marketing and sale of its optional overdraft service: Debit Card Advance (DCA).[115]

TD Bank is headquartered in Cherry Hill, New Jersey, and operates about 1,250 locations throughout much of the eastern part of the country. The Bureau found that TD Bank's overdraft enrollment practices violated EFTA and Regulation E by charging consumers overdraft fees for ATM and one-time debit card transactions without obtaining their affirmative consent, and that TD Bank engaged in deceptive and abusive acts or practices in violation of the CFPA.

The Bureau specifically found that TD Bank charged consumers overdraft fees for ATM and one-time debit card transactions without obtaining their affirmative consent in violation of EFTA and Regulation E, both after new customers opened checking accounts at TD Bank branches and after new customers opened checking accounts at events held outside of bank branches.

The Bureau further found that when describing DCA to new customers, TD Bank deceptively claimed DCA was a ''free'' service or benefit or that it was a ''feature'' or ''package'' that ''comes with'' new consumer-checking accounts. In fact, TD Bank charges customers $35 for each overdraft transaction paid through DCA and DCA is an optional service that does not come with a consumer-checking account. When TD Bank enrolled some consumers in DCA over the phone, TD Bank deceptively described DCA as covering transactions unlikely to be covered by DCA. In some instances, TD Bank engaged in abusive acts or practices by materially interfering with consumers' ability to understand DCA's terms and conditions. In some cases, TD Bank required new customers to sign its overdraft notice with the ''enrolled'' option pre-checked, without mentioning the DCA service to the consumer at all; enrolled new customers in DCA without requesting the customer's oral enrollment decision; and deliberately obscured, or attempted to obscure, the overdraft notice to prevent a new

[110] The rescinded policies include: *Statement on Bureau Supervisory and Enforcement Response to COVID–19 Pandemic* (March 26, 2020); *Statement on Supervisory and Enforcement Practices Regarding Quarterly Reporting Under the Home Mortgage Disclosure Act* (March 26, 2020); *Statement on Supervisory and Enforcement Practices Regarding CFPB Information Collections for Credit Card and Prepaid Account Issuers* (March 26, 2020); *Statement on Supervisory and Enforcement Practices Regarding the Fair Credit Reporting Act and Regulation V in Light of the CARES Act* (April 1, 2020); *Statement on Supervisory and Enforcement Practices Regarding Certain Filing Requirements Under the Interstate Land Sales Full Disclosure Act (ILSA) and Regulation J* (April 27, 2020); *Statement on Supervisory and Enforcement Practices Regarding Regulation Z Billing Error Resolution Timeframes in Light of the COVID–19 Pandemic* (May 13, 2020); *Statement on Supervisory and Enforcement Practices Regarding Electronic Credit Card Disclosures in Light of the COVID–19 Pandemic* (June 3, 2020).

[111] The rescission also announces that the Bureau does not intend to continue to provide any flexibilities afforded entities in specific sections of certain interagency statements. More information is available at: *https://www.consumerfinance.gov/about-us/newsroom/cfpb-rescinds-series-of-policy-statements-to-ensure-industry-complies-with-consumer-protection-laws/.*

[112] CFPB Bulletin 2021–01 is available at: *https://files.consumerfinance.gov/f/documents/cfpb_bulletin_2021-01_changes-to-types-of-supervisory-communications_2021-03.pdf.*

[113] The Compliance Bulletin is available at: *https://files.consumerfinance.gov/f/documents/cfpb_bulletin-2021-02_supervision-and-enforcement-priorities-regarding-housing_WHcae8E.pdf.*

[114] The interim final rule is available at: *https://files.consumerfinance.gov/f/documents/cfpb_debt_collection-practices-global-covid-19-pandemic_interim-final-rule_2021-04.pdf.* Information about the CDC's eviction moratorium is available at: *https://www.cdc.gov/coronavirus/2019-ncov/more/pdf/CDC-Eviction-Moratorium-03292021.pdf.*

[115] The consent order can be found at: *https://files.consumerfinance.gov/f/documents/cfpb_td-bank-na_consent-order_2020-08.pdf.*

customer's review of their pre-marked ''enrolled'' status in DCA.

To provide relief for consumers affected by TD Bank's unlawful overdraft enrollment practices, the Bureau's consent order requires TD Bank to provide an estimated $97 million in restitution to about 1.42 million consumers. TD Bank must also pay a civil money penalty of $25 million. The consent order also requires TD Bank to correct its DCA enrollment practices, stop using pre-marked overdraft notices to obtain a consumer's affirmative consent to enroll in DCA, and adopt policies and procedures designed to ensure that TD Bank's furnishing practices concerning nationwide specialty consumer reporting agencies comply with all applicable Federal consumer financial laws.

4.1.2 Sigue Corporation

On August 31, 2020, the Bureau entered into a consent order with Sigue Corporation and its subsidiaries, SGS Corporation and GroupEx Corporation.[116] Sigue and its subsidiaries, which are all headquartered in Sylmar, California, provide consumers with international money-transfer services, including remittance-transfer services.

The Bureau's investigation of Sigue and its subsidiaries found that between 2013 and 2019, they violated EFTA and the Remittance Transfer Rule. Specifically, the Bureau found that Sigue and its subsidiaries failed to refund transaction fees when they did not make funds available by the disclosed date of availability, and they failed to inform consumers of the remedies available for remittance errors. When Sigue and its subsidiaries investigated remittance errors, they failed to report to consumers in writing the results of their investigations into transaction errors or consumers' rights as required by the Remittance Transfer Rule. Sigue and its subsidiaries also failed to develop and maintain adequate written policies and procedures designed to ensure compliance with certain Remittance Transfer Rule error-resolution requirements and failed to comply with several Remittance Transfer Rule disclosure requirements.

The consent order against Sigue and its subsidiaries requires them to pay about $100,000 in consumer redress and a $300,000 civil money penalty. They must also implement and maintain written policies and procedures designed to ensure compliance with the Remittance Transfer Rule and maintain a compliance-management system that is designed to ensure that their operations comply with the Remittance Transfer Rule, including conducting training and oversight of all agents, employees, and service providers, and not violating the Remittance Transfer Rule in the future.

4.1.3 Lobel Financial Corporation

On September 21, 2020, the Bureau issued a consent order against Lobel Financial Corporation (Lobel), an auto-loan servicer based in Anaheim, California.[117]

The Bureau found that Lobel engaged in unfair practices with respect to its Loss Damage Waiver (LDW) product, in violation of the CFPA. When a borrower has insufficient insurance, rather than force-placing CPI, Lobel places the LDW product, which is not itself insurance, on borrower accounts and charges a monthly premium. The LDW product provides that Lobel will pay for the cost of covered repairs and, in the event of a total vehicle loss, cancel the borrower's debt. The Bureau's investigation found that, since 2012, Lobel charged customers LDW premiums after they had become ten-days delinquent on their auto loans but did not provide them with LDW coverage. The Bureau also found that Lobel charged some customers LDW-related fees that Lobel had not disclosed in its LDW contract.

The Order requires Lobel to pay $1,345,224 in consumer redress to approximately 4,000 harmed consumers and a $100,000 civil money penalty. The consent order also prohibits Lobel from failing to provide consumers with LDW coverage or similar products or services for which it has charged consumers or from charging consumers fees that are not authorized by its LDW contracts.

4.1.4 Envios de Valores La Nacional Corp.

On December 21, 2020, the Bureau announced a consent order with Envios de Valores La Nacional Corp. (La Nacional) based on the Bureau's finding that La Nacional violated EFTA and the Remittance Transfer Rule.[118] La Nacional is a large remittance transfer provider incorporated in New York and licensed in 15 states and the District of Columbia. La Nacional sent $2.2 billion in remittance transfers between November 2016 and April 2018 from the United States to recipients in several countries in Central America, South America, the Caribbean, and Africa.

The Bureau found that, since the 2013 effective date of the Remittance Transfer Rule, La Nacional has engaged in thousands of violations of the Remittance Transfer Rule. Specifically, the Bureau's investigation found that La Nacional violated EFTA and the Remittance Transfer Rule by failing to honor cancellation requests and failing to refund certain fees and taxes when funds were not available on time. The Bureau also found that La Nacional has failed to maintain appropriate error resolution policies and procedures, to adhere to error resolution requirements, and to provide consumers with reports of investigation findings. The Bureau further found that La Nacional has failed to treat international bill pay services as remittance transfers and to make proper disclosures in numerous instances.

The consent order requires La Nacional to pay a $750,000 civil money penalty and imposes requirements to prevent future violations. Under the terms of the consent order, in addition to paying a penalty, La Nacional must adopt a compliance plan to ensure that its remittance transfer acts and practices comply with all applicable Federal consumer financial laws and the consent order.

5. Signing Authority

The Acting Director of the Bureau, David Uejio, having reviewed and approved this document, is delegating the authority to electronically sign this document to Grace Feola, a Bureau **Federal Register** Liaison, for purposes of publication in the **Federal Register**.

Dated: July 2, 2021.

Grace Feola,

Federal Register Liaison, Bureau of Consumer Financial Protection.

[FR Doc. 2021–14525 Filed 7–7–21; 8:45 am]

BILLING CODE 4810–AM–P

[116] A copy of the consent order is available at: *https://files.consumerfinance.gov/f/documents/cfpb_sigue-corporation_consent-order_2020-08.pdf.*

[117] A copy of the consent order is available at: *https://files.consumerfinance.gov/f/documents/cfpb_lobel-financial-corporation_consent-order_2020-09.pdf.*

[118] The consent order is available at: *https://files.consumerfinance.gov/f/documents/cfpb_envios-de-valores-la-nacional-corp_consent-order_2020-12.pdf.*

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2021–0014]

Sustainability and Climate-Related Disclosures

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Request for information.

SUMMARY: To facilitate implementation planning for Executive Orders, DoD would like to know the views of interested parties on sustainability initiatives including climate-related disclosures.

DATES: Interested parties should submit written comments to the address shown below on or before September 7, 2021, to be considered in the implementation planning.

ADDRESSES: Submit comments to the questions provided below, using any of the following methods:

○ Federal eRulemaking Portal: *https://www.regulations.gov.* Search for ''Docket Number DARS–2021–0014.'' Select ''Comment'' and follow the instructions to submit a comment. Please include your name, company name (if any), and ''Docket Number DARS–2021–0014'' on any attached document(s).

○ *Email: osd.dfars@mail.mil.* Include ''Sustainability and Climate-Related Disclosures'' in the subject line of the message.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Barbara J. Trujillo, OUSD(A&S)DPC/DARS, Room 3B938, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *https://www.regulations.gov,* including any personal 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 (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Barbara J. Trujillo, telephone 571–372–6102.

SUPPLEMENTARY INFORMATION: DoD is seeking public input on the following questions related to implementation of sustainability initiatives including Executive Order 14030, Climate-Related Financial Risk dated May 20, 2021.

A. Disclosure of Greenhouse Gas (GHG) Emissions

• Does your organization measure and report Scope 1 and Scope 2 GHG emissions in line with the GHG Protocol Corporate Standard or equivalent? If not the GHG Protocol, which standard(s) are used?

• Does your organization currently report Scope 3 GHG emissions? If so, which Scope 3 categories are reported and which methodologies and/or standards are used?

• Does your organization publicly report your GHG results either through a third-party organization or as part of an external corporate sustainability report?

• Does your organization disclose its GHG emissions inventory on an annual basis? If so, where or by what platform?

• Does your organization set and disclose targets for GHG emissions reduction and/or science-based targets? If so, are these targets reviewed or verified by a third party?

• Does your organization report climate risk-related information as part of your standard financial reporting disclosures?

• Would your organization be willing to participate in a pilot program involving voluntary disclosure of actual GHG emissions and GHG emission targets?

B. Environmental, Social, and Governance (ESG)—General

• Does your organization participate in ESG reporting? If so, which sustainability standards or platforms does your organization use (*e.g.,* Carbon Disclosure Project (CDP), Global Reporting Initiative (GRI), Science Based Targets initiative (SBTi), Supplier Ethical Data Exchange (SEDEX))?

• What is the role of third-party verification in your ESG activities?

• Does your organization's ESG-related reporting include accounting for and addressing disparate impacts on disadvantaged communities and communities of color?

• Does your organization's ESG-related reporting include creation of jobs associated with the shift away from carbon-intensive energy sources?

C. Supply Chain GHG and Risk Management

• Does your organization have the ability to provide customers with GHG emissions information specific to their purchases or contracts? If so, at what level can your organization provide this information (*e.g.,* by customer on an annual basis, contract, item)?

• Does your organization collect GHG emissions information from your suppliers? If so, what systems, standards, or instruments are used to collect this information? If so, how is this information used?

• Do you require your suppliers to set GHG emissions reduction targets or related targets (*e.g.,* energy efficiency, clean electricity)?

Jennifer D. Johnson,

Editor/Publisher, Defense Acquisition Regulations System.

[FR Doc. 2021–14424 Filed 7–7–21; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2021–OS–0057]

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary (OSD), Department of Defense (DoD).

ACTION: Notice of a modified system of records.

SUMMARY: The OSD is modifying a system of records, originally titled ''Spouse Education and Career Opportunities (SECO) Program, DPR 46,'' to rename it ''Military Spouse Education and Career Opportunities (SECO) and Career Advancement Account Scholarship (MyCAA) Programs,'' DPR 46, and make other changes. This system of records is being modified to include records of the Military Spouse Career Advancement Accounts Scholarship Program. The SECO and MyCAA Programs make resources and tools available to help military spouses with career exploration and discovery, career education and training, employment readiness, and career connections at any point within the military spouse's career.

DATES: This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before August 9, 2021. The Routine Uses are effective at the close of the comment period.

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

* *Federal Rulemaking Portal*: *https://www.regulations.gov*.

Follow the instructions for submitting comments.

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

Instructions: All submissions received must include the agency name and

docket number 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: Mr. Justin (JK) Kinnaman, 4000 Defense Pentagon, 5E604, Washington, DC 20301–4000, *osd.pentagon.ousd-p-r.mbx.mso@mail.mil* or (703) 571–0104.

SUPPLEMENTARY INFORMATION:

I. Background

This system of records supports the SECO and MyCAA Programs, which make resources and tools available to help military spouses with career exploration and discovery, career education and training, employment readiness, and career connections at any point within the military spouse's career. The DoD SECO Program, with the addition of the MyCAA Program, will assist military spouses in pursuing licenses, certificates, certifications or Associate's degrees (excluding Associate's degrees in general studies, liberal arts, and interdisciplinary studies that do not have a concentration) necessary for gainful employment in high demand, high-growth portable career fields and occupations. The system allows the spouse to build a profile including their contact information, education, and employment data. The system allows the spouse to save information over time to easily prepopulate it into tools such as resume builders and career and education planning resources. Records in this system may also be used as a management tool for statistical analysis, tracking, reporting, evaluating program effectiveness, conducting research, and for surveys to inform departmental decisions on military support and benefits policy.

Subject to public comment, the DoD proposes to update this SORN to add the standard DoD routine uses (routine uses A through I) and to allow for additional disclosures outside DoD related to the purpose of this system of records. Additionally, the following sections of the DPR 46 SORN are also being changed: System name, system location, authority, purpose, categories of records, record source categories, retrieval of records, retention and disposal of records, safeguards, contesting records, notification procedures, and history.

DoD SORNs 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 (DPCLTD) website at *https://dpcld.defense.gov/Privacy/*.

II. Privacy Act

Under the Privacy Act, a ''system of records'' is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A–108, DPCLTD has provided a report of this system of records to the OMB and to Congress.

Dated: June 28, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Military Spouse Education and Career Opportunities (SECO) and Career Advancement Account Scholarship (MyCAA) Programs, DPR 46.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Defense Information Systems Agency (DISA), Defense Enterprise Computing Centers (DECC) Montgomery, 401 East Moore Drive, Maxwell Air Force Base, AL 36114–3000. Information may also be stored within a government-certified cloud, in accordance with policy established by the Department's Chief Information Officer (CIO), 6000 Defense Pentagon, Washington, DC 20301–6000.

SYSTEM MANAGER(S):

Director, Military Community Support Programs, SECO Program Manager, Military Community and Family Policy (MC&FP), 4800 Mark Center Drive, Alexandria, VA 22350–2300; email: *osd.msepjobs@mail.mil,* phone: 571–372–5314.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1144, Employment Assistance, Job Training Assistance, and Other Transitional Services: Department Of Labor; 10 U.S.C. 1782, Surveys of Military Families; 10 U.S.C. 1784, Employment opportunities for military spouses; 10 U.S.C. 1784a, Education and training opportunities for military spouses to expand employment and portable career opportunities; E.O. 13607, Establishing Principles of Excellence for Educational Institutions Serving Service members, Veterans, Spouses, and Other Family Members; and DoD Instruction 1342.22, Military Family Readiness.

PURPOSE OF THE SYSTEM:

A. To support the operation of the SECO program, which is the primary source of education, career, employment counseling, and scholarship financial assistance for all military spouses, and the SECO website, which delivers the resources and tools necessary to assist military spouses with career exploration/discovery, career education and training, employment readiness, and career connections.

B. To support the operation of the MyCAA program, which provides a record of educational endeavors and progress of military spouses participating in education services and manages tuition assistance scholarship, tracks enrollments and funding, and facilitates communication with participants.

C. To support statistical analysis, tracking, reporting, program effectiveness evaluations, research, and surveys to inform departmental decisions on military support and benefits policy.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Participating spouses of members of the United States Armed Forces (military spouses).

CATEGORIES OF RECORDS IN THE SYSTEM:

A. Concerning the military spouse: Name, DoD ID number, date of birth, gender, contact information such as address, email address, and phone numbers; years as military spouse; previous work experience, education, certificates and licenses; skills, abilities, and competencies, user account information and any unique identifying user number assigned to the military spouse. Information about program-related activity such as education training plan, career goal, and course/educational institution enrollment and status information; financial assistance information; academic evaluations and/or transcripts from schools, and education test results from testing agencies.

B. Concerning the military sponsor: Name, pay grade, current projected date of separation, branch of service, service eligibility, permanent change of station location, and time in service.

RECORD SOURCE CATEGORIES:

The military spouse and/or sponsor; transcripts and/or evaluations from schools and test results from testing agencies; the Defense Enrollment Eligibility Reporting System (DEERS).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, the records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government when necessary to accomplish an agency function related to this system of records.

B. To the appropriate federal, state, local, territorial, tribal, or foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

C. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.

D. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

E. To the National Archives and Records Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

F. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

H. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

I. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

J. To authorized DoD contractors and grantees for the purpose of supporting research studies concerned with the education of military spouses participating in DoD-funded spousal education programs in non-identifiable form.

K. To civilian educational institutions where the participant is enrolled, for the purposes of ensuring correct enrollment and billing information.

L. To the Department of Veterans Affairs, to the Department of Education, Consumer Financial Protection Bureau, and the Department of Justice for the purpose of ensuring prospective students are provided appropriate information regarding their options under, eligibility for, and costs associated with Federal military and veterans' educational benefits programs.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records are maintained in electronic storage media. Electronic records may be stored in agency-owned cloud environments; or in vendor Cloud Service Offerings certified under the Federal Risk and Authorization Management Program (FedRAMP).

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Information in this system may be retrieved by name, DoD ID number, or MyCAA profile number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

A. SECO user accounts and records are deleted after 3 consecutive years of inactivity.

B. MyCAA records are destroyed 10 years after notification of separation, retirement, or discharge of the spouse's sponsor/service member.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Unauthorized access to records is low due to the system being hosted on a DoD Risk Management Framework lifecycle cybersecurity infrastructure. Electronic records are maintained on a military installation in a secure building in a controlled area accessible only to authorized personnel. Physical entry is restricted by the use of locks and passwords and administrative procedures which are changed periodically. The system is designed with access controls, comprehensive intrusion detection, and virus protection. Access to personally identifiable information is role based and restricted to those requiring the data in the performance of their official duties and upon completing annual information assurance and privacy training. Records are encrypted during transmission to protect session information and at rest. Encrypted random tokens are implemented to protect against session hijacking attempts.

RECORD ACCESS PROCEDURES:

Individuals seeking access to their records should follow the procedures in 32 CFR part 310. Individuals should address written inquires to the Office of the Secretary of Defense/Joint Staff Freedom of Information Act Requester Service Center, 1155 Defense Pentagon, Washington, DC 20301–1155. Signed, written requests should include the individual's full name, DoD ID number, current address, and telephone number and this system of records notice number. In addition, the requester must provide either a notarized signature or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

CONTESTING RECORD PROCEDURES:

The DoD rules for accessing records, contesting contents, and appealing initial agency determinations are contained in 32 CFR part 310.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system should follow the instructions for Record Access Procedures above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

May 21, 2018; 83 FR 23438.

[FR Doc. 2021–14609 Filed 7–7–21; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF ENERGY

Notice of Request for Information (RFI) Regarding Hydropower Incentive Program Definitions

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Request for information (RFI).

SUMMARY: The U.S. Department of Energy (DOE) invites public comment on its Request for Information (RFI) number DE–FOA–0002511 regarding a proposed definition for areas in which there is inadequate electric service. This is a new application requirement added to DOE's hydroelectric incentive program through the Energy Act of 2020. DOE's Office of Energy Efficiency and Renewable Energy (EERE) Water Power Technologies Office (WPTO) seeks input on the proposed definition, which will apply to DOE's hydroelectric incentive program.

DATES: Responses to the RFI must be received no later than 11:59 p.m. EST on September 7, 2021.

ADDRESSES: Interested parties are to submit comments electronically to *hydroincentive@ee.doe.gov.* Include definition of ''an area in which there is inadequate electric service'' concerning Section 242 in the subject of the title. Only electronic responses will be accepted. The complete RFI is located at *https://eere-exchange.energy.gov/.*

FOR FURTHER INFORMATION CONTACT: Questions may be addressed to Corey Vezina, email at *hydroincentive@ee.doe.gov* or phone number (240) 562–1382. Further instruction can be found in the RFI document posted on EERE Exchange.

SUPPLEMENTARY INFORMATION: The purpose of this RFI is to solicit feedback from industry, academia, research laboratories, government agencies, and other stakeholders on issues related to the proposed definition of ''an area in which there is inadequate electric service.'' WPTO is updating its application requirements for the hydroelectric incentive program authorized under Section 242 of the Energy Policy Act of 2005 (Pub. L. 109–58), 42 U.S.C. 15881. Section 3005 of the Energy Act of 2020 (Pub. L. 116–260) amended Section 242 of the Energy Policy Act of 2005 by expanding the definition of a qualified hydroelectric facility to include certain facilities ''constructed in an area in which there is inadequate electric service.'' To define this term, section 3005 requires the Secretary to take into consideration (a) access to the electric grid; (b) the frequency of electric outages; or (c) the affordability of electricity. EERE is specifically interested in identifying potential issues or conflicts that may arise from applying the proposed definition during the application review process. This is solely a request for information and not a Funding Opportunity Announcement. EERE is not accepting applications at this time.

Confidential Business Information: According to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit via email, postal mail, or hand delivery two well-marked copies: One copy of the document marked ''confidential'' including all the information believed to be confidential, and one copy of the document marked ''non-confidential'' with the information believed to be confidential deleted. Submit these documents via email or on a CD, if feasible. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

It is DOE's policy that all comments may be included in the public docket, without change and as received, including any personal information provided in the comments (except information deemed to be exempt from public disclosure).

Signing Authority: This document of the Department of Energy was signed on June 17, 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 July 2, 2021.

Treena V. Garrett,

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

[FR Doc. 2021–14565 Filed 7–7–21; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2289–000]

Clover Creek Solar, 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 Clover Creek Solar, 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 July 21, 2021.

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

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be

delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14585 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2287–000]

Glass Sands Wind 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 Glass Sands Wind 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 July 21, 2021.

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

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14592 Filed 7–7–21; 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 exempt wholesale generator filings:

Docket Numbers: EG21–188–000.
Applicants: Lancaster Solar LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Lancaster Solar LLC.
Filed Date: 7/1/21.
Accession Number: 20210701–5077.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: EG21–189–000.
Applicants: SR Georgia Portfolio II Lessee, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of SR Georgia Portfolio II Lessee, LLC.
Filed Date: 7/1/21.
Accession Number: 20210701–5089.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: EG21–190–000.
Applicants: SR Lumpkin, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of SR Lumpkin, LLC.
Filed Date: 7/1/21.
Accession Number: 20210701–5090.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: EG21–191–000.
Applicants: SR Snipesville II, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of SR Snipesville II, LLC.
Filed Date: 7/1/21.
Accession Number: 20210701–5091.
Comments Due: 5 p.m. ET 7/22/21.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2839–008.
Applicants: Midland Cogeneration Venture Limited Partnership.
Description: Triennial Market Power Analysis for Central Region of Midland Cogeneration Venture Limited Partnership.
Filed Date: 6/30/21.
Accession Number: 20210630–5306.
Comments Due: 5 p.m. ET 8/30/21.

Docket Numbers: ER15–190–016; ER10–2034–007; ER18–1343–011.
Applicants: Duke Energy Renewable Services, LLC, Duke Energy Indiana, LLC, Carolina Solar Power, LLC.
Description: Amendment to the December 18, 2020 Triennial Market Power Analysis for Central Region of Duke Companies.
Filed Date: 6/29/21.
Accession Number: 20210629–5272.
Comments Due: 5 p.m. ET 7/20/21.

Docket Numbers: ER19–13–000; ER19–1816–000; ER20–2265–000.
Applicants: Pacific Gas and Electric Company.
Description: Errata to December 1, 2020 Annual Formula Transmission Rate Update Filing for Rate Year 2021 of Pacific Gas and Electric Company.
Filed Date: 12/7/20.

Accession Number: 20201207–5231.
Comments Due: 5 p.m. ET 7/15/21.

Docket Numbers: ER19–13–000; ER19–1816–000; ER20–2265–000.
Applicants: Pacific Gas and Electric Company.
Description: Annual Formula Transmission Rate Update Filing for Rate Year 2021 of Pacific Gas and Electric Company.
Filed Date: 12/1/20.
Accession Number: 20201207–5231.
Comments Due: 5 p.m. ET 7/15/21.

Docket Numbers: ER20–1505–004.
Applicants: Basin Electric Power Cooperative, Inc.
Description: Triennial Market Power Analysis for Southwest Power Pool, Inc. Region of Basin Electric Power Cooperative.
Filed Date: 6/29/21.
Accession Number: 20210629–5271.
Comments Due: 5 p.m. ET 7/20/21.

Docket Numbers: ER20–2051–002.
Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.
Description: Compliance filing: Niagara Mohawk Order No. 864 Compliance Filing to be effective 1/27/2020.
Filed Date: 7/1/21.
Accession Number: 20210701–5155.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–1506–002.
Applicants: Shaw Creek Solar, LLC.
Description: Tariff Amendment: Shaw Creek Solar, LLC Second Amendment to the Application for MBR Authority to be effective 5/23/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5136.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2320–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 3827 Gray County Wind Energy GIA to be effective 6/16/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5030.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2321–000.
Applicants: Louisville Gas and Electric Company.
Description: § 205(d) Rate Filing: Contribution in Aid of Contraction Agreement with Kentucky Power Company to be effective 8/30/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5051.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2322–000.
Applicants: Kentucky Utilities Company.
Description: § 205(d) Rate Filing: KU Concurrence-Kentucky Power Company_Rodburn CIAC to be effective 8/30/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5052.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2323–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Membership Agreement Amendments for L and O Power Cooperative to be effective 6/28/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5059.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2324–000.
Applicants: Southern California Edison Company.
Description: § 205(d) Rate Filing: DSA Hecate Energy Desert Storage 1 LLC SA No. 1149 to be effective 8/31/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5083.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2326–000.
Applicants: New York Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 205 Regulation Movement Multiplier (''RMM'') Factor Revision to be effective 8/31/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5088.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2327–000.
Applicants: Vermont Transco LLC.
Description: Compliance filing: Compliance 2021 Exhibit A to be effective 7/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5113.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2328–000.
Applicants: Public Service Company of Colorado.
Description: § 205(d) Rate Filing: 2021–07–01 PSCo-HQC-Info Study-2021–2–649 to be effective 7/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5131.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2329–000.
Applicants: Minonk Stewardship Wind LLC.
Description: Baseline eTariff Filing: Reactive Power Compensation Filing to be effective 8/30/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5132.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2329–000.
Applicants: Minonk Stewardship Wind LLC.
Description: Baseline eTariff Filing: Reactive Power Compensation Filing to be effective 8/30/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5133.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2330–000.
Applicants: Clines Corners Wind Farm LLC.
Description: Baseline eTariff Filing: Clines Corners Wind Farm LLC MBR Tariff and Joint Application to be effective 7/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5134.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2331–000.
Applicants: Duran Mesa LLC.
Description: Baseline eTariff Filing: Duran Mesa LLC MBR Tariff and Joint Application to be effective 7/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5148.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2332–000.
Applicants: Alabama Power Company.
Description: § 205(d) Rate Filing: PowerSouth Second Amended and Restated NITSA Filing to be effective 9/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5151.
Comments Due: 5 p.m. ET 7/22/21.

Docket Numbers: ER21–2333–000.
Applicants: Red Cloud Wind LLC.
Description: Baseline eTariff Filing: Red Cloud Wind LLC MBR Tariff and Joint Application to be effective 7/1/2021.
Filed Date: 7/1/21.
Accession Number: 20210701–5164.
Comments Due: 5 p.m. ET 7/22/21.

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: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14586 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2270–000]

Jayhawk Wind, 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 Jayhawk Wind, 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 July 21, 2021.

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

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14588 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2279–000]

Iron Star Wind Project, 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 Iron Star Wind Project, 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 July 21, 2021.

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

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14590 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

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

Docket Number: PR21–54–000.

Applicants: Black Hills Wyoming Gas, LLC.

Description: Tariff filing per 284.123(b),(e)+: Black Hills Wyoming Gas, LLC Revised Statement of Rates Filing to be effective 6/1/2021.

Filed Date: 6/30/2021.

Accession Number: 20210630–5005.

Comments Due: 5 p.m. ET 7/21/2021.

284.123(g) Protests Due: 5 p.m. ET 8/30/2021.

Docket Numbers: RP10–837–000.

Applicants: Dominion Transmission, Inc.

Description: Report Filing: EGTS—Operational Gas Sales Report—2021.

Filed Date: 6/30/21.
Accession Number: 20210630–5142.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP10–900–000.
Applicants: Dominion Transmission, Inc.
Description: Report Filing: EGTS—Informational Fuel Report—2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5144.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–919–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Atlanta Gas 8438 to various eff 7–1–2021) to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5016.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–920–000.
Applicants: Carolina Gas Transmission, LLC.
Description: § 4(d) Rate Filing: CGT—June 30, 2021 Negotiated Rate Agreement to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5017.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–921–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Constellation 54138 to Exelon 54167) to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5019.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–922–000.
Applicants: Northern Natural Gas Company.
Description: § 4(d) Rate Filing: 20210630 Negotiated Rate to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5024.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–923–000.
Applicants: Portland Natural Gas Transmission System.
Description: § 4(d) Rate Filing: American Performance Polymers Neg Rate Agreement to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5035.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–924–000.
Applicants: Nautilus Pipeline Company, L.L.C.
Description: § 4(d) Rate Filing: Nautilus Updates to Tariff Contact Person to be effective 7/30/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5051.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–925–000.
Applicants: Garden Banks Gas Pipeline, LLC.
Description: § 4(d) Rate Filing: GB Updates to Tariff Contact Person to be effective 7/30/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5059.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–926–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates—Cherokee AGL—Replacement Shippers—Jul 2021 to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5064.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–927–000.
Applicants: MoGas Pipeline LLC.
Description: § 4(d) Rate Filing: MoGas Negotiated Rate Agreement Filing to be effective 6/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5083.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–928–000.
Applicants: Eastern Gas Transmission and Storage, Inc.
Description: § 4(d) Rate Filing: EGTS—June 30, 2021 Nonconforming Service Agreements to be effective 8/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5093.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–929–000.
Applicants: Texas Eastern Transmission, LP.
Description: § 4(d) Rate Filing: TETLP EPC AUG 2021 FILING to be effective 8/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5138.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–930–000.
Applicants: East Tennessee Natural Gas, LLC.
Description: § 4(d) Rate Filing: 2021 ETNG Fuel Filing to be effective 8/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5165.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–931–000.
Applicants: Natural Gas Pipeline Company of America LLC.
Description: § 4(d) Rate Filing: Negotiated Rate Agreements Filing-Prairieland Energy, Inc to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5166.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–932–000.
Applicants: Colorado Interstate Gas Company, L.L.C.
Description: § 4(d) Rate Filing: Negotiated Rate Agreement Filing (Colorado Natural Gas #218569–TF1CIG) to be effective 7/1/2021.
Filed Date: 6/30/21.
Accession Number: 20210630–5180.
Comments Due: 5 p.m. ET 7/12/21.

Docket Numbers: RP21–933–000.
Applicants: MIGC LLC.
Description: Annual Fuel Retention Percentage Tracker of MIGC LLC under RP21–933.
Filed Date: 6/30/21.
Accession Number: 20210630–5227.
Comments Due: 5 p.m. ET 7/12/21.

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

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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: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14587 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2289–000]

Clover Creek Solar, 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 Clover Creek Solar, 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 July 21, 2021.

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

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14584 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2272–000]

Golden Hills Wind Farm, 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 Golden Hills Wind Farm, 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 July 21, 2021.

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

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14589 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21–2280–000]

Independence Wind 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 Independence Wind 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 July 21, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor

must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

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

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

Dated: July 1, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–14591 Filed 7–7–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Desert Southwest Region and Western Area Lower Colorado Balancing Authority—Rate Order No. WAPA–200

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed extension of formula rates.

SUMMARY: The Desert Southwest Region (DSW) of the Western Area Power Administration (WAPA) proposes to extend existing formula rates for Network Integration Transmission Service (Network) on the Parker-Davis Project (P–DP) and Pacific Northwest-Pacific Southwest Intertie Project (Intertie), along with formula rates for ancillary services, transmission losses, and unreserved use penalties applicable to Western Area Lower Colorado Balancing Authority. The existing formula rates under Rate Schedules PD–NTS4, INT–NTS4, DSW–SD4, DSW–RS4, DSW–FR4, DSW–EI4, DSW–SPR4, DSW–SUR4, DSW–GI2, DSW–TL1, and DSW–UU1 expire on September 30, 2021. These rate schedules would remain unchanged and would be extended through September 30, 2026.

DATES: A consultation and comment period will begin July 8, 2021 and end July 23, 2021. DSW will accept written comments at any time during the consultation and comment period.

ADDRESSES: Written comments and requests to be informed of Federal Energy Regulatory Commission (FERC) actions concerning the proposed extension submitted by WAPA to FERC for approval should be sent to: Jack D. Murray, Acting Regional Manager, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005–6457, or email: *dswpwrmrk@wapa.gov.* DSW will post information about the proposed formula rate extension and written comments received to its website at: *https://www.wapa.gov/regions/DSW/Rates/Pages/rates.aspx.*

FOR FURTHER INFORMATION CONTACT: Tina Ramsey, Rates Manager, Desert Southwest Region, Western Area Power Administration, (602) 605–2565 or email: *dswpwrmrk@wapa.gov.*

SUPPLEMENTARY INFORMATION: On January 12, 2017, FERC approved and confirmed Rate Schedules P–DP Network (PD–NTS4), Intertie Network (INT–NTS4), Scheduling, System Control, and Dispatch (DSW–SD4), Reactive Supply and Voltage Control (DSW–RS4), Regulation and Frequency Response (DSW–FR4), Energy Imbalance (DSW–EI4), Generator Imbalance (DSW–GI2), Spinning Reserve (DSW–SPR4), Supplemental Reserve (DSW–SUR4), Transmission Losses (DSW–TL1), and Unreserved Use Penalties (DSW–UU1) under Rate Order No. WAPA–175 for a 5-year period through September 30, 2021.[1] These rate schedules also contain formula rates that are calculated each fiscal year to include the most recent financial, load, and schedule information, as applicable.

In accordance with 10 CFR 903.23(a),[2] DSW is proposing to extend the existing formula rates under these Rate Schedules for Network, ancillary services, transmission losses, and unreserved use penalties for a 5-year period through September 30, 2026. The existing formula rates for these services were designed to recover the costs incurred for providing each service, which is consistent with the cost recovery criteria set forth in Department of Energy (DOE) Order No. RA 6120.2. These formula rates continue to provide sufficient revenue to cover expenses, and no adjustments are necessary.

In accordance with 10 CFR 903.23(a), WAPA has determined it is not necessary to hold public information or public comment forums for this rate action, but is initiating a 15-day consultation and comment period to give the public an opportunity to comment on the proposed extension. DSW will review and consider all timely public comments at the conclusion of the consultation and comment period and adjust the proposal, if appropriate.

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 WAPA'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. By Redelegation Order No. 00–002.10–05, 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 WAPA's Administrator. This redelegation order, despite predating the February 2021 and March 2021 delegations, remains valid.

Ratemaking Procedure Requirements

Environmental Compliance

WAPA is in the process of determining whether an environmental assessment or an environmental impact statement should be prepared or if this

[1] Order Confirming and Approving Rate Schedules on a Final Basis, FERC Docket Nos. EF16–6–000 and EF16–6–001, 158 FERC ¶ 62,027 (2017).

[2] 50 FR 37835 (Sept. 18, 1985) and 84 FR 5347 (Feb. 21, 2019).

action can be categorically excluded from those requirements.[3]

Determination Under Executive Order 12866

WAPA 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 28, 2021, by Tracey A. LeBeau, Interim Administrator, Western Area 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 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 July 1, 2021.

Treena V. Garrett,

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

[FR Doc. 2021–14499 Filed 7–7–21; 8:45 am]

BILLING CODE 6450–01–P

[3] In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4321–4347; the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500–1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021).

EXPORT-IMPORT BANK

[Public Notice: 2021–6014]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

SUMMARY: The Export-Import Bank of the United States (EXIM), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995. Our customers will be able to submit this form on paper or electronically. This form is used by insurance brokers to register with Export-Import Bank. It provides EXIM staff with the information necessary to make a determination of the eligibility of the broker to receive commission payments under Export-Import Bank's credit insurance programs.

DATES: Comments must be received on or before September 7, 2021 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Edward Coppola, Export-Import Bank of the United States, 811 Vermont Ave. NW, Washington, DC 20571.

The form can be viewed at: *https://www.exim.gov/sites/default/files/pub/pending/eib11-04.pdf.*

FOR FURTHER INFORMATION CONTACT: To request additional information, please Edward Coppola *Edward.Coppola@exim.gov.* 202–565–3717.

Form can be viewed at *https://www.exim.gov/sites/default/files/pub/pending/eib92-79.pdf.*

SUPPLEMENTARY INFORMATION: *Title and Form Number:* EIB 92–79 Broker Registration Form.

Form Title: EIB 92–79 Broker Registration Form.

OMB Number: 3048–0024.

Type of Review: Regular.

Need and Use: This form is used by insurance brokers to register with Export Import Bank. The form provides Export Import Bank staff with the information necessary to make a determination of the eligibility of the broker to receive commission payments under Export Import Bank's credit insurance programs.

Affected Public: This form affects entities engaged in brokering export credit insurance policies.

Annual Number of Respondents: 50.

Estimated Time per Respondent: 15 minutes.

Frequency of Reporting or Use: Once every three years.

Government Expenses:

Review Time per Response: 2 hours.

Reviewing Time per Year: 100 hours.

Average Wages per Hour: $42.50.

Average Cost per Year: $4,250.

Benefits and Overhead: 20%.

Total Government Cost: $5,100.

Bassam Doughman,

IT Specialist.

[FR Doc. 2021–14537 Filed 7–7–21; 8:45 am]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK

Request for Applications: EXIM's Advisory Committee, Sub-Saharan Africa Advisory Committee, Chair's Council on Climate, and Chair's Council on China Competition

The Export-Import Bank of the United States (EXIM) is accepting applications for the EXIM Advisory Committee, Sub-Saharan Africa Advisory Committee, Chair's Council on Climate, and Chair's Council on China Competition from July 6, 2021 to July 30, 2021.

Candidates wishing to be considered for membership to any of committees must submit the following: Candidate Questionnaire; Resume and/or biography; and Letter of interest from the candidate demonstrating skills, talents, and experience relevant to providing advice and recommendations to EXIM.

Completed application materials must be submitted by 5:30 p.m. EDT, July 30, 2021 to *advisory@exim.gov.*

Advisory Committee

The Advisory Committee provides guidance to EXIM on its policies and programs, in particular on the extent to which EXIM provides competitive financing to support American jobs through exports. The committee's 17 members represent small business, environment, production, commerce, finance, agriculture, labor, services, state government, and the textile industry.

Sub-Saharan Africa Advisory Committee

The Sub-Saharan Africa Advisory Committee provides advice on EXIM policies and programs designed to support the expansion of financing support for U.S. manufactured goods and services in Sub-Saharan Africa. The nine committee members represent small business, banking, finance, trade promotion, and commerce.

Chair's Council on Climate

The newly established Advisory Subcommittee on Climate—or the Chair's Council on Climate—will advise how EXIM can further support U.S. exporters and American jobs in clean energy and meet congressional mandates to support and promote environmentally beneficial renewable energy, energy efficiency, and energy storage exports.

Chair's Council on China Competition

The Advisory Subcommittee on Strategic Competition with the People's Republic of China—or the Chair's Council on China Competition—

provides guidance on advancing the comparative leadership of the United States with respect to China and supporting U.S. innovation and employment through competitive export finance.

For more information about applying for membership to any of the committees, please visit the EXIM website or contact India Walker, External Engagement Specialist, at *india.walker@exim.gov* or at 202–480–0062.

Joyce B. Stone,

Assistant Corporate Secretary.

[FR Doc. 2021–14613 Filed 7–7–21; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 36216]

Privacy Act of 1974; System of Records

AGENCY: Federal Communications Commission.

ACTION: Notice of a modified System of Records.

SUMMARY: The Federal Communications Commission (FCC, Commission, or Agency) has modified an existing system of records, FCC/OMD–32, FCC Telework Program, subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of records maintained by the Agency. The FCC Telework Program provides employees with the voluntary opportunity to work from home or another FCC approved telework location. The records in this system contain personally identifiable information from employees including employment information such as title, grade, series, bureau or office, supervisory chain; work contact information; alternate worksite information, including address and contact information at an alternate worksite; and justification documentation for requests for long-distance or fulltime telework that describe a temporary employee hardship. The FCC uses the information to manage the telework program, including conducting audits and reports.

DATES: This system of records will become effective on July 8, 2021. Written comments on the routine uses are due by August 9, 2021. The routine uses will become effective on August 9, 2021, unless written comments are received that require a contrary determination.

ADDRESSES: Send comments to Margaret Drake, at *privacy@fcc.gov,* or at Federal Communications Commission (FCC), 45 L Street NE, Washington, DC 20554 at (202) 418–1707.

FOR FURTHER INFORMATION CONTACT: Margaret Drake, (202) 418–1707, or *privacy@fcc.gov,* Office of the General Counsel, Federal Communications Commission, 45 L Street NE, Washington, DC 20554 (and to obtain a copy of the Narrative Statement, which includes details of the modifications to this system of records).

SUPPLEMENTARY INFORMATION: FCC/OMD–32 contains personally identifiable information from employees including employment information such as title, grade, series, bureau or office, supervisory chain; work contact information; alternate worksite information, including address and contact information at an alternate worksite; and justification documentation for requests for long-distance or fulltime telework that describe a temporary employee hardship. The FCC uses the information to manage the telework program, including conducting audits and reports. This notice serves to modify FCC/OMD–32 to reflect various necessary changes and updates, including format changes required by OMB Circular A–108 since its previous publication, edits to existing routine uses, deleting five routine uses, and the addition of three routine uses, two of which address data breaches, as required by OMB Memorandum M–17–12. The substantive changes and modification to the previously published version of FCC/OMD–32 include:

1. Updating the Security Classification to follow OMB and FCC guidance.

2. Updating the System Location to show the FCC's new headquarters address.

3. Renumbering and revising language in eight Routine Uses: (1) FCC Program Management, (2) Labor Relations, (3), General Services Administration, (4) U.S. Department of Labor, (5) Congressional Inquiries, (6) Government-wide Program Management and Oversight, (7) Law Enforcement and Investigation, (8) Adjudication and Litigation.

4. Deleting five existing Routine Uses: (2) FCC Contractors; (9) Department of Justice; (10) Breach of Federal Data; (12) Employment, Clearances, Licensing, Contract, Grant, or other Benefits Decisions by the agency; and (13) Employment, Clearances, Licensing, Contract, Grant, or other Benefits Decisions by other than the agency.

5. Adding three new Routine Uses: (9) Breach Notification, to allow how the FCC addresses information breaches at the Commission; (10) Assistance to Federal Agencies and Entities, to allow the FCC to provide assistance to other Federal agencies in their data breach situations; and (11) For Non-Federal Personnel, to allow contractors performing or working on a contract for the Federal Government access to information in this system. New Routine Uses (9) and (10) are required by OMB Memorandum M–17–12.

6. Replacing the Disclosures to Consumer Reporting section with a new Reporting to a Consumer Reporting Agency section to address valid and overdue debts owed by individuals to the FCC under the Debt Collection Act, as recommended by OMB.

7. Adding a History section referencing the previous publication of this SORN in the **Federal Register**, as required by OMB Circular A–108.

The system of records is also updated to reflect various administrative changes related to the policy and practices for storage of the information; administrative, technical, and physical safeguards; and updated notification, records access, and procedures to contest records.

SYSTEM NAME AND NUMBER:

FCC/OMD–32, FCC Telework Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Human Resources Management (HRM), Office of Managing Director (OMD), Federal Communications Commission (FCC), 45 L Street NE, Washington, DC 20554.

SYSTEM MANAGER(S):

Human Resources Management (HRM), Office of Managing Director (OMD), Federal Communications Commission (FCC), 45 L Street NE, Washington, DC 20554.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 5711; 5 U.S.C. 6501–6506; 5 U.S.C. 6501 note; 5 U.S.C. 6120 note.

PURPOSE(S):

The FCC Telework Program provides employees with the voluntary opportunity to work from home or another FCC approved telework location. The FCC uses the information in this system to manage the telework

program, including conducting and audits and reports.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Federal Communications Commission (FCC) staff, including employees and interns.

CATEGORIES OF RECORDS IN THE SYSTEM:

The records in this system contain personally identifiable information from employees including employment information such as title, grade, series, bureau or office, supervisory chain; work contact information; alternate worksite information, including address and contact information at an alternate worksite; and justification documentation for requests for long-distance or fulltime telework that describe a temporary employee hardship.

RECORD SOURCE CATEGORIES:

This system of records includes information provided by an individual on whom the record is maintained, and supervisors and managers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USE:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside the FCC as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

1. FCC Program Management—To FCC's HRM and supervisory staff as part of their duties associated with the management and operation of the FCC Telework Program. This information may be used to conduct audits, evaluations, and/or investigations of the telework program to prevent waste, fraud, and abuse; ensure compliance with program and FCC policies and procedures; and inform future program development and implementation. This information may be shared with the Office of Inspector General (OIG).

2. Labor Relations—To officials of labor organizations recognized under 5 U.S.C. Chapter 71 consistent with provisions in an effective collective bargaining agreement or upon receipt of a formal request and in accord with the conditions of 5 U.S.C. 7114 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

3. General Services Administration (GSA)—To GSA when FCC employees use a GSA approved alternate worksite for purposes such as security regulations, facilities management (including facility space allocation and management requirements, staffing requirements, and related work-space arrangements), and/or other GSA function(s); or when an emergency at the FCC headquarters and/or FCC facilities requires FCC employees to relocate to a GSA approved alternate worksite(s).

4. U.S. Department of Labor—To the U.S. Department of Labor (DOL) for telework labor management issues, including worker's compensation and workplace safety issues.

5. Congressional Inquiries—To provide information to a Congressional office from the record of an individual in response to an inquiry from that Congressional office made at the written request of that individual.

6. Government-wide Program Management and Oversight—To disclose information to the Department of Justice (DOJ) to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act (FOIA); to the Office of Management and Budget (OMB) to obtain that office's advice regarding obligations under the Privacy Act; or to the Office of Personnel Management for its government-wide oversight of telework.

7. Law Enforcement and Investigation—To disclose pertinent information to the appropriate Federal, State, local, or tribal agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the FCC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

8. Adjudication and Litigation—To disclose information to the Department of Justice (DOJ), or to other administrative or adjudicative bodies before which the FCC is authorized to appear, when: (a) The FCC or any component thereof; (b) any employee of the FCC in his or her official capacity; (c) any employee of the FCC in his or her individual capacity where the DOJ or the FCC have agreed to represent the employee; or (d) the United States is a party to litigation or has an interest in such litigation, and the use of such records by the DOJ or the FCC is deemed by the FCC to be relevant and necessary to the litigation.

9. Breach Notification—To appropriate agencies, entities, and persons when: (a) The Commission suspects or has confirmed that there has been a breach of data maintained in the system of records; (b) the Commission has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Commission (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

10. Assistance to Federal Agencies and Entities—To another Federal agency or Federal entity, when the Commission determines that information from this system is reasonably necessary to assist the recipient agency or entity in: (a) Responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

11. For Non-Federal Personnel—To disclose information to non-Federal personnel, *i.e.,* contractors, performing or working on a contract in connection with human resources management and/or IT services for the Federal Government, who may require access to this system of records.

REPORTING TO A CONSUMER REPORTING AGENCIES:

In addition to the routine uses cited above, the Commission may share information from this system of records with a consumer reporting agency regarding an individual who has not paid a valid and overdue debt owed to the Commission, following the procedures set out in the Debt Collection Act, 31 U.S.C. 3711(e).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The information pertaining to the FCC Telework Program includes electronic records, files, and data and paper documents, records, and files. HRM manage these electronic data and paper document files:

1. The electronic data will be stored in the computer files housed in the FCC's computer network.

2. The paper records are scanned and uploaded to the electronic system before being destroyed.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

The records may be retrieved by various identifiers, including the individual's name or bureau or office.

POLICIES AND PRACTIES FOR RETENTION AND DISPOSAL OF RECORDS:

The National Archives and Records Administration (NARA) established records schedule number DAA–GRS–2018–0002–004 for telework/alternate worksite program case files. In accordance with this records schedule, the FCC will maintain information in this system of records until superseded or obsolete, or one year after the end of an employee's participation in the program, whichever is sooner, or longer if required for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The electronic records, files, and data are stored within FCC accreditation boundaries and maintained in a database housed in the FCC's computer network databases. Access to the electronic files is restricted to authorized supervisors and managers; OMD employees and contractors; and to IT staff, contractors, and vendors who maintain the IT networks and services. Other FCC employees and contractors may be granted access on a need-to-know basis. The FCC's electronic files and records are protected by the FCC and third-party privacy safeguards, a comprehensive and dynamic set of IT safety and security protocols and features that are designed to meet all Federal IT privacy standards, including those required by the Federal Information Security Modernization Act of 2014 (FISMA), the Office of Management and Budget (OMB), and the National Institute of Standards and Technology (NIST). The paper records are scanned and uploaded to the electronic system before being destroyed.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

NOTIFICATION PROCEDURE:

Individuals wishing to determine whether this system of records contains information about themselves may do so by writing *Privacy@fcc.gov.* Individuals requesting access must also comply with the FCC's Privacy Act regulations regarding verification of identity to gain access to records as required under 47 CFR part 0, subpart E.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

HISTORY:

The FCC previously gave full notice of FCC/OMD–32, FCC Telework Program by publication in the **Federal Register** on March 26, 2015 (80 FR 16007).

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2021–14493 Filed 7–7–21; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 36341]

Federal Advisory Committee, Communications Equity and Diversity Council

AGENCY: Federal Communications Commission.

ACTION: Notice of renewal of the charter for the Advisory Committee on Diversity and Digital Empowerment, renamed the Communications Equity and Diversity Council.

SUMMARY: The Federal Communications Commission (FCC or Commission) hereby announces that that the charter of the Advisory Committee on Diversity and Digital Empowerment, renamed the Communications Equity and Diversity Council (hereinafter Committee), has been renewed for a two-year period pursuant to the Federal Advisory Committee Act (FACA) and following consultation with the Committee Management Secretariat, General Services Administration.

ADDRESSES: Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Jamila Bess Johnson, Designated Federal Officer, Federal Communications Commission, Media Bureau, (202) 418–2608 or email: *Jamila-Bess.Johnson@fcc.gov.*

SUPPLEMENTARY INFORMATION: After consultation with the General Services Administration, the Commission has renewed the charter on June 29, 2021, providing the Committee with authorization to operate for two years.

The mission of the Committee is to make recommendations to the Commission on advancing equity in the provision of and access to digital communication services and products for all people of the United States, without discrimination on the basis of race, color, religion, national origin, sex, or disability. It shall provide recommendations to the Commission on how to empower people of color and others who have been historically underserved, including persons who live in rural areas, and persons otherwise adversely affected by persistent poverty or inequality, to access, leverage, and benefit from the wide range of opportunities made possible by technology, communication services and next-generation networks.

Advisory Committee

The Committee will be organized under, and will operate in accordance with, the provisions of the FACA (5 U.S.C. App. 2). The Committee will be solely advisory in nature. Consistent with FACA and its requirements, each meeting of the Committee will be open to the public unless otherwise noticed. A notice of each meeting will be published in the **Federal Register** at least fifteen (15) days in advance of the meeting. Records will be maintained of each meeting and made available for public inspection. All activities of the Committee will be conducted in an open, transparent, and accessible manner. The Committee shall terminate two (2) years from the filing date of its charter, or earlier upon the completion of its work as determined by the Chair of the FCC, unless its charter is renewed prior to the termination date.

During this term, the Committee's third, it is anticipated that the Committee will meet approximately three (3) times a year. The first meeting date and agenda topics will be described in a Public Notice issued and published in the **Federal Register** at least fifteen (15) days prior to the first meeting date. In addition, as needed, working groups or subcommittees (ad hoc or steering) will be established to facilitate the Committee's work between meetings of the full Committee. Meetings of the Committee will be fully accessible to individuals with disabilities.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2021–14492 Filed 7–7–21; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0109;–00124;–0162;–0179;–0196]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064–0109;–0124;–0137;–0162; and–0196).

DATES: Comments must be submitted on or before September 7, 2021.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website: https://www.FDIC.gov/regulations/laws/federal.*
- *Email: comments@fdic.gov.* Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202–898–3767, *mcabeza@fdic.gov,* MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collections of information:

1. *Title:* Notice of Branch Closure.

OMB Number: 3064–0109.

Form Number: None.

Affected Public: FDIC-insured depository institutions.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated average frequency of response	Estimated time per response (hours)	Estimated annual burden (hours)
Notice of Branch Closure	Reporting	Mandatory	178	4.388	2	1,562
Adoption of Branch Closure Policy.	Recordkeeping	Mandatory	22	On Occasion	8	176

Total Estimated Annual Burden: 1,738 hours.

General Description of Collection: Section 42 of the Federal Deposit Insurance Act mandates that an insured depository institution closing a branch notify its primary federal regulator not later than 90 days prior to the closing. The statute also provides that a notice be posted on the premises of the branch for the 30-day period immediately prior to the closing and that the customers be notified in a mailing at least 90 days prior to the closing. Each insured depository institution that has one or more branches is required to adopt a written policy for branch closings.

2. *Title:* Notification of Changes of Insured Status.

OMB Number: 3064–0124.

Form Number: None.

Affected Public: Insured depository institutions.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated average frequency of response	Estimated time per response (hours)	Estimated annual burden (hours)
Notification of Change in Insured Status.	Disclosure	Mandatory	8	On Occasion	2	16
Certification	Reporting	Mandatory	240	On Occasion	1	240

Total Estimated Annual Burden: 256 hours.

General Description of Collection: This information collection consists of two parts: (1) A certification that insured depository institutions provide the FDIC when all deposit liabilities from one insured depository institution are assumed from another insured depository institution, with the latter institution responsible for providing the certification, and (2) a notification that an insured depository institution provides to its depositors when it seeks to voluntarily terminate its insured status. The certification is necessary to implement the provisions of section 8(q) of the Federal Deposit Insurance Act, 12 U.S.C. 1818(q), regarding termination of the insured status of the transferring institution and termination of the separate deposit insurance coverage provided on deposit accounts assumed by the assuming institution. The depositor notification is required by section 8(a)(6) of the Federal Deposit Insurance Act, 12 U.S.C. 1818(a)(6). This provision ensures that the institution's depositors receive appropriate information regarding the institution's intent to terminate its insured status and that, prior to the termination of the institution's insured status, depositors receive appropriate information concerning federal deposit insurance coverage of their accounts once the institution's insured status is terminated.

3. *Title:* Large-Bank Deposit Insurance Programs.

OMB Number: 3064–0162.

Form Number: None.

Affected Public: Insured depository institutions having at least $2 billion in deposits and at least either: (a) 250,000 Deposit accounts; or (b) $20 billion in total assets, regardless of the number of deposit accounts (a ''covered institution'').

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden
Implementation							
Posting and removing provisional holds—360.9(c)(1) and (2).	Recordkeeping	Mandatory	7	1	150	One time	1,050
Providing standard data format for deposit account and customer information—360.9(d)(1).	Recordkeeping	Mandatory	7	1	110	One time	770
Notification of identity of person responsible for producing standard data downloads—360.9(c)(3).	Reporting	Mandatory	7	1	8	One time	56
Request for exemption from provisional hold requirements—360.9(c)(9).	Reporting	Voluntary	1	1	20	On occasion	20
Provide deposit account and customer information in required standard format—360.9(d)(3).	Reporting	Mandatory	7	1	40	On occasion	280
Request for extension of compliance deadline—360.9(e)(7).	Reporting	Voluntary	1	1	20	On occasion	20
Request for exemption—360.9(f)	Reporting	Voluntary	1	1	20	On occasion	20
Total Implementation Burden							2,216
Ongoing							
Notification of identity of person responsible for producing standard data downloads—360.9(c)(3).	Reporting	Mandatory	126	1	8	One time	1,008
Request for exemption from provisional hold requirements—360.9(c)(9).	Reporting	Voluntary	1	1	20	On occasion	20
Request for exemption—360.9(f)	Reporting	Voluntary	1	1	20	On occasion	20
Test compliance with 360.9 (c)—(d) pursuant to 360.9(h).	Reporting	Mandatory	40	1	80	On occasion	3,200
Total Ongoing Burden							4,248
Total Estimated Annual Burden.							6,464

General Description of Collection: Upon the failure of an FDIC-insured depository institution, the FDIC is required to pay insured deposits as soon as possible. To do so, the FDIC must be able to quickly determine the total insured amount for each depositor. To make this determination, the FDIC must ascertain the balances of all deposit accounts owned by the same depositor in the same ownership capacity at a failed institution as of the day of failure. The FDIC issued a regulation (12 CFR 360.9) (Section 360.9) to modernize the process of determining the insurance status of each depositor in the event of failure of a covered institution. The FDIC requires institutions that are covered under Section 360.9 to have mechanisms in place that will automatically place a provisional hold on domestic and foreign deposit accounts, and sweep and automated credit account arrangements, in the event that a covered institution is close to failing. A ''provisional hold'' is defined in 12 CFR Section 360.9(b)(6) as ''an effective restriction on access to some or all of a deposit or other liability account after the failure of an insured depository institution.'' Section 360.9 also requires institutions to have in place practices and procedures for providing the FDIC, in a standard format upon the close of any day's business, certain data on the accounts and customers of the institution, and to provide the FDIC with this information upon request. The purpose of these requirements is to allow the deposit and other operations of a covered institution to continue functioning on the day following failure, and to permit the FDIC to fulfill its legal requirement to promptly provide liquidity to depositors of a failed institution. This information also helps to ensure equitable treatment of depositors at different institutions, and helps to preserve the franchise value of a failed institution, thereby reducing costs to the FDIC in the event that a covered institution fails.

FDIC-insured depository institutions (IDIs) that are covered by Section 360.9 are defined in Section 360.9(b)(1) as having at least $2 billion in deposits and either (1) 250,000 or more deposit accounts, or (2) $20 billion or more in assets, regardless of the number of deposit accounts. IDIs that meet this criteria for two consecutive quarters qualify as covered institutions.

This information collection consists of eight distinct reporting and recordkeeping requirements (ICs) that impose annual burden on covered institutions. Three of these eight reporting requirements have an implementation component as well as an ongoing component: (1) Section 360.9(c)(3) (IC requirements C and H, below) requires covered institutions to provide certain information to the FDIC both while the institution is implementing the systems required under 360.9 (IC requirement C) and on an ongoing basis (IC requirement H); (2.) Section 360.9(c)(9) (IC requirements D and I, below) permits institutions to request an exemption from certain requirements of Section 360.9. Institutions could submit such requests either while they are implementing the systems required under Section 360.9 (IC requirement D) or after they are already in compliance with Section 360.9 (IC requirement I); (3.) Section 360.9(f) (IC requirements G and J, below) permits institutions to request an exemption from all of the requirements of Section 360.9 under certain conditions. Institutions could submit such requests either while they are

implementing the systems required under Section 360.9 (IC requirement G) or after they are already in compliance with Section 360.9 (IC requirement J). Since reporting by institutions pursuant to Sections 360.9(c)(3), 360.9(c)(9), and 360.9(f) are counted as both implementation and ongoing requirements, this IC contains eleven [1] requirements in total. These requirements, with corresponding CFR sections, are listed and described as follows:

A. 360.9(c)(1) and (2) (Implementation)—Require covered institutions to set up systems for automatically placing provisional holds on domestic and foreign deposit accounts and sweep and automated credit account arrangements

B. 360.9(d)(1) and (2) (Implementation)—Require covered institutions to establish practices and procedures for providing the FDIC, in a standard format upon the close of any day's business, customer and depositor data for all deposit accounts held in domestic and foreign offices and interest bearing investment accounts connected with sweep and automated credit arrangements

C. 360.9(c)(3) (Implementation)—Requires covered institutions to notify the FDIC of the person(s) responsible for producing the standard data download and administering provisional holds, both while the functionality is being constructed and on an ongoing basis (IC requirement H)

D. 360.9(c)(9) (Implementation)—Permits covered institutions to submit to the FDIC a request for an exemption from the provisional hold requirements for those account systems servicing a relatively small number of accounts where the application of manual provisional holds is feasible, both while the systems are being constructed and on an ongoing basis (IC requirement I)

E. 360.9(d)(3) (Implementation)—Requires covered institutions to submit the data required by 360.9(d)(1) to the FDIC upon request both while the systems are being constructed and on an ongoing basis (IC requirement K)

F. 360.9(e)(7) (Implementation)—Permits covered institutions to submit to the FDIC a request for an extension of the deadline for complying with the requirements of Section 360.9

G. 360.9(f) (Implementation)—Permits covered institutions to apply for an exemption from the requirements of Section 360.9, if the institution has a high concentration of deposits incidental to credit card operations, both during the implementation period in the first year and on an ongoing basis (IC requirement J)

H. 360.9(c)(3) (Ongoing)—Requires covered institutions to provide the information described in IC requirement C above to the FDIC on an ongoing basis

I. 360.9(c)(9) (Ongoing)—Permits covered institutions to request an exemption from the provisional hold requirements, as described in IC requirement D above, both while the systems are being constructed and on an ongoing basis

J. 360.9(f) (Ongoing)—Permits covered institutions to apply for an exemption from the requirements of Section 360.9, as described in IC requirement G above, at any time after the institution is in compliance with the requirements of Section 360.9 if the institution has a high concentration of deposits incidental to credit card operations

K. 360.9(h) (Ongoing)—Requires covered institutions to provide appropriate assistance to the FDIC in its testing of the systems required under Section 360.9

4. *Title:* Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions.

OMB Number: 3064–0179.

Form Number: None.

Affected Public: Large and highly complex depository institutions.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response (hours)	Estimated annual burden (hours)
Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions.	Reporting	Mandatory	2	On Occasion	80	160

Total Estimated Annual Burden: 160 hours.

General Description of Collection: The FDIC's deposit insurance assessment authority is set forth in Section 7 of the Federal Deposit Insurance Act, 12 U.S.C. 1817(b) and (c) and promulgated in regulations under 12 CFR part 327. These regulations also set out the process for making adjustments to the total score of these institutions used by the FDIC in making deposit insurance assessments. Depository institutions are permitted to make a written request to the FDIC for an assessment adjustment. An institution is able to request review of, or appeal, an upward adjustment, the magnitude of an upward adjustment, removal of a previously implemented downward adjustment or an increase in a previously implemented upward adjustment through the FDIC's internal review process set forth at 12 CFR 327.4(c). An institution can similarly request review of or appeal a decision not to apply an adjustment following a request by the institution for an adjustment.

An institution can submit its written request for an adjustment to the FDIC's Director of the Division of Insurance and Research in Washington, DC. In making such a request, the institution will provide support by including evidence of a material risk or risk-mitigating factor that it believes was not adequately considered.

5. *Title:* Regulatory Capital Rules: Regulatory Capital, Revisions to the Supplementary Leverage Ratio.

OMB Number: 3064–0196.

Form Number: None.

Affected Public: Insured state nonmember banks and state savings associations that are subject to the FDIC's advanced approaches risk-based capital rules.

Burden Estimate:

[1] 8 distinct requirements, plus 3 requirements that are counted as both implementation and ongoing requirements, brings the total number of requirements for this IC to 11.

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response hours	Estimated annual burden hours
Disclosure Requirements Associated with Supplementary Leverage Ratio (12 CFR 324.172 and 173).	Disclosure	Mandatory	5	Quarterly	5	100

Total Estimated Annual Burden: 100 hours.

General Description of Collection: The supplementary leverage ratio regulations strengthen the definition of total leverage exposure and improve the measure of a banking organization's on and off-balance sheet exposures. All banking organizations that are subject to the advanced approaches risk-based capital rules are required to disclose their supplementary leverage ratios. Advanced approaches banking organizations must report their supplementary leverage ratios on the applicable regulatory reports. The calculation and disclosure requirements for the supplementary leverage ratio in the federal banking agencies' regulatory capital rules are generally consistent with international standards published by the Basel Committee on Banking Supervision. These disclosures enhance the transparency and consistency of reporting requirements for the supplementary leverage ratio by all internationally active organizations.

Request for Comment: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on July 1, 2021.

Debra A. Decker,

Deputy Executive Secretary.

[FR Doc. 2021–14502 Filed 7–7–21; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than August 9, 2021.

A. Federal Reserve Bank of Minneapolis (Chris P. Wangen, Assistant Vice President), 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *Stearns Financial Services, Inc., Employee Stock Purchase Plan and Trust, Saint Cloud, Minnesota;* to acquire up to 24 percent of additional voting shares of Stearns Financial Services, Inc., Saint Cloud, Minnesota, and thereby indirectly acquire additional voting shares of Stearns Bank, National Association, also of Saint Cloud, Minnesota, Stearns Bank of Upsala, National Association, Upsala, Minnesota, and Stearns Bank of Holdingford, National Association, Holdingford, Minnesota.

Board of Governors of the Federal Reserve System, July 2, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–14578 Filed 7–7–21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than July 23, 2021.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Manager) P.O. Box 442, St. Louis, Missouri 63166–2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org:*

1. *John B. Allee, individually, and as trustee of the John B. Allee Heritage Trust, both of Tipton, Missouri; and Lori A. Woratzeck, as trustee of the Lori A. Woratzeck Heritage Trust, both of California, Missouri;* to become members of the Allee Family Control Group, a group acting in concert, to retain voting shares of Latham Bancshares, Inc., and thereby indirectly retain voting shares of The Tipton Latham Bank, National Association, both of Tipton, Missouri.

Board of Governors of the Federal Reserve System, July 2, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–14577 Filed 7–7–21; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

[Notice-PBS–2021–04; Docket No. 2020–0002; Sequence No. 14]

Revised Notice of Intent/Revised Project Action and Notice of Availability for Land Ports of Entry (LPOE)

AGENCY: Public Buildings Service (PBS), Pacific Rim Division, General Services Administration (GSA).

ACTION: Notice.

SUMMARY: GSA has prepared a Final Environmental Assessment (EA) and separate Finding of No Significant Impact (FONSI) which analyzed the potential impacts from the proposed construction of the Federal Motor Carrier Safety Administration (FMCSA) standalone bus inspection facility at the San Ysidro Land Port of Entry (LPOE) in San Diego, California. The two alternatives analyzed include: New ''Basic'' Facility Buildout; No Build Action. GSA is advising the public that the Final EA and FONSI are available for public comment.

DATES: Due to the COVID–19 pandemic and to ensure the safety of the public, a formal, in-person public meeting will not be held to solicit comments and provide information about the Final EA and FONSI.

ADDRESSES: The Final EA can be viewed on the GSA website at *www.gsa.gov/r9fmcsa.* In addition, copies may be obtained by calling or writing to the individual listed in this notice under the **FOR FURTHER INFORMATION CONTACT** section.

We will consider all comments that we receive on or before Monday, August 9, 2021. You may submit comments by either of the following methods:

- *Electronic Mail: osmahn.kadri@gsa.gov.*
- *Postal Mail/Commercial Delivery:* Send your comment to: Tina Sekula, JMT Inc., 1130 Situs Court, Suite 200, Raleigh, NC 27606.

FOR FURTHER INFORMATION CONTACT:

- *Email:* Osmahn Kadri at *osmahn.kadri@gsa.gov.*
- *Telephone:* (415) 522–3617.
- *NOTE* PLEASE DO NOT MAIL COMMENTS VIA THE U.S. POSTAL SERVICE (USPS) TO THE GSA MAILING ADDRESS AT THIS TIME. USPS MAIL CAN BE SENT TO JMT INC AT THE ADDRESS ABOVE.

SUPPLEMENTARY INFORMATION: The Final EA and FONSI have been prepared to comply with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S. Code [U.S.C.] 4321), as implemented by Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500–1508), and policies of the GSA as the lead federal agency. The EA process provides steps and procedures to evaluate the potential social, economic, and environmental impacts from the construction of the proposed FMCSA Bus Inspection Facility at the San Ysidro LPOE while providing an opportunity for local, state, or federal agencies to provide input and/or comment through scoping, public information meetings, and/or a public hearing. The social, economic, and environmental considerations are evaluated and measured, as defined in the CEQ regulations, by their magnitude of impacts.

The bus inspection station allows for FMCSA to conduct inspections of buses entering the United States from Mexico. FMCSA is required to conduct meaningful vehicle safety inspections and to accommodate vehicles placed out of service because of these inspections. The current bus inspection operations at the San Ysidro LPOE lacks the necessary infrastructure for bus inspections and is not adequate to maintain regular inspections. Therefore, the LPOE does not efficiently address safety needs for the travelling public, FMCSA staff, nor the capacity needs identified in future traffic projections at the LPOE. The lack of dedicated bus inspection infrastructure exposes FMCSA to safety risks while conducting inspections and is not in conformance with current FMCSA safety standards. GSA proposes to construct a new FMCSA Bus Inspection facility on a 1.5-acre parcel located north of the existing LPOE.

A public scoping meeting on the project was held on June 18, 2019. Comments received during the meeting were considered by GSA in a Draft EA. The Draft EA was made available for public comment on May 15, 2020. Comments received during the one-month comment period were considered by GSA in this Final EA. The FONSI, which is based on the Final EA, reflects the GSA's determination that construction of the proposed facility will not have a significant impact on the quality of the human or natural environment.

Russell Larson,

Director, Portfolio Management Division, Pacific Rim Region, Public Buildings Service.

[FR Doc. 2021–14510 Filed 7–7–21; 8:45 am]

BILLING CODE 6820–YF–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2019–E–5322 and FDA–2019–E–5323]

Determination of Regulatory Review Period for Purposes of Patent Extension; PIQRAY

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for PIQRAY and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of applications to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by September 7, 2021. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by January 4, 2022. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before September 7, 2021. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of September 7, 2021. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket Nos. FDA–2019–E–5322 and FDA–2019–E–5323 for ''Determination of Regulatory Review Period for Purposes of Patent Extension; PIQRAY.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with § 10.20 (21 CFR 10.20) and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6250, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, PIQRAY (alpelisib). PIQRAY is indicated in combination with fulvestrant for the treatment of postmenopausal women, and men, with hormone receptor-positive, human epidermal growth factor receptor 2-negative, PIK3CA-mutated, advanced or metastatic breast cancer as detected by an FDA-approved test following progression on or after an endocrine-based regimen. Subsequent to this approval, the USPTO received patent term restoration applications for PIQRAY (U.S. Patent Nos. 8,277,462 and 8,476,268) from Novartis AG and the USPTO requested FDA's assistance in determining the patents' eligibility for patent term restoration. In a letter dated December 23, 2019, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of PIQRAY represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for PIQRAY is 3,264 days. Of this time, 3,106 days occurred during the testing phase of the regulatory review period, while 158 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* June 18, 2010. FDA has verified the applicant's claim that the date the investigational new drug application became effective was on June 18, 2010.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the FD&C Act:* December 18, 2018. The applicant claims October 26, 2018, as the date the new drug application (NDA) for PIQRAY (NDA 212526) was initially submitted. However, FDA records indicate that NDA 212526 was submitted on December 18, 2018.

3. *The date the application was approved:* May 24, 2019. FDA has verified the applicant's claim that NDA 212526 was approved on May 24, 2019.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its applications for patent extension, this applicant seeks 969 or 1,156 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: Must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: June 22, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–14490 Filed 7–7–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Presidential Advisory Council on HIV/AIDS

AGENCY: Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice of a virtual meeting.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the U.S. Department of Health and Human Service is hereby giving notice that the Presidential Advisory Council on HIV/AIDS (PACHA or the Council) will be holding the 71st full Council meeting utilizing virtual technology on Tuesday, August 3–Wednesday, August 4, 2021 from 1:00–5:00 p.m. (ET) on both days. The meeting will be open to the public; a public comment session will be held during the meeting. Pre-registration is required to provide public comment during the meeting. To pre-register to attend or to provide public comment, please send an email to *PACHA@hhs.gov* and include your name, organization, and title by close of business Monday, July 26, 2021. If you decide you would like to provide public comment but do not pre-register, you may submit your written statement by emailing *PACHA@hhs.gov* by close of business Wednesday, August 11, 2021. The meeting agenda will be posted on the PACHA page on *HIV.gov* at *https://www.hiv.gov/federal-response/pacha/about-pacha* prior to the meeting.

DATES: The meeting will be held on Tuesday, August 3–Wednesday, August 4, 2021 from 1:00–5:00 p.m. (ET) on both days. This meeting will be conducted utilizing virtual technology.

ADDRESSES: Instructions on attending this meeting virtually will be posted one week prior to the meeting at: *https://www.hiv.gov/federal-response/pacha/about-pacha.*

FOR FURTHER INFORMATION CONTACT: Ms. Caroline Talev, MPA, Public Health Analyst, Presidential Advisory Council on HIV/AIDS, 330 C Street SW, Room L609A, Washington, DC 20024; (202) 795–7622 or *PACHA@hhs.gov.* Additional information can be obtained by accessing the Council's page on the *HIV.gov* site at *www.hiv.gov/pacha.*

SUPPLEMENTARY INFORMATION: PACHA was established by Executive Order 12963, dated June 14, 1995, as amended by Executive Order 13009, dated June 14, 1996 and is currently operating under the authority given in Executive Order 13889, dated September 27, 2019. The Council was established to provide advice, information, and recommendations to the Secretary regarding programs and policies intended to promote effective prevention and care of HIV infection and AIDS. The functions of the Council are solely advisory in nature.

The Council consists of not more than 25 members. Council members are selected from prominent community leaders with particular expertise in, or knowledge of, matters concerning HIV and AIDS, public health, global health, philanthropy, marketing or business, as well as other national leaders held in high esteem from other sectors of society. Council members are appointed by the Secretary or designee, in consultation with the White House.

Dated: June 9, 2021.

Caroline Talev,

Management Analyst, Office of Infectious Disease and HIV/AIDS Policy, Alternate Designated Federal Officer, Presidential Advisory Council on HIV/AIDS, Office of the Assistant Secretary for Health, Department of Health and Human Services.

[FR Doc. 2021–14496 Filed 7–7–21; 8:45 am]

BILLING CODE 4150–43–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which

would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: HEALthy Brain and Child Development Study Consortium Administrative Cores (U24).

Date: July 7, 2021.

Time: 10:00 a.m. to 4:00 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: Gianina Ramona Dumitrescu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4193–C, Bethesda, MD 28092, (301) 827–0696, *dumitrescurg@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(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: July 1, 2021.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–14531 Filed 7–7–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2021–0233]

Request for Information on Coast Guard Programs, Regulations, and Policies for Addressing Climate Change

AGENCY: Coast Guard, DHS.

ACTION: Request for information.

SUMMARY: The U.S. Coast Guard seeks input from the public on specific Coast Guard programs, regulations, policies, and procedures that the Coast Guard should consider changing to combat and respond to climate change. This information will help the Coast Guard effectively achieve its missions in a manner that advances the Administration's urgent priorities of climate change mitigation, adaptation, and resilience. We further seek this input to ensure that we are implementing programs, policies, and activities that address (1) the cumulative effects of environmental damage, above all from climate change and (2) the disproportionately high, adverse climate-related impacts on disadvantaged communities, while also promoting a safe, secure, and resilient marine transportation system that facilitates commerce and secures national security interests.

DATES: Comments must be submitted to the online docket via *https://www.regulations.gov* on or before October 6, 2021.

ADDRESSES: You may submit comments identified by docket number USCG–2021–0233 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: For information about this document call or email Mr. Tim Brown, Coast Guard; telephone 202–372–2358, email *Timothy.M.Brown@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Public Participation and Comments

We encourage you to submit comments (or related material) responding to this request for information. We will consider all submissions and may adjust agency policy based on your input. 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.

Methods for submitting comments. We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2021–0233 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Public comments will be in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions provided on its Frequently Asked Questions page. We review all material received, but we may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous submissions. 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).

II. Background

The Coast Guard is issuing this request for information in response to Executive Orders 13990 and 14008, which have established the protection of public health and the environment, the mitigation of climate change, and the advancement of environmental justice as policy priorities for this Administration. Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis,*[1] states that the Administration's policy is to listen to science; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those that disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver on these goals. The Order directs agencies to seek input from the public and stakeholders, including State, local, Tribal, and territorial officials, scientists, labor unions, environmental advocates, and environmental justice organizations.

The Order directs agencies immediately to review all regulations, orders, guidance documents, policies, or any other similar agency actions undertaken between January 20, 2017, and January 20, 2021, that are inconsistent with the listed policy priorities. In addition, agencies are directed to contemplate and consider whether to take any additional agency actions, within their authority, to fully enforce the listed policy priorities.

Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad,*[2] further places the climate crisis at the center of U.S. foreign policy and national security by deploying the full capacity of its agencies to combat the climate crisis, by implementing a Government-wide approach that reduces climate pollution in every sector of the economy; by increasing resilience to the impacts of climate change; by protecting public health; by conserving our lands, waters, and biodiversity; by delivering environmental justice; and by spurring

[1] 86 FR 7037 (published Jan. 25, 2021).

[2] 86 FR 7619 (published Feb. 1, 2021).

well-paying jobs and economic growth, especially through innovation, commercialization, and deployment of clean energy technologies and infrastructure. The Order states that successfully meeting these challenges will require the Federal Government to pursue a coordinated approach from planning to implementation, coupled with substantive engagement by stakeholders, including State, local, and Tribal governments.

This request for information is also consistent with Executive Order 13563, *Improving Regulation and Regulatory Review,*[3] which calls for a regulatory system that is based on the best available science and protects public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. The Executive Order directs agencies to consider how best to promote retrospective analysis of rules that may be outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned. Executive Order 13563 is affirmed in the President's Memorandum of January 20, 2021, Modernizing Regulatory Review. The Coast Guard seeks this input recognizing the importance of reevaluating programs to reduce unnecessary barriers to effectiveness, adapt to new technologies, and ensure mission resiliency when combating and responding to climate change.

III. Coast Guard Missions and Authorities

The Coast Guard seeks input on how best to use the Coast Guard's statutory authorities to implement these orders and to reduce the risks associated with climate change. Many of the Coast Guard's missions are identified in brief at 6 U.S.C. 468. All of these missions contribute to the facilitation of safe, secure, and environmentally responsible commerce through our stewardship of the marine transportation system. These missions include marine safety; search and rescue; aids to navigation; living marine resources (fisheries law enforcement); marine environmental protection; ice operations; ports, waterways and coastal security; drug interdiction; migrant interdiction; defense readiness; and other law enforcement.

These authorities are connected, of course, with the risks associated with climate change. The Coast Guard also has important responsibilities in acquiring scientific information, including information involving the effects of climate change, and in issuing regulations. While the Coast Guard holds a wide range of regulatory and operational authorities to fulfill these missions, the Coast Guard frequently shares responsibility for these missions with other agencies.[4] In some cases the Coast Guard has the authority to revise regulations, guidelines, policies, or processes to address particular problems in particular ways; in other cases the Coast Guard may be unable to act without the assistance of another agency, or may be unable to act at all. Commenters are therefore encouraged to focus comments on matters within the Coast Guard's authorities, to the extent known to the commenter.

Location of Coast Guard Regulations

Coast Guard regulations fall within three general categories in the Code of Federal Regulations (CFR)—navigation and navigable waters, shipping, and transportation. Below are the three corresponding titles in the CFR (and the parts in those titles) where you will find our regulations:

- 33 CFR Chapter I (parts 1 through 199),
- 46 CFR Chapters I (parts 1 through 199) and III (parts 400 through 499), and
- 49 CFR Chapter IV (parts 400 through 499).

You can view these regulations on *https://www.govinfo.gov/* or *https://www.ecfr.gov.*

In the CFR, you will find bracketed references to rules published in the **Federal Register** (for example, xx FR xxxx, date). The **Federal Register** publications differ from the CFR in that that, through the preamble language, we fully explain our reasoning for establishing the regulations in that CFR part or section and our estimates of the costs and benefits of those regulations. Rules published since at least 1990 will be available in the **Federal Register** library on *https://www.govinfo.gov/.*

Our rulemaking documents published in the **Federal Register** also include a number that identifies our online docket. On *https://www.regulations.gov,* using that docket number, you should be able to find supporting and related material we provided for that rule, including a cost-benefit analysis. In our dockets, you will also find notices of proposed rulemaking and submissions from interested persons who commented on our initial proposal for the regulations that appear in the final rule. The preamble of the final rule contains our responses to those comments.

Location of Coast Guard Guidance Documents

You can find Coast Guard guidance documents online via *https://www.uscg.mil/guidance.* Guidance documents include Navigation and Vessel Inspection Circulars (NVICs), policy letters, bulletins, handbooks, and other items meant to inform the public. On this site, guidance documents are categorized by the Coast Guard office that issued and maintains the documents.

IV. Request for Information

The Coast Guard seeks public comments and suggestions on actions we can take, within our statutory authority, to combat and respond to climate change. As noted above, our mission areas encompass maritime operations, safety, security, environmental stewardship, and facilitation of the maritime commerce that contributes so crucially to a vibrant U.S. economy.

The actions we might take could include revising current regulations, guidelines, policies, or processes that unjustifiably impede or fail to support the development and use of technologies and best practices to combat or respond to climate change in the marine transportation system. We might also orient our efforts to acquire and disseminate information about the effects of climate change in particular ways (for example, through use of *data.gov*).

When considering your comments and suggestions, we ask that you keep in mind our missions to ensure a safe, secure, and resilient marine transportation system that facilitates commerce and secures national security interests. Commenters should consider the below principles as they answer and respond to the questions in this notice.

- Commenters should identify, with specificity, the program, regulation, or policy at issue, providing the Code of Federal Regulation (CFR) citation where appropriate.
- Commentators should identify, with specificity, small or large reforms that might be justified in light of the risks posed by climate change, whether those reforms involve preparedness, mitigation, adaptation, resilience, or other steps to reduce suffering.
- Commenters should provide, in as much detail as possible, an explanation why a program, regulation, or policy should be modified, streamlined, expanded, or repealed, as well as

[3] 76 FR 3821 (published Jan. 21, 2011).

[4] A general list of Coast Guard authorities can be found online at *https://www.uscg.mil/readings/Article/1548177/authorities/#:~:text=The%20Coast%20Guard%20may%20board,suppression%20of%20violations%20of%20U.S.*

specific suggestions of ways the agency can better achieve its statutory and regulatory objectives in light of the executive orders cited.

• Commenters should provide specific data that document the costs, burdens, and benefits of existing requirements or programs or proposed changes to them, to the extent they are available.

The following questions might help guide your comments and suggestions. Given the Coast Guard's current missions and statutory authority:

1. Do you have suggestions for changes to our current programs, regulations, or policies that would combat climate change or bolster resilience to the impacts of climate change or adapt to its impacts, such as sea level rise?

2. What do you think the primary implications of climate change are for our mission areas?

3. How will climate change affect Coast Guard programs, missions, regulations, and policies in the future?

4. How might the Coast Guard orient or re-orient its efforts to acquire information about the effects of climate change, and how might it best disseminate that information?

5. How do you think the Coast Guard can advance the objectives of environmental justice?

6. Are you aware of any new or emerging technologies appropriate for use in maritime facilities or other industry assets that we should consider when exploring alternatives to address climate change?

7. Which Coast Guard mission areas do you think are most likely to be affected by climate change? How would they be affected?

8. What do you think are the most crucial challenges we will face to address climate change in our programs, missions, regulations, and policies?

9. Do our existing regulations unjustifiably impede or fail to support the development and use of technologies or best practices that would help us address climate change?

10. Are our regulations restrictive on the use of alternative fuels that produce fewer harmful emissions? If so, how? What, specifically, might we do to reduce greenhouse gas emissions?

11. Do our current polices, such as NVICs or other guidance documents, impede or fail to support the development and use of technologies or best practices to address climate change? If so, how?

12. Is the process of requesting a determination of equivalency to use an alternative approach to regulatory requirements that might address climate change burdensome?

13. What regulatory, policy, or other incentives could the Coast Guard provide to encourage development and use of technologies or best practices in the marine transportation system to combat and respond to climate change?

14. Are there current Coast Guard regulations, guidance, policies, or processes that contribute to climate change? If so, please explain which ones and how.

15. What sources of existing data or studies can Coast Guard use to evaluate the economic impact—positive or negative—from reducing the environmental footprint of USCG programs, regulations, or policies with regards to climate change?

16. What do you expect would be the positive or negative environmental results of the Coast Guard addressing climate change in the maritime domain, particularly in sensitive areas such as the Arctic and U.S. coastal zones?

17. Are there Coast Guard programs, regulations, or policies that do not bolster resilience to the impacts of climate change, particularly for those disproportionately impacted by climate change, and, if so, what are they? How can those programs, regulations, or policies be modified, expanded, streamlined, or repealed to bolster resilience to the impacts of climate change?

18. Do you have any suggestions for any changes to the Coast Guard's Arctic strategy or any Coast Guard Arctic programs, such as ice breaking, mapping, and charting missions that might bolster the Coast Guard's ability to combat and respond to climate change?

In addition to these general questions, the Coast Guard seeks any other input on the programs and missions described above that allows the Coast Guard, within our statutory authorities, to combat or respond to the climate crisis and adapt to its impacts on the maritime domain. This request for information is used solely for information gathering purposes and the responses to this RFI do not bind the Coast Guard to any further actions related to the response.

Dated: June 25, 2021.

J.W. Mauger,

Rear Admiral, US Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2021–14575 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0016]

Meetings To Implement Pandemic Response Voluntary Agreement Under Section 708 of the Defense Production Act

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

ACTION: Announcement of meetings; correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a document in the **Federal Register** of July 2, 2021, concerning an announcement of meetings to implement the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic. The document incorrectly listed certain meetings.

FOR FURTHER INFORMATION CONTACT: Robert Glenn, Office of Business, Industry, Infrastructure Integration, via email at *OB3I@fema.dhs.gov* or via phone at (202) 212–1666.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of July 2, 2021, in FR Doc. 2021–14251 on page 35309, in the second column, correct the **DATES** caption to read:

DATES: The schedule for these meetings is as follows:

• The first meeting took place on Tuesday, June 22, 2021, from 2 to 4 p.m. Eastern Time (ET).

• The second meeting took place on Wednesday, June 23, 2021, from 11 a.m. to 1 p.m. ET.

• The third meeting will take place on Tuesday, July 20, 2021, from 11 a.m. to 1 p.m. ET.

• The fourth meeting will take place on Thursday, July 22, 2021, from 2 to 4 p.m. ET.

• The fifth meeting will take place on Tuesday, August 3, 2021, from 11 a.m. to 1 p.m. ET.

• The sixth meeting will take place on Thursday, August 5, 2021, from 2 to 4 p.m. ET.

Dated: July 2, 2021.

Shabnaum Q. Amjad,

Acting Associate Chief Counsel, Regulatory Affairs Division, Office of Chief Counsel, Federal Emergency Management Agency.

[FR Doc. 2021–14569 Filed 7–7–21; 8:45 am]

BILLING CODE 9111–19–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2018–0001]

Request for Applicants for Appointment to the Surface Transportation Security Advisory Committee

AGENCY: Transportation Security Administration, DHS.

ACTION: Committee management; request for applicants.

SUMMARY: The Transportation Security Administration (TSA) is requesting applications from individuals who are interested in being appointed to serve on the Surface Transportation Security Advisory Committee (STSAC). All applicants must represent one of the constituencies specified below in order to be eligible for appointment. STSAC's mission is to provide advice, consultation, and recommendations to the TSA Administrator on improving surface transportation security matters, including developing, refining, and implementing policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security, while adhering to sensitive security guidelines. The STSAC will consider risk-based approaches in the performance of its duties.

DATES: Applications for membership must be submitted to TSA using one of the methods in the **ADDRESSES** section below on or before August 9, 2021.

ADDRESSES: Applications must be submitted by one of the following means:

- *Email: STSAC@tsa.dhs.gov.*
- *Mail:* Judith Harroun-Lord, STSAC Designated Federal Officer, Transportation Security Administration (TSA–28), 6595 Springfield Center Drive, Springfield, VA 20596–6028.

See **SUPPLEMENTARY INFORMATION** for application requirements.

FOR FURTHER INFORMATION CONTACT: Judith Harroun-Lord, STSAC Designated Federal Officer, Transportation Security Administration (TSA–28), 6595 Springfield Center Drive, Springfield, VA 20596–6028, *STSAC@tsa.dhs.gov,* 571–227–2283.

SUPPLEMENTARY INFORMATION: The STSAC is an advisory Committee established pursuant to section 1969, Division K, TSA Modernization Act, of the FAA Reauthorization Act of 2018 (Pub. L. 115–254, 132 Stat. 3186, Oct. 5, 2018). The Committee is composed of individual members representing key constituencies affected by surface transportation security requirements.

Membership

The STSAC is composed of no more than 40 voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, school bus industry, and trucking; and may include representatives from—

1. Associations representing such modes of surface transportation;
2. Labor organizations representing such modes of surface transportation;
3. Groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;
4. Relevant law enforcement, first responders, and security experts; and
5. Such other groups as the Administrator considers appropriate.

The STSAC also includes nonvoting members, serving in an advisory capacity, who are designated by the TSA; the Department of Transportation; the Coast Guard; and such other Federal department or agency as the Administrator considers appropriate.

The STSAC does not have a specific number of members allocated to any membership category and the number of members in a category may change to fit the needs of the Committee, but each organization is represented by a minimum of one individual. Members serve as representatives and speak on behalf of their respective constituency group. Membership on the Committee is personal to the appointee and a member may not send an alternate to a Committee meeting. The members of the Committee shall not receive any compensation from the Government by reason of their service on the Committee.

Committee members are appointed by and serve at the pleasure of the Administrator of TSA for a term of two years but a voting member may continue to serve until the Administrator appoints a successor. TSA evaluates committee applicants to determine suitability, which includes a background check.

Committee Meetings

The Committee shall meet as frequently as deemed necessary by the Designated Federal Officer in consultation with the Chairperson, but no less than two (2) scheduled meetings each year. At least one meeting will be open to the public each year. Unless the Designated Federal Officer decides otherwise, meetings will be held in person or through web conferencing in the Washington, DC, metropolitan area.

In addition, STSAC members are expected to participate on STSAC subcommittees that normally meet more frequently to deliberate and discuss specific surface transportation matters.

Application for Advisory Committee Appointment

TSA is seeking applications for up to 5 members with specific expertise in the pipeline mode of surface transportation and cybersecurity across all surface transportation modes. Any person wishing to be considered for appointment to STSAC must provide the following:

- Complete professional resume.
- Statement of interest and reasons for application, including the membership category and how you represent a significant portion of that constituency, and also provide a brief explanation of how you can contribute to one or more TSA strategic initiative, based on your prior experience with TSA, or your review of current TSA strategic documents that can be found at *www.tsa.gov/about/strategy.*
- Home and work addresses, telephone number, and email address.

Please submit your application to the Designated Federal Officer in **ADDRESSES** noted above by August 9, 2021.

Dated: June 30, 2021.

Eddie D. Mayenschein,

Assistant Administrator, Policy, Plans, and Engagement.

[FR Doc. 2021–14517 Filed 7–7–21; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2021–0072; FXES11140400000–212–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink, Putnam County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Vulcan Materials Company (applicant) to amend of an existing incidental take permit (TE82956B–0) under the Endangered Species Act. The applicant requests the

amendment of an incidental take permit (ITP) to take an additional number of the federally listed sand skink incidental sand mining operation in Putman County, Florida. We request public comment on the application, which includes the applicant's proposed amended habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as ''low-effect,'' categorically excluded, under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

DATES: We must receive your written comments on or before August 9, 2021.

ADDRESSES:

Obtaining Documents: You may obtain copies of the documents online in Docket No. FWS–R4–ES–2021–0072 at *http://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by any of the following methods:

- *Online: http://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2021–0072.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2021–0072; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Erin M. Gawera, by telephone at 904–731–3121 or via email at *erin_gawera@fws.gov.* Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service, announce receipt of an application from Vulcan Materials Company for an amendment of an incidental take permit under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests to modify the existing ITP to allow for take of the federally listed sand skink (*Neoseps reynoldsi*) in an amount above that authorized by the existing permit. The take would be incidental to the activities associated with the operation of a sand mine (project) in Putnam County, Florida. We request public comment on both the application, which includes the applicant's amended proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as ''low-effect,'' categorically excluded, under the National Environmental Policy Act (NEPA; 42 U.S.C. 4231 *et seq.*). To make this determination, we used our environmental action statement and low-effect screening form, which are also available for public review.

Project

The applicant has an existing 20-year ITP that was issued on February 12, 2016, authorizing take of sand skinks via the conversion of an unspecified amount of the species' occupied foraging and sheltering habitat within 1,183.62 acres that is part of a 6,815.79-acre tract. The tract is located within Sections 12–13, Township 9 south, Range 23 east, Sections 7, 17–21, 28–33, Township 9 south, Range 24 east, and Sections 5–6, Township 10 south, Range 24 east in Putnam County, Florida. The parcel numbers are 07–09–24–0000–0020–0010, 12–09–23–0000–0010–0000, 13–09–23–0000–0030–0000, 17–09–24–0000–0040–0020, 17–09–24–0000–0010–0010, 18–09–24–0000–0010–0000, 18–09–24–0000–0020–0000, 19–09–24–0000–0010–0010, 19–09–24–0720–0000–0520, and 20–09–24–0000–0020–0000. The applicant proposes to expand the current project boundary from 1,183.62 acres to 1,683.86 acres, for a net increase of 500.24 acres. The amount of occupied skink habitat within the expansion area is undetermined; however, based on the current USFWS guideline, approximately 452.4 acres of the site appear to be suitable for the skink. In advance of mining operations occurring within the entire area, quantitative surveys will be conducted to determine the extent of suitable area that is occupied by the sand skink. The surveys will be conducted in accordance with the Service's then guidelines. The applicant will mitigate for take of the sand skink within the expansion area by purchasing mitigation credits at a 2:1 ratio (2 mitigation credits for every 1 acre of occupied skink habitat impacted by the project) from the Tiger Creek Conservation Bank or another Service-approved sand skink bank. The Service will require the applicant to purchase the required credits prior to engaging in activities associated with the project on occupied habitat within the expansion area.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment—including your personal identifying information—may be made available to the public. While you may request that we withhold your personal identifying information, we cannot guarantee that we will be able to do so.

Our Preliminary Determination

The Service has made a preliminary determination that the applicant's project, including earth moving, grading, and other land alteration and construction activities and the proposed mitigation, would individually and cumulatively have a minor or negligible effect on sand skinks and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion and that the HCP is low effect under our NEPA regulations at 43 CFR 419.2005 and 419.2010. A low-effect HCP is one that would result in (1) minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) minor or negligible effects on other environmental values or resources; and, (3) impacts that, when considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not over time result in significant cumulative effects to environmental values or resources.

Next Steps

The Service will evaluate the application and the comments received to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the above findings, we will determine whether the criteria of section 10(a)(1)(B) of the ESA have been met to modify the existing ITP. If met, the Service will issue the modified permit, ITP number TE82956B–1, to Vulcan Materials Company.

Authority

The Service provides this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

Gianfranco Basili,

Deputy State Supervisor, Florida Ecological Services State Office.

[FR Doc. 2021–14508 Filed 7–7–21; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–ES–2021–N171; FXES11130800000–201–FF08E00000]

Endangered and Threatened Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before August 9, 2021.

ADDRESSES:

Document availability and comment submission: Submit requests for copies of the applications and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.,* TEXXXXXX).

- *Email: permitsr8es@fws.gov.*
- *U.S. Mail:* Susie Tharratt, Regional Recovery Permit Coordinator, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W–2606, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Susie Tharratt, via phone at 760–414–6561, via email at *permitsr8es@fws.gov,* or via the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered or threatened under the ESA.

Background

With some exceptions, the ESA prohibits activities that constitute take of wildlife species listed as endangered and, by regulation, certain wildlife species listed as threatened unless a Federal permit is issued that allows such activity. The ESA's definition of ''take'' includes such activities as pursuing, harassing, trapping, capturing, or collecting, in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
ES–63371B	Rheanna Neidinger, Apple Valley, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations, capture, collect genetic samples, handle, band, and release.	Amend.
ES–134338	Brenna Ogg, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, collect vouchers, and release.	Renew.
ES–834492	Julie Thomas, Morro Bay, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
ES–60153B	Mary Belk, New Braunfels, Texas.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*).	CA	Capture, handle, collect vouchers, release, and conduct formal training workshops.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• Vernal pool tadpole shrimp (*Lepidurus packardi*).			
ES–067347	Crysta Dickson, San Clemente, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, collect vouchers, and release.	Renew.
ES–58760A	Jason Yakich, Forest Knolls, California.	• California clapper rail (*Rallus longirostris obsoletus*). • California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Play taped vocalization, capture, handle, collect vouchers, and release.	Renew.
ES–170389	Travis Cooper, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*). • Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*).	CA	Pursue, play taped vocalization, capture, handle, collect vouchers, and release.	Renew.
PER0008376 ...	Mark Noyes, Lincoln, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*). • California least tern (*Sterna antillarum browni*). • California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*).	CA	Capture, handle, collect vouchers, and release.	New.
ES–148552	Holly Burger, Berkeley, California.	• San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).	CA	Capture, handle, and release	Renew.
ES–835549	Charles Black, San Diego, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*). • San Diego button-celery (*Eryngium aristulatum* var. *parishii*). • San Diego mesa-mint (*Pogogyne abramsii*). • California Orcutt grass (*Orcuttia californica*). • Willowy monardella (*Monardella viminea*).	CA	Capture, handle, collect vouchers, collect soil samples for resting egg identification, hydrate eggs for hatching and identification, release, and (for plants) remove and reduce to possession from lands under federal jurisdiction.	Renew.
ES–135948	Natalie Brodie, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
ES–172638	Kevin Livergood, Anaheim, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
PER0009927 ...	Martina Pernicano, Golden, Colorado.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	AZ, CA, CO, NE, NM, OR, UT, WA.	Play taped vocalization	Renew.
ES–787924	Markus Spiegelberg, San Diego, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Pacific pocket mouse (*Perognathus longimembris pacificus*). • San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*).	CA	Play taped vocalization, capture, handle, and release.	Renew and Amend.
ES–50992B	Antonette Gutierrez, Imperial Beach, California.	• Least Bell's vireo (*Vireo bellii pusillus*)	CA	Monitor nests, and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Amend.
PER0010680 ...	David Moskovitz, Diamond Bar, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
ES–64580A	Nicholas Rice, Las Vegas, Nevada.	• Yuma Ridgway's (clapper) rail (*Rallus obsoletus [=longirostris] yumanensis*). • Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	Renew and Amend.
PER0010753 ...	Brenda Bennett, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, collect vouchers, and release.	New.
PER0010754 ...	Rebecca Green, Shaver Lake, California.	• Fisher (Southern Sierra Nevada distinct population segment) (*Pekania pennanti*).	CA	Capture, handle, attach radio collars, use remote cameras, collect hair via hair snares, use track plates, and release.	New.
PER0010755 ...	Christian Knowlton, San Jose, California.	• California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*).	CA	Capture, handle, and release	New.
PER0010773 ...	Alicia Arcidiacono, Paicines, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalization and monitor nests.	New.
PER0010786 ...	Erika Eidson, La Mesa, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Pursue and play taped vocalizations.	Renew and amend.
ES–768251	Biosearch Associates, Santa Cruz, California.	• California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*). • Fresno kangaroo rat (*Dipodomys nitratoides exilis*). • Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*). • San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). • Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).	CA	Capture, handle, collect voucher or tissue, mark, and release.	Renew.
PER0011851 ...	Helix Environmental Planning, Inc., La Mesa, California.	• California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*). • Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue, capture, handle, collect vouchers, collect soil samples, identify eggs within soil samples, and release.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).			
ES–67397A	Timothy Ricks, Las Vegas, Nevada.	• Yuma Ridgway's (clapper) rail (*Rallus obsoletus [=longirostris] yumanensis*). • Southwestern willow flycatcher (*Empidonax traillii extimus*).	NV	Play taped vocalizations	Renew and Amend.
PER0011946 ...	Tara Cornelisse, Santa Rosa, California.	• Ohlone tiger beetle (*Cicindela ohlone*)	CA	Capture, handle, release, and conduct habitat enhancement activities.	New.
PER0011950 ...	Brian Nissen, San Ramon, California.	• California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*).	CA	Capture, handle, and release	New.
PER0011954 ...	Daniel Schrimsher, Salinas, California.	• Sierra Nevada yellow-legged Frog (*Rana sierrae*).	CA	Capture, handle, and release	New.
PER0011958 ...	Quad Knopf, Inc., Clovis, California.	• Buena Vista Lake ornate shrew (*Sorex ornatus relictus*). • Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*). • Fresno kangaroo rat (*Dipodomys nitratoides exilis*). • Giant kangaroo rat (*Dipodomys ingens*). • California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, mark, and release.	Renew.
PER0011963 ...	Ian Hirschler, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, collect vouchers, and release.	Renew.
ES–67253D	City of Eureka (Sequoia Park Zoo), Eureka California.	• California condor (*Gymnogyps californianus*).	AZ, CA, ID, NM, NV, UT.	Transport wild or captive-bred individuals from release sites and other permitted breeding projects, conduct health checks, treat injured or sick individuals, hold in release pens, and release.	Amend.
PER0012535 ...	Laura Gorman, Encinitas, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA, NV	Play taped vocalizations	Renew.
PER0012877 ...	Jared Elia, Concord, California.	• California tiger salamander (Santa Barbara County and Sonoma County distinct population segments (DPSs)) (*Ambystoma californiense*).	CA	Capture, handle, and release	Amend.
ES–044846	U.S. Geological Survey and National Park Service, Ventura, California.	• *Arabis hoffmannii* (*Boechera hoffmannii*) (Hoffmann's rock-cress). • *Arctostaphylos confertiflora* (Santa Rosa Island manzanita). • *Berberis pinnata* subsp. *insularis* (island barberry). • *Castilleja mollis* (soft-leaved paintbrush). • *Dudleya traskiae* (Santa Barbara Island liveforever). • *Galium buxifolium* (island bedstraw).	CA	Remove and reduce to possession; collect vouchers, fruit, seed, and vegetative material for banking, propagation, and genetic research.	Renew

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• *Gilia tenuiflora* subsp. *hoffmannii* (Hoffmann's slender-flowered gilia). • *Malacothamnus fasciculatus* var. *nesioticus* (Santa Cruz Island bush-mallow). • *Malacothrix indecora* (Santa Cruz Island malacothrix). • *Malacothrix squalida* (Island malacothrix). • *Phacelia insularis* subsp. *insularis* (island phacelia). • *Thysanocarpus conchuliferus* (Santa Cruz Island fringepod).			

Public Availability of Comments

Written comments we receive become part of the record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Peter Erickson,

Acting Regional Ecological Services Program Leader, California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8).

[FR Doc. 2021–14519 Filed 7–7–21; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[212.LLAK941200.L1440000.ET0000; A–62024]

Notice of Proposed Withdrawal Extension and Opportunity for Public Meeting; Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: In accordance with Section 204 of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Secretary of the Interior proposes to extend the withdrawal of approximately 730.13 acres of public lands located in Anchorage, Alaska, for an additional 20-year term. The withdrawal created by Public Land Order (PLO) No. 6127, as extended by PLO No. 7471, expires on February 11, 2022. PLO No. 6127 withdrew public land from settlement, sale, location, or entry, under the general land laws, including mining laws, and from selection under Section 6 of the Alaska Statehood Act for the Campbell Tract administrative site, and reserved for use by the Bureau of Land Management (BLM) for administrative site in Anchorage, Alaska. This Notice provides for the public to comment and request a public meeting for the 20-year withdrawal extension.

DATES: Comments and requests for a public meeting must be received by October 6, 2021.

ADDRESSES: Comments and public meeting requests should be sent to the Alaska State Director, BLM Alaska State Office, 222 West Seventh Avenue, No. 13, Anchorage, Alaska 99513–7504 or by email at *blm_ak_state_director@blm.gov.*

FOR FURTHER INFORMATION CONTACT: Chelsea Kreiner, BLM Alaska State Office, 907–271–4205, email *ckreiner@blm.gov* or you may contact the BLM office at the address noted above. Persons who use a Telecommunications Device for the Deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual. The FRS is available 24 hours a day, 7 days a week. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: At the request of the Bureau of Land Management Anchorage Field Office, the Secretary of the Interior proposes that PLO No. 6127 (47 FR 6277, (1982)), as extended by PLO No. 7471 (65 FR 71333, (2000)), be extended for an additional 20-year term.

A complete description of the public land affected, along with all other records pertaining to this extension, can be examined in the BLM Alaska State Office at the address shown above.

Notice is hereby given that an opportunity for a public meeting is available in connection with this proposed withdrawal extension. All interested parties who desire a public meeting for the purpose of being heard on this withdrawal extension application must submit a written request to the BLM Alaska State Director. Upon determination by the authorized officer that a public meeting will be held, the BLM will publish a notice of the time and place in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The withdrawal extension application will be processed in accordance with the regulations set-forth in 43 CFR 2310.4 and subject to Section 810 of the Alaska National Interest Lands Conservation Act, (16 U.S.C. 3120).

For a period until October 6, 2021 all persons who wish to submit comments, suggestions, or objections in connection with this proposed withdrawal extension may present their views in writing to the BLM Alaska State Director at the address indicated above. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR 2310.4)

Chad B. Padgett,

Alaska State Director.

[FR Doc. 2021–14534 Filed 7–7–21; 8:45 am]

BILLING CODE 4310–JA–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLOR957000.L1440000.BJ0000.212.HAG 21–0059]

Filing of Plats of Survey: Oregon/Washington

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of the following described lands are scheduled to be officially filed in the Bureau of Land Management (BLM), Oregon State Office, Portland, Oregon, 30 calendar days from the date of this publication.

DATES: Protests must be received by the BLM prior to the scheduled date of official filing, August 9, 2021.

ADDRESSES: A copy of the plats may be obtained from the Public Room at the Bureau of Land Management, Oregon State Office, 1220 SW 3rd Avenue, Portland, Oregon 97204, upon required payment. The plats may be viewed at this location at no cost.

FOR FURTHER INFORMATION CONTACT: Mary Hartel, Branch of Geographic Sciences, Bureau of Land Management, 1220 SW 3rd Avenue, Portland, Oregon 97204; telephone: (503) 808–6131, email: *mhartel@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 1–800–877–8339 to contact Ms. Hartel during normal business hours. The service is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The plats of survey of the following described lands are scheduled to be officially filed in the Bureau of Land Management, Oregon State Office, Portland, Oregon:

Willamette Meridian, Oregon

T. 33 S., R. 7 W., accepted May 4, 2021
T. 23 S., R. 3 W. accepted May 4, 2021
T. 20 S., R. 2 W., accepted May 4, 2021
T. 19 S., R. 8 W., accepted May 25, 2021
T. 27 S., R. 9 W., accepted May 25, 2021
T. 37 S., R. 2 E., accepted May 25, 2021
T. 38 S., R. 2 E., accepted May 25, 2021
T. 16 S., R. 6 W., accepted May 25, 2021

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the Chief Cadastral Surveyor for Oregon/Washington, Bureau of Land Management. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. The notice of protest must be filed before the scheduled date of official filing for the plat(s) of survey being protested. Any notice of protest filed after the scheduled date of official filing will be untimely and will not be considered. A notice of protest is considered filed on the date it is received by the Chief Cadastral Surveyor for Oregon/Washington during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the Chief Cadastral Surveyor for Oregon/Washington within 30 calendar days after the notice of protest is filed. If a notice of protest against a plat of survey is received prior to the scheduled date of official filing, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the next business day following dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personal identifying information in a notice of protest or statement of reasons, you should be aware that the documents you submit—including your personal identifying information—may be made publicly available in their entirety at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. Chapter 3)

Mary J. Hartel,
Chief Cadastral Surveyor of Oregon/Washington.

[FR Doc. 2021–14540 Filed 7–7–21; 8:45 am]

BILLING CODE 4310–33–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT929000–212–L14400000.BJ0000; MO#4500154299]

Notice of Proposed Filing of Plats of Survey; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey for the lands described in this notice are scheduled to be officially filed 30 calendar days after the date of this publication in the BLM Montana State Office, Billings, Montana. The survey, which was executed at the request of the Miles City Field Office, Miles City, Montana was necessary for the management of these lands.

DATES: A person or party who wishes to protest this decision must file a notice of protest in time for it to be received in the BLM Montana State Office no later than August 9, 2021.

ADDRESSES: A copy of the plats may be obtained from the Public Room at the BLM Montana State Office, 5001 Southgate Drive, Billings, Montana 59101, upon required payment. The plats may be viewed at this location at no cost.

FOR FURTHER INFORMATION CONTACT: Joshua Alexander, BLM Chief Cadastral Surveyor for Montana; telephone: (406) 896–5123; email: *jalexand@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at (800) 877–8339 to contact Mr. Alexander during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The lands surveyed are:

Principal Meridian, Montana

T. 5 N., R. 48 E.
sec. 18.

A person or party who wishes to protest an official filing of a plat of survey identified above must file a written notice of protest with the BLM Chief Cadastral Surveyor for Montana at the address listed in the **ADDRESSES** section of this notice. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. The notice of protest must be received in the BLM Montana State Office no later than the scheduled date of the proposed official filing for the plat(s) of survey being protested; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of the protest, if not filed with the notice of protest, must be filed with the BLM Chief Cadastral Surveyor for Montana within 30 calendar days after the notice of protest is received.

If a notice of protest of the plat(s) of survey is received prior to the scheduled date of official filing or during the 10-calendar-day grace period provided in 43 CFR 4.401(a) and the delay in filing is waived, the official filing of the plat(s) of survey identified in the notice of protest will be stayed pending consideration of the protest. Upon receipt of a timely protest, and after a review of the protest, the

Authorized Office will issue a decision either dismissing or otherwise resolving the protest. A plat of survey will then be officially filed 30 days after the protest decision has been issued in accordance with 43 CFR part 4.

If a notice of protest is received after the scheduled date of official filing and the 10-calendar-day grace period provided in 43 CFR 4.401(a), the notice of protest will be untimely, may not be considered, and may be dismissed.

Before including your address, phone number, email address, or other personal identifying information in a notice of protest or statement of reasons, you should be aware that the documents you submit—including your personal identifying information—may be made publicly available in their entirety at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. Chapter 3)

Joshua F. Alexander,

Chief Cadastral Surveyor for Montana.

[FR Doc. 2021–14555 Filed 7–7–21; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#-32223; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before June 26, 2021, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by July 23, 2021.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line ''Public Comment on <property or proposed district name, (County) State>.'' If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 7228, Washington, DC 20240, *sherry_frear@nps.gov,* 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before June 26, 2021. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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.

Nominations submitted by State or Tribal Historic Preservation Officers:

CONNECTICUT

Middlesex County

Ward, William and Mary, House, (Mid-Twentieth-Century Modern Residences in Connecticut 1930–1979, MPS), 45 Paterson Dr., Middletown, MP100006787

FLORIDA

Brevard County

Imperial Towers Apartments, 2825 South Washington Ave., Titusville, SG100006776

GEORGIA

Peach County

Henry Alexander Hunt High School Gymnasium, 600 Spruce St., Fort Valley, SG100006788

MASSACHUSETTS

Norfolk County

Evergreen Cemetery, 8 Evergreen St., Medway, SG100006778

Worcester County

Saint Joseph's Home for Working Girls, 52 High St., Worcester, SG100006777

MICHIGAN

St. Joseph County

Nettleton-Cond House, 260 South Washington St., Constantine, SG100006782

MISSISSIPPI

Lincoln County

Brookhaven Manufacturing Corporation, 109 Main St., Brookhaven, SG100006775

NEBRASKA

Cass County

Morgan-Fricke House, 623 North 6th St.,Plattsmouth, SG100006790

NEW YORK

Kings County

Moslem Mosque, 104–106 Powers St., Brooklyn, SG100006779

Richmond County

Vanderbilt Family Cemetery and Mausoleum, 2205 Richmond Rd., Staten Island, SG100006780

Westchester County

Child Welfare Association of Mamaroneck, 234 Stanley Ave., Mamaroneck, SG100006781

PENNSYLVANIA

Lehigh County

Kistler Residence,315–317 North 7th St., Allentown, SG100006785

Perry County

Bower Homestead Farm, (Agricultural Resources of Pennsylvania c1700–1960 MPS), 1790 Conococheague Rd., Blain, MP100006784

Philadelphia County

Tioga Mills, 3475 Collins St., also known as 2126 East Tioga St., Philadelphia, SG100006783

Schlichter Jute Cordage Company, 2155 Castor Ave., Philadelphia, SG100006791

TEXAS

Bexar County

Sacred Heart Conventual Chapel, 411 SW 24th St., San Antonio, SG100006774

WISCONSIN

Jackson County

Black River Falls Commercial Historic District, Generally bounded by Harrison, North Water, Fillmore, and North 3rd Sts., Black River Falls, SG100006789

Authority: Section 60.13 of 36 CFR part 60

Dated: June 29, 2021.

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2021–14544 Filed 7–7–21; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade

Commission has received a complaint entitled *Certain Optical Enclosures, Components Thereof, and Products Containing the Same, DN 3558;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (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 United States International Trade Commission (USITC) at *https://www.usitc.gov* . The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.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: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Criterion Technology, Inc. on July 2, 2021. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain optical enclosures, components thereof, and products containing the same. The complainant names as respondents: Velodyne Lidar USA, Inc. of San Jose, CA; and Fujian Fran Optics Co., Ltd. of China. The complainant requests that the Commission issue limited exclusion orders, cease and desist orders, and impose a bond upon respondents alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation 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 requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial 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 requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3558'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

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 [2], solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: July 2, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–14600 Filed 7–7–21; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

INTERNATIONAL TRADE COMMISSION

Public Availability of FY 2018 Service Contracts Inventory Analysis, and Planned Analysis of FY 2019 Service Contracts Inventory

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010, the U.S. International Trade Commission is publishing this notice to advise the public of the availability of the FY 2018 Service Contracts Inventory Analysis, and Planned Analysis of FY 2019 Service Contracts Inventory. The FY 2018 inventory analysis provides information on specific service contract actions that were analyzed. The 2018 inventory provides information on service contract actions over $25,000, which were made in FY 2018. The inventory information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance issued on November 5, 2010 and December 19, 2011, by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP). OFPP's guidance is available at *https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/procurement/memo/service-contract-inventory-guidance.pdf*. The FY 2019 inventory planned analysis provides information on which functional areas will be reviewed by the agency. The U. S International Trade Commission has posted its FY 2018 inventory, FY 2019 planned analysis at the following link: *https://www.usitc.gov/offices/*procurement.

FOR FURTHER INFORMATION CONTACT: Questions regarding the service contract inventory should be directed to Debra Bridge, U. S. International Trade Commission, Office of Procurement, 500 E Street SW, Washington, DC 20436; *debra.bridge@usitc.gov*; (202) 205–2004.

By order of the Commission.

Issued: July 1, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–14503 Filed 7–7–21; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1537 (Final)]

Chassis and Subassemblies From China

Determination

On the basis of the record [1] developed in the subject investigation, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of chassis and subassemblies (''chassis'') from China, provided for in subheadings 8716.39.00 and 8716.90.50 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV'').[2]

Background

The Commission instituted the investigations effective July 30, 2020, following receipt of petitions filed with the Commission and Commerce by the Coalition of American Chassis Manufacturers, consisting of Cheetah Chassis Corporation, Fairless Hills, Pennsylvania, Hercules Enterprises, LLC, Hillsborough, New Jersey, Pitts Enterprises, Inc., Pittsview, Alabama, Pratt Industries, Inc., Bridgman, Michigan, and Stoughton Trailers, LLC, Stoughton, Wisconsin. The Commission scheduled the final phase of the investigations following notification of a preliminary determination by Commerce that imports of chassis from China were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 14, 2021 (86 FR 3193). In light of the restrictions on access to the Commission building due to the COVID–19 pandemic, the Commission conducted its hearing through written testimony and video conference on March 16, 2021. All persons who requested the opportunity were permitted to participate.

The investigation schedules became staggered when Commerce did not align its countervailing duty investigation with its antidumping duty investigation. On May 3, 2021, the Commission issued a final affirmative determination in its countervailing duty investigation of chassis from China (86 FR 24665, May 7, 2021). Following notification of a final determination by Commerce that imports of chassis from China were being sold at LTFV within the meaning of section 735(a) of the Act (19 U.S.C. 1673d(a)), notice of the supplemental scheduling of the final phase of the Commission's antidumping duty investigation was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on May 28, 2021 (86 FR 28893).

The Commission made this determination pursuant to § 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determination in this investigation on July 1, 2021. The views of the Commission are contained in USITC Publication 5211 (July 2021), entitled Chassis and Subassemblies from China: Investigation No. 731–TA–1537 (Final).

By order of the Commission.

Issued: July 2, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–14567 Filed 7–7–21; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 86 FR 26694 (May 17, 2021).

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–668–669 and 731–TA–1565–1566 (Preliminary)]

Urea Ammonium Nitrate Solutions from Russia and Trinidad and Tobago; Institution of Anti-Dumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the institution of investigations and commencement of preliminary phase antidumping and countervailing duty investigations Nos. 701–TA–668–669 and 731–TA–1565–1566 (Preliminary) pursuant to the Tariff Act of 1930 (''the Act'') to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of

imports of urea ammonium nitrate solutions from Russia and Trinidad and Tobago, provided for in subheading 3102.80.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value and alleged to be subsidized by the Governments of Russia and Trinidad and Tobago. Unless the Department of Commerce (''Commerce'') extends the time for initiation, the Commission must reach a preliminary determination in antidumping and countervailing duty investigations in 45 days, or in this case by August 16, 2021. The Commission's views must be transmitted to Commerce within five business days thereafter, or by August 23, 2021.

DATES: June 30, 2021.

FOR FURTHER INFORMATION CONTACT: Charles Cummings (202–708–1666), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—These investigations are being instituted, pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 1673b(a)), in response to a petition filed on June 30, 2021, by CF Industries Nitrogen, LLC; Terra Nitrogen, Limited Partnership; and Terra International (Oklahoma) LLC, all of Deerfield, Illinois.

For further information concerning the conduct of these investigations and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

Participation in the investigations and public service list.—Persons (other than petitioners) wishing to participate in the investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in §§ 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register**. Industrial users and (if the merchandise under investigation is sold at the retail level) representative consumer organizations have the right to appear as parties in Commission antidumping duty and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to these investigations upon the expiration of the period for filing entries of appearance.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these investigations available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigations under the APO issued in the investigations, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference.—In light of the restrictions on access to the Commission building due to the COVID–19 pandemic, the Commission is conducting the staff conference through video conferencing on July 21, 2021. Requests to appear at the conference should be emailed to *preliminaryconferences@usitc.gov* (DO NOT FILE ON EDIS) on or before July 19, 2021. Please provide an email address for each conference participant in the email. Information on conference procedures will be provided separately and guidance on joining the video conference will be available on the Commission's Daily Calendar. A nonparty who has testimony that may aid the Commission's deliberations may request permission to participate by submitting a short statement.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Written submissions.—As provided in §§ 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before July 26, 2021, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties shall file written testimony and supplementary material in connection with their presentation at the conference no later than noon on July 20, 2021. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Certification.—Pursuant to § 207.3 of the Commission's rules, any person submitting information to the Commission in connection with these investigations must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will acknowledge that any information that it submits to the Commission during these investigations 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 these or related investigations or reviews, 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.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.12 of the Commission's rules.

By order of the Commission.

Issued: July 1, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–14486 Filed 7–7–21; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–863]

Importer of Controlled Substances Application: Alcami Carolinas Corporation

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Alcami Carolinas Corporation 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 August 9, 2021. Such persons may also file a written request for a hearing on the application on or before August 9, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA **Federal Register** Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA **Federal Register** Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on May 18, 2021, Alcami Carolinas Corporation, 1726 North 23rd Street, Wilmington, North Carolina 28405–1822, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Psilocybin	7437	I
Psilocyn	7438	I
Pentobarbital	2270	II
Thebaine	9333	II

The company plans to import the listed controlled substances in bulk for the manufacturing of capsules/tablets for Phase II clinical trials. The company plans to import derivatives of Thebaine that have been determined by DEA to be captured under drug code (9333) Thebaine. No other activity for these 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. 2021–14533 Filed 7–7–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–862]

Importer of Controlled Substances Application: Aspen API, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Aspen API, 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 August 9, 2021. Such persons may also file a written request for a hearing on the application on or before August 9, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. All request for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on May 5, 2021, Aspen API, Inc., 2136 Wolf Road, Des Plaines, Illinois 60018, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Remifentanil	9739	II

The company plans to import the listed controlled substance as a bulk active pharmaceutical ingredient (API) for distribution to manufacturers of finished dosage prescription drugs. 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 the Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2021–14530 Filed 7–7–21; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Parole Commission

Certification of Meeting Closure

Pursuant to the Government in the Sunshine Act (Pub. L. 94–409) [5 U.S.C. Section 552b]

I, Helen H. Krapels, General Counsel of the United States Parole Commission, certify, pursuant to 5 U.S.C. Section 552b(f)(1):

In my opinion a meeting of the Commission to be held on Tuesday, July 13, 2021 at approximately 2:00 p.m., at the U.S. Parole Commission, 90 K Street NE, Washington, DC 20530, could be closed to the public in the event that a majority of the Commissioners present vote to close said meeting at the beginning thereof, with the vote properly recorded.

The exemptions of the Government in the Sunshine Act that may allow closing the meeting to the public 5 U.S.C. 552b(c)(10) and (d)(4) (for applicable Parole Commission regulations see 28 CFR 16.203(a)(10), 16.205(a) and 16.205(b)(1)). In addition, the following laws and regulations may apply to exempt disclosure to the public portions of the subject matter of this meeting: 5 U.S.C. 552b(c)(3), (6) and (7) and 28 CFR 16.203(a)(3), (6), and (7).

In witness whereof, I have signed this document (and affixed the seal of the

United States Parole Commission) this July 1, 2021.

Helen H. Krapels,

General Counsel, United States Parole Commission.

[FR Doc. 2021–14489 Filed 7–7–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Employment and Training Administration

Native American Employment and Training Council

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of renewal of the Native American Employment and Training Council Charter.

SUMMARY: The Secretary of Labor (Department) announces the renewal of the Native American Employment and Training Council (NAETC) charter.

SUPPLEMENTARY INFORMATION:

I. Background and Authority

Section 166(i)(4) of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3221(i)(4) requires the Secretary of Labor (Secretary) to establish and maintain the NAETC. The statute, as amended, requires the Secretary, to formally consult at least twice annually with the NAETC on the operation and administration of the WIOA Section 166 Indian and Native American Employment and Training programs. In addition, the NAETC advises the Secretary on matters that promote the employment and training needs of Indians and Native Americans, as well as to enhance the quality of life in accordance with the Indian Self-Determination and Education Assistance Act. The NAETC also provides guidance to the Secretary on how to make DOL discretionary funding and other special initiatives more accessible to federally recognized tribes, Alaska Native entities, and Native Hawaiian organizations.

II. Structure

The Council will be composed of no less than 15 members, but no more than 20, appointed by the Secretary, who are representatives of Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations pursuant to WIOA Section 166(i)(4)(B). The membership of the Council will, to the extent practicable, represent all geographic areas of the United States with a substantial Indian, Alaska Native, or Native Hawaiian population, and will include representatives of tribal governments and of non-reservation Native American organizations that have expertise in the areas of workforce development, secondary and post-secondary education, health care, business and economic development, and job sectors growth.

Each NAETC member will be appointed for a two-year term. A vacancy occurring in the Council membership will be filled in the same manner as the original appointment. A member appointed to a vacancy on the Council will serve for the remainder of the term for which the predecessor of that member was appointed. Members of NAETC will serve on a voluntary and generally uncompensated basis, but will be reimbursed for travel expenses to attend NAETC meetings, including per diem in lieu of subsistence, as authorized by the Federal travel regulations. All NAETC members will serve at the pleasure of the Secretary. Members may be appointed, reappointed, or replaced, and their terms may be extended, changed, or terminated at the Secretary's discretion.

FOR FURTHER INFORMATION CONTACT: Athena Brown, Division of Indian and Native American Programs, Office of Workforce Investment; (202) 693–3737; *brown.athena@dol.gov.*

Authority: Pursuant to the Workforce Innovation and Opportunity Act, 29 U.S.C. 3221(i)(4); Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training Administration.

[FR Doc. 2021–14546 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Claims and Payment Activities Report

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, *Claims and Payment Activities Report.* This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by September 7, 2021.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Kevin Stapleton by telephone at 202–693–3009 (this is not a toll-free number), TTY 1–877–889–5627 (this is not a toll-free number), or by email at *Stapleton.Kevin@dol.gov.*

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S–4520, 200 Constitution Avenue NW, Washington, DC 20210; by email: *Stapleton.Kevin@dol.gov;* or by fax 202–693–3975.

FOR FURTHER INFORMATION CONTACT: Kevin Stapleton by telephone at 202–693–3009 (this is not a toll-free number) or by email at *Stapleton.Kevin@dol.gov.*

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The ETA 5159 report contains monthly information on claims and payment activities, including the number of initial claims, first payments, weeks claimed, weeks compensated, benefit payments, and final payments. These data are used in budgetary and administrative planning, program evaluation, actuarial estimates, program research, and reports to Congress and the public. Section 303(a)(6) of the Social Security Act authorizes this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control

Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205–0010.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA.

Type of Review: Extension without changes.

Title of Collection: Claims and Payment Activities.

Form: ETA 5159.

OMB Control Number: 1205–0010.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 53.

Frequency: Monthly.

Total Estimated Annual Responses: 2544.

Estimated Average Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 6,996 hours.

Total Estimated Annual Other Cost Burden: $0.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2021–14524 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Resource Justification Model (RJM)

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL's) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled *Resource Justification Model (RJM).* This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by September 7, 2021.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting Miriam Thompson by telephone at (202) 693–3226, TTY 1–877–889–5627 (these are not toll-free numbers), or by email at *Thompson.Miriam@dol.gov.*

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S–4520, 200 Constitution Avenue NW, Washington, DC 20210, by email at *Thompson.Miriam@dol.gov,* or by Fax at (202) 693–2874.

Authority: 44 U.S.C. 3506(c)(2)(A).

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The collection of actual Unemployment Insurance (UI) administrative cost data from states' accounting records and projected expenditures for upcoming years is accomplished through the RJM data collection instrument. The data collected consist of program expenditures and hours worked by state staff, broken out by functional activity, for the most recently completed Federal fiscal year. These actual cost data, in combination with projected workloads, are used by ETA's UI administrative resource allocation model to distribute states' UI program administration funds. This information collection is authorized by Section 303(a)(6) of the Social Security Act and is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205–0430.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

• evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

• enhance the quality, utility, and clarity of the information to be collected; and

• minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–ETA.

Type of Review: Extension without revision.

Title of Collection: Resource Justification Model (RJM).

OMB Control Number: 1205–0430.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 53.

Frequency: Annually.

Total Estimated Annual Responses: 159.

Estimated Average Time per Response: Varies.

Estimated Total Annual Burden Hours: 5,380.

Total Estimated Annual Other Cost Burden: $0.

Suzanne G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2021–14521 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Confined Spaces in Construction

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety and Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 9, 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.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–693–0456 or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Confined Spaces in Construction Standard permits employers and employees to systematically evaluate the dangers in confined spaces before entry is attempted, and ensure that adequate measures have been implemented to make the spaces safe for entry. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 26, 2021 (86 FR 11796).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Confined Spaces in Construction.

OMB Control Number: 1218–0258.

Affected Public: Private Sector: Businesses or other for-profits.

Total Estimated Number of Respondents: 32,510.

Total Estimated Number of Responses: 4,392,664.

Total Estimated Annual Time Burden: 706,653 hours.

Total Estimated Annual Other Costs Burden: $1,100,529.

Authority: 44 U.S.C. 3507(a)(1)(D).

Crystal Rennie,

Senior PRA Analyst.

[FR Doc. 2021–14522 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Wage and Hour Division (WHD)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 9, 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.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and

(5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–693–0456 or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Migrant and Seasonal Agricultural Worker Protection Act provides that no individual may perform farm labor contracting activities without a certificate of registration. Form WH–530 is the application form that provides the Department of Labor with the information necessary to issue certificates specifying the farm labor contracting activities authorized. In addition, certain vehicle and safety standards are required of farm labor contractor applicants and such data is collected via Forms WH–514, WH–514a, WH–515, WH–530, WH–535, and WH–540. The Department proposes to update the forms associated with the collection in order to improve customer service and clarify instructions and required fields. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 17, 2020 (85 FR 73295).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–WHD.

Title of Collection: Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate or Registration.

OMB Control Number: 1235–0016.

Affected Public: Private Sector: Businesses or other for-profits, Farm, Not-for-profit institutions.

Total Estimated Number of Respondents: 37,632.

Total Estimated Number of Responses: 44,672.

Total Estimated Annual Time Burden: 15,805 hours.

Total Estimated Annual Other Costs Burden: $987,552.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Crystal Rennie,

Senior PRA Analyst.

[FR Doc. 2021–14523 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Vinyl Chloride Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety and Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 9, 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.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–693–0456 or by email at *DOL_PRA_PUBLIC@dol.gov*.

SUPPLEMENTARY INFORMATION: The purpose of this standard and its information collection requirements is to provide protection for workers from the adverse effects associated with occupational exposure to vinyl chloride. Employers must monitor worker exposure, reduce worker exposure to permissible exposure limits, and provide medical examinations and other information to workers pertaining to vinyl chloride. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on April 2, 2021 (86 FR 17408).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Vinyl Chloride Standard.

OMB Control Number: 1218–0010.

Affected Public: Private Sector: Businesses or other for-profits.

Total Estimated Number of Respondents: 28.

Total Estimated Number of Responses: 881.

Total Estimated Annual Time Burden: 602 hours.

Total Estimated Annual Other Costs Burden: $32,450.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Crystal Rennie,

Senior PRA Analyst.

[FR Doc. 2021–14551 Filed 7–7–21; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice To Announce Request for Information To Assist in the Development of the Institute of Museum and Library Services' 2022–2026 Strategic Plan

AGENCY: Institute of Museum and Library Services, National Foundation for the Arts and the Humanities.

ACTION: Request for information.

SUMMARY: This Request for Information (RFI) is intended to gather broad public input to assist the Institute of Museum and Library Services (IMLS) in the strategic planning process and to ensure that Agency stakeholders are given an opportunity to comment on the Agency's strategic goals for fiscal years 2022–2026.

DATES: Submit comments on or before Friday, August 6, 2021.

ADDRESSES: Comments must be submitted to *strategicplanning@imls.gov.*

SUPPLEMENTARY INFORMATION: IMLS seeks stakeholder feedback on how it can carry out its statutory responsibility ''to ensure the availability of museum, library, and information services adequate to meet the essential information, education, research, economic, cultural, and civic needs of the people of the United States.'' IMLS is developing a five-year strategic plan for FY 2022–FY 2026, as required by the Government Performance and Results Act (GPRA) and GPRA Modernization Act. The resulting IMLS Strategic Plan will be published in February 2022 after review and approval by the Office of Management and Budget.

Information Requested

IMLS invites input from stakeholders, experts, communities, and members of the public, including but not limited to libraries, archives, and museums; researchers in academia, industry, and government; library and museum advocacy organizations; nongovernmental and professional organizations; Federal agencies; and members of the general public. Organizations are strongly encouraged to submit a single response that reflects the views of their organization and membership as a whole.

IMLS wants to leverage its programs, research and data collections, resources, and relationships to:

1. Champion lifelong learning;
2. Strengthen community engagement;
3. Advance collections stewardship and access;
4. Demonstrate excellence in public service.

IMLS asks you to consider the following strategic questions to help envision future services:

- How can museums and libraries broaden participation in learning opportunities for people of all ages, backgrounds, and needs?
- What essential skills will museum, library, and archives professionals need over the next five years to address changes to their work?
- How can museums, libraries, and archives better use outreach and partnerships to serve their communities?
- What practices and tools in museum, library, and archives collections management, care, and access need to be updated or reinvented, and how?
- What research and data are needed to help museums and libraries work more effectively for the benefit of the communities they serve?

IMLS welcomes your general comments on these questions and any other challenges, opportunities, needs, or trends that you find relevant to the development of the IMLS Strategic Plan.

Responses

Responses to this RFI are voluntary. Please do not include any personally identifiable information or any information that you do not wish to make public. Proprietary, classified, confidential, or sensitive information should not be included in your response. The Government will use the information submitted in response to this RFI at its discretion. The Government reserves the right to use any submitted information on public websites, in reports, in any possible resultant solicitation(s), grant(s), or cooperative agreement(s), or in the development of future funding opportunity announcements.

This request is for information and planning purposes only and should not be construed as a solicitation or as an obligation on the part of the United States Government. IMLS will not make any awards based on responses to this RFI or pay for the preparation of any information submitted or for the Government's use of such information.

Dated: July 2, 2021.

Kim Miller,

Senior Grants Management Specialist, Institute of Museum and Library Services.

[FR Doc. 2021–14593 Filed 7–7–21; 8:45 am]

BILLING CODE 7036–01–P

NATIONAL SCIENCE FOUNDATION

STEM Education Advisory Panel; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: STEM Education Advisory Panel (#2624).

Date and Time: August 2, 2021; 11:00 a.m.–5:30 p.m.

Place: Virtual meeting sponsored by National Science Foundation, Directorate for Education and Human Resources, 2415 Eisenhower Avenue, Alexandria, VA 22314.

All visitors must register at least 48 hours before the meeting. To attend this virtual meeting in listen-in only mode, send your request to *stemedadvisory@nsf.gov.* The final meeting agenda will be posted to: *https://www.nsf.gov/ehr/advisory.jsp.*

Type of Meeting: Open.

Contact Person: Keaven Stevenson, Directorate Administrative Coordinator, Room C11001, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Contact Information: 703–292–8600/*kstevens@nsf.gov.*

Summary of Minutes: Agenda and Minutes will be available on the STEM Education Advisory Panel website at *https://nsf.gov/ehr/STEMEdAdvisory.jsp* or can be obtained from Charisse Carnie-Nunes, National Science Foundation, 2415 Eisenhower Ave., Room C11000, Alexandria, VA 22314; (703) 292–8600; *stemedadvisory@nsf.gov.*

Purpose of Meeting: To provide advice to the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) and to assess CoSTEM's progress.

Agenda

- Welcoming Remarks
- NSTC and CoSTEM
- Stem Education Advisory Panel Report Recap
- Update—FC-Stem, Tiger Teams Communities of Practice
- Update—Interagency Working Groups
- Panel Discussion
- Closing Remarks

Dated: July 1, 2021.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2021–14501 Filed 7–7–21; 8:45 am]

BILLING CODE 7555–01–P

OFFICE OF PERSONNEL MANAGEMENT

Comment Request for Review of Information Collection: CyberCorps®: Scholarship for Service (SFS) Registration System; OMB No. 3206–0246

AGENCY: Office of Personnel Management.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM), Human Resources Solutions Division, offers the general public and other federal agencies the opportunity to comment on an existing information collection request (ICR) 3206–0246, SFS Registration System. The information collection was previously published in the **Federal Register** on April 1, 2021 allowing for a 60-day public comment period. No comments were received for this information collection. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments on this proposal should be received within 30 calendar days from the date of this publication. This process is conducted in accordance with 5 CFR 1320.10.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or by electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–6974; Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Office of Personnel Management Mid-Atlantic Services Branch, Attention: Stephanie Travis, 200 Granby Street, Suite 500, Norfolk, VA 23510–1886, or via electronic email to: *sfs@opm.gov,* by calling 202–579–4951, or fax (816) 541–8103.

SUPPLEMENTARY INFORMATION: The SFS Program was established by the National Science Foundation, in collaboration with the Office of Personnel Management and the Department of Homeland Security, in accordance with section 302 of the Cybersecurity Enhancement Act of 2014, as amended (15 U.S.C. 7442). This initiative reflects the critical need for Information Technology (IT) professionals, industrial control system security professionals, and security managers in government. Students identified by their institutions for SFS Scholarships must meet selection criteria established by the participating institution and SFS eligibility requirements set forth in 15 U.S.C. 7442(f)). Each scholarship recipient, as a condition of receiving a scholarship under the program, enters into an agreement under which the recipient agrees to participate in meaningful summer internship opportunities or other meaningful temporary appointments in the Federal information technology and cybersecurity workforce during the scholarship period, and work for a period equal to the length of the scholarship, following receipt of the student's degree, in the cyber security mission of—

(1) an executive agency (as defined in section 105 of title 5, United States Code);
(2) Congress, including any agency, entity, office, or commission established in the legislative branch;
(3) an interstate agency;
(4) a State, local, or Tribal government;
(5) a State, local, or Tribal government-affiliated non-profit that is considered to be critical infrastructure (as defined in section 5195c(e) of title 42); or
(6) as provided by subsection (b)(3)(B), a qualified institution of higher education.

Approval of the CyberCorps®: Scholarship for Service (SFS) Registration system is necessary to continue management and operation of the program in accordance with the Cybersecurity Enhancement Act of 2014, as amended (15 U.S.C. 7442), and to facilitate the timely registration, selection and placement of program-enrolled students in Government agencies.

In accordance with 44 U.S.C. 3507, this notice announces the Office of Personnel Management (OPM), Human Resources Solutions Division has submitted to the Office of Management and Budget (OMB) a request for review of a previously approved Information Collection Request (ICR), 3206–0246, SFS Registration, for which approval will expire September 19, 2021. The Office of Management and Budget is particularly seeking comments that:

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 submissions of responses.

Analysis

Agency: CyberCorps®: Scholarship for Service, Office of Personnel Management.
Title: Scholarship for Service (SFS) Program Internet Site.
OMB Number: 3206–0246.
Affected Public: Individual or Households.
Number of Respondents: 761.
Estimated Time per Respondent: 1 hour.
Total Burden Hours: 761 hours.

Kellie Cosgrove Riley,
Director, Office of Privacy and Information Management.

[FR Doc. 2021–14505 Filed 7–7–21; 8:45 am]

BILLING CODE 6325–43–P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: Annuitant's Report of Earned Income, RI 30–2, 3206–0034

AGENCY: Office of Personnel Management.

ACTION: 60-Day notice and request for comments.

SUMMARY: Retirement Services, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR), Annuitant's Report of Earned Income, RI 30–2. This ICR has been revised in the following manner: The display of the OMB control number, updated the survey year, updated OPM's mailing address, updated the edition date, omission of the scannable bubbles, and added the Federal Relay Service contact information.

DATES: Comments are encouraged and will be accepted until September 7, 2021.

ADDRESSES: You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) and title, by the following method:

—*Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

All submissions received must include the agency name and docket number or RIN for this document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW, Room 3316–L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent by email to *Cyrus.Benson@opm.gov* or faxed to (202) 606–0910 or reached via telephone at (202) 606–4808.

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995 (Public Law 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection (OMB No. 3206–0034). The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of 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 submissions of responses.

RI 30–2 is used annually to determine if disability retirees under age 60 have earned income which will result in the termination of their annuity benefits under title 5, U.S.C Sections 8337 and 8455. It also specifies the conditions to be met and the documentation required for a person to request reinstatement.

Analysis

Agency: Retirement Services, Office of Personnel Management.

Title: Annuitant's Report of Earned Income *(Paper Form).*

OMB Number: 3206–0034.

Frequency: On occasion.

Affected Public: Individuals or Households.

Number of Respondents: 21,000.

Estimated Time per Respondent: 35 minutes.

Total Burden Hours: 12,250.

Title: Annuitant's Report of Earned Income *(Services Online (SOL)).*

Number of Respondents: 24,040.

Estimated Time per Respondent: 10 minutes.

Total Burden Hours: 1,995.

Title: Annuitant's Report of Earned Income *(Electronic Form).*

Number of Respondents: 21,000.

Estimated Time per Respondent: 35 minutes.

Total Burden Hours: 12,250.

Office of Personnel Management.

Kellie Cosgrove Riley,

Director, Office of Privacy and Information Management.

[FR Doc. 2021–14504 Filed 7–7–21; 8:45 am]

BILLING CODE 6325–38–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–666, OMB Control No. 3235–0725]

Proposed Collection; Comment Request

Upon Written Request Copies Available From: U.S. Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Extension:

OMWI Contract Standard for Contractor Workforce Inclusion.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for approval.

Section 342 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the Dodd-Frank Act) provided that certain agencies, including the Commission, establish an Office of Minority and Women Inclusion (OMWI).[1] Section 342(c)(2) of the Dodd-Frank Act requires the OMWI Director to include in the Commission's procedures for evaluating contract proposals and hiring service providers a written statement that the contractor shall ensure, to the maximum extent possible, the fair inclusion of women and minorities in the workforce of the contractor and, as applicable, subcontractors. To implement the acquisition-specific requirements of Section 342(c)(2) of the Dodd-Frank Act, the Commission adopted a Contract Standard for Contractor Workforce Inclusion (Contract Standard).

The Contract Standard, which is included in the Commission's solicitations and resulting contracts for services with a dollar value of $100,000 or more, contains a ''collection of information'' within the meaning of the Paperwork Reduction Act. The Contract Standard requires that a Commission contractor provide documentation, upon request from the OMWI Director, to demonstrate that it has made good faith efforts to ensure the fair inclusion of minorities and women in its workforce and, as applicable, to demonstrate its covered subcontractors have made such good faith efforts. The documentation requested may include, but is not limited to: (1) The total number of employees in the contractor's workforce, and the number of employees by race, ethnicity, gender, and job title or EEO–1 job category (*e.g.,* EEO–1 Report(s)); (2) a list of covered subcontract awards under the contract that includes the dollar amount of each subcontract, date of award, and the subcontractor's race, ethnicity, and/or gender ownership status; (3) the contractor's plan to ensure the fair inclusion of minorities and women in its workforce, including outreach efforts; and (4) for each covered subcontractor, the information requested in items 1 and 3 above. The OMWI Director will consider the information submitted in evaluating whether the contractor or subcontractor has complied with its obligations under the Contract Standard.

The information collection is mandatory.

Estimated number of respondents: Based on a review of the last two full fiscal years since the last approval of this information collection, the Commission estimates that 175 contractors[2] would be subject to the Contract Standard. Approximately 102 of these contractors have 50 or more

[1] 12 U.S.C. 5452.

[2] Unless otherwise specified, the term ''contractors'' refers to contractors and subcontractors.

employees, while 73 have fewer than 50 employees.

Estimate of recordkeeping burden: The information collection under the Contract Standard imposes no new recordkeeping burdens on the estimated 102 contractors that have 50 or more employees. Such contractors are generally subject to recordkeeping and reporting requirements under the regulations implementing Title VII of the Civil Rights Act [3] and Executive Order 11246 (''E.O. 11246'').[4] Their contracts and subcontracts must include the clause implementing E.O. 11246—FAR 52.222–26, Equal Opportunity. In addition, contractors that have 50 or more employees (and a contract or subcontract of $50,000 or more) are required to maintain records on the race, ethnicity, gender, and EEO–1 job category of each employee under Department of Labor regulations implementing E.O. 11246.[5] The regulations implementing E.O. 11246 also require contractors that have 50 or more employees (and a contract or subcontract of $50,000 or more) to demonstrate that they have made good faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results,[6] and to develop and maintain a written program, which describes the policies, practices, and procedures that the contractor uses to ensure that applicants and employees receive equal opportunities for employment and advancement.[7] In lieu of developing a separate plan for workforce inclusion, a contractor may submit its existing written program prescribed by the E.O. 11246 regulations as part of the documentation that demonstrates the contractor's good faith efforts to ensure the fair inclusion of minorities and women in its workforce. Thus, approximately 102 contractors are already required to maintain the information that may be requested under the Contract Standard.

The estimated 73 contractors that employ fewer than 50 employees are required under the regulations implementing E.O. 11246 to maintain records showing the race, ethnicity and gender of each employee. We believe that these contractors also keep job title information during the normal course of business. However, contractors that have fewer than 50 employees may not have the written program prescribed by the E.O. 11246 regulations or similar plan that could be submitted as part of the documentation to demonstrate their good faith efforts to ensure the fair inclusion of women and minorities in their workforces. Accordingly, contractors with fewer than 50 employees may have to develop a plan to ensure workforce inclusion of minorities and women.

In order to estimate the burden on contractors associated with developing a plan for ensuring the inclusion of minorities and women in their workforces, we considered the burden estimates for developing the written programs required under the regulations implementing E.O. 11246.[8] Based on OMWI's review of the plans and other documentation submitted by contractors with fewer than 50 employees to demonstrate compliance with the Contract Standard, we believe such contractors would require approximately 25 percent of the hours that contractors of similar size spend on developing the written programs required under the E.O. 11246 regulations. Accordingly, we estimate that contractors would spend about 18 hours of employee resources to develop a plan for workforce inclusion of minorities and women. This one-time implementation burden annualized would be 438 hours. After the initial development, we estimate that each contractor with fewer than 50 employees would spend approximately 8 hours each year updating and maintaining its plan for workforce inclusion of minorities and women. The Commission estimates that the annualized recurring burden associated with the information collection would be 365 hours. Thus, the Commission estimates the annual recordkeeping burden for such contractors would total 803 hours.

The Contract Standard requires contractors to maintain information about covered subcontractors' ownership status, workforce demographics, and workforce inclusion plans. Contractors would request this information from their covered subcontractors, who would have an obligation to keep workforce demographic data and maintain plans for workforce inclusion of minorities and women because the Contract Standard is included in their subcontracts. Based on data describing recent Commission subcontractor activity, we believe that few subcontractors will have subcontracts under Commission service contracts with a dollar value of $100,000 or more.[9] These subcontractors may already be subject to similar recordkeeping requirements as principal contractors. Consequently, we believe that any additional requirements imposed on subcontractors would not significantly add to the burden estimates discussed above.

Estimate of Reporting Burden

With respect to the reporting burden, we estimate that it would take all contractors on average approximately one hour to retrieve and submit to the OMWI Director the documentation specified in the proposed Contract Standard. We expect to request documentation from up to 50 contractors each year and therefore we estimate the total annual reporting burden to be 50 hours.

Written comments are invited on: (a) Whether this collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication. Please direct your written comments to David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o Cynthia Roscoe, 100 F Street NE, Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

[3] 42 U.S.C. 2000e, *et seq.*

[4] Executive Order 11246, 30 FR 12,319 (Sept. 24, 1965).

[5] *See* 41 CFR 60–1.7.

[6] *See* 41 CFR 60–2.17(c).

[7] *See* 41 CFR part 60–2.

[8] According to the Supporting Statement for the OFCCP Recordkeeping and Requirements-Supply Service, OMB Control No. 1250–0003 (''Supporting Statement''), it takes approximately 73 burden hours for contractors with 1–100 employees to develop the initial written program required under the regulations implementing E.O. 11246. We understand the quantitative analyses prescribed by the Executive Order regulations at 41 CFR part 60–2 are a time-consuming aspect of the written program development. As there is no requirement to perform these types of quantitative analyses in connection with plan for workforce inclusion of minorities and women under the Contract Standard, we believe the plan for workforce inclusion will take substantially fewer hours to develop. The Supporting Statement is available at *reginfo.gov.*

[9] A search of subcontract awards on the *usaspending.gov* website showed that fourteen subcontractors in FY 2019 and thirty subcontractors in FY 2020 had subcontracts of $100K or more (Data as of June 29, 2021. *See* data on subcontract awards available at *http://usaspending.gov.*

Dated: July 2, 2021.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14579 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92308; File No. SR–NYSE–2021–37]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Reformat the Section of the NYSE Price List Setting Forth Credits Applicable to Supplemental Liquidity Providers

July 1, 2021.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on June 21, 2021, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to reformat the section of the NYSE Price List setting forth Credits Applicable to Supplemental Liquidity Providers (''SLPs'') without any substantive changes. The Exchange proposes to implement the fee changes effective immediately. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to reformat the section of the NYSE Price List setting forth Credits Applicable to SLPs without any substantive changes. The Exchange proposes to implement the fee changes effective immediately.

The Exchange proposes the following non-substantive changes to reorganize and enhance the presentation in the Price List in order to add clarity and transparency, thereby making the Price List easier to navigate.

First, the Exchange would delete the current presentation of the SLP rates and requirements except for the basic rate, which would remain unchanged. The Exchange would also delete footnotes **, 8 and + that, as discussed below, would be relocated to new section marked ''General.'' Footnote 8 would be marked ''Reserved'' to preserve the current footnote numbering in the Price List. Footnotes 9 and 10, which do not appear in the current SLP section of the Price List, would remain unchanged.

Second, the Exchange proposes a table presentation of the current SLP rates and requirements. The proposed changes would appear in the Price List in two tables. The first table would appear under the new heading ''SLP Adding Tiers'' and the phrase ''For SLP symbols that meet the 10% average quoting requirement in an assigned security pursuant to Rule 107B, other than MPL Orders, in securities with a per share price of $1.00 or more:'' from the current Price List. The table would summarize the current rates and requirements for SLP Tiers for Adding Liquidity (SLP Step Up, SLP Tier 5, SLP Tier 4, SLP Tier 3, SLP Tier 2, SLP Tier 1A and SLP Tier [sic]) and set forth the requirements and the tiered display credits and non-tiered display credits. The requirements and credits are unchanged. The proposed changes would appear as follows in the Price List:

	Minimum requirements			
Tier for adding liquidity	SLP adding ADV % Tape A CADV		Tiered display credit	Tiered non display credit
SLP Step Up	0.085% over April 2018 Baseline		$(0.0018)	$(0.0001)
SLP Tier 5	0.65% and 0.85% including Non SLP and 250,000 ADV in Retail Price Improvement Orders		(0.00310)	(0.00120)
SLP Tier 4	First 2 calendar months as an SLP OR	0.03% and averaging less than 0.01% in each of the prior 3 months.	(0.0029)	(0.00105)
SLP Tier 3	0.20%		(0.0023)	(0.0006)
SLP Tier 2	0.45%		(0.0026)	(0.0009)
SLP Tier 1A	0.60%		(0.00275)	(0.00105)
SLP Tier 1	0.90%	0.75% if qualifying for SLP Cross Tape Incentive Tier 1.	(0.0029)	(0.0012)

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

Following the proposed chart, the Exchange would include three bullets, as follows.

Bullet 1 would clarify that for SLPs that are also DMMs and subject to Rule 107B(i)(2)(A), the above SLP Tier 1, Tier 1A, Tier 2, Tier 3, Tier 4, Tier 5 and Step Up Tier requirements are after a discount of the percentage for the prior quarter of NYSE CADV in DMM assigned securities as of the last business day of the prior month. This is unchanged from the current Price List.

Bullet 2 would include text clarifying that SLPs that meet the requirements of one of the above tiers (Tiers 1A, 2, 3, 4 and the SLP Step Up Tier) and add liquidity in Tapes B and C securities of at least 0.25% of Tape B and Tape C CADV combined, will receive an additional credit of $0.0001 if at SLP Step Up Tier, SLP Tier 3, SLP Tier 2, SLP Tier 1A OR $0.00005 if at SLP Tier 1, SLP Tier 4 and SLP Tier 5. This is unchanged from the current Price List.

Bullet 3 would provide that in SLP Tier 1 and Tier 5, SLPs will receive an additional $0.00005 per share for adding liquidity, other than MPL and Non-Display Reserve orders, in securities where they are not assigned as an SLP or do not meet the 10% average or more quoting requirement in an assigned security pursuant to Rule 107B. This information will be transposed without change from current SLP Tiers 1 and 5 in the Price List.

Following this proposed text, the Exchange would summarize the current Incremental SLP Step Up Tiers 1, 2 and 3 credits and requirements, renamed ''SLP Incremental Tier,'' in the following chart:

Tier	SLP adding ADV % Tape A CADV step up over baseline	Tiered display incremental credit *
SLP Incremental Tier 3	0.100	$(0.00010)
SLP Incremental Tier 2	0.150	(0.00020)
SLP Incremental Tier1	0.250	(0.00030)

The requirements and tiered displayed incremental credits applicable to each incremental step up are unchanged from the current Price List.

Proposed footnote * in the proposed chart would provide that the combined SLP credits shall not exceed $0.0032 per share in a billing month, which is the same languages used in the current Price List. The footnote would also clarify that the Baseline for SLP Incremental Step Up Tiers is the second quarter of 2018, third quarter of 2018, or the month of January 2021, whichever is lowest.

The Exchange would next set forth the current SLP NBBO Setter Tier Credits'' and requirements in the following chart under a new heading titled ''SLP NBBO Setter Tier Credits:

SLP NBBO setter tier credit tier for adding liquidity	Minimum requirements for tapes A, B and C		Tiered credit for Setting NBBO (ASP)	Tiered credit for other displayed add
	Adding ADV % Tape ABC CADV, including DMM ADV	NBBO setting ADV % Tape ABC CADV, including DMM ADV		
Setter Tier 4	0.55	0.05	$(0.00350)	$(0.00305)
Setter SLP Tier 3	0.65	0.09	(0.00360)	(0.00310)
Setter SLP Tier 2	0.95	0.18	(0.00370)	(0.00320)
Setter SLP Tier 1	1.25	0.30	(0.00380)	(0.00330)

Once again, the rates and requirements are unchanged from the current Price List.

The Exchange would transpose the last two current credits and requirements in the SLP section of the Price List for SLPs adding liquidity with orders designated as ''retail'' and in all assigned SLP securities without change under a new heading titled ''Other Credits.''

Finally, the Exchange would introduce a section titled ''General'' that would summarize information from the current Price List in the form of the following four bullets.

Bullet 1 would provide that Adding shares of both an SLP-Prop and an SLMM of the same or an affiliated member organization are aggregated and that quotes of an SLP-Prop and an SLMM of the same member organization are not be aggregated. This information will also be transposed without change from the current SLP tiers.

Bullet 2 would provide that affiliated member organizations that are SLPs are eligible for the most favorable rate for any such security traded in an applicable month provided that one or both affiliated member organizations request and are approved for aggregation of eligible activity pursuant to the requirements set forth in this Price List. This information will also be transposed without change from current footnote +, which the Exchange proposes to delete.

Bullet 3 would provide that in a month where NYSE CADV equals or exceeds 5.5 billion shares per day for the billing month, NYSE CADV for that month will be subject to a cap of 5.5 billion shares per day for the billing month. In a month where Tape B and Tape C CADV combined equals or exceeds 6.0 billion shares per day for the billing month, Tape B and Tape C CADV combined for that month will be subject to a cap of 6.0 billion shares per day for the billing month. This information will also be transposed without change from current footnote **, which will be deleted as redundant.

Finally, bullet 4 would provide that SLPs becoming DMMs after the beginning of a billing month would not be eligible until the next full billing month. This information will also be transposed without change from current footnote 8 of the Price List. As noted, current footnote 8 will be deleted and marked ''Reserved'' to maintain the current footnote numbering.

As noted above, the Exchange is not proposing any substantive change to any current SLP fee, credit or requirement. The purpose of the proposed rule change is to make a non-substantive change to reorganize the presentation of the Price List in order to enhance its clarity and transparency, thereby making the Price List easier to comprehend and navigate.

The proposed changes are not otherwise intended to address any other issues, and the Exchange is not aware of any significant problems that market participants would have in complying with the proposed changes.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[4] Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[5] which provides that Exchange rules may provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[6] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the proposed changes are reasonable and equitable because they are clarifying and non-substantive, and the Exchange is not changing any current fees or credits that apply to SLP trading activity on the Exchange or to routed executions. The changes are designed to make the Price List easier to read and more user-friendly. The Exchange believes that this proposed format will provide additional transparency of Exchange fees and credits for SLPs, to the benefit of market participants and the investing public. The Exchange believes the change is reasonable and would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from increased clarity and transparency on the Price List, thereby reducing potential confusion.

The Exchange also believes that the proposal is non-discriminatory because it applies uniformly to all member organizations that are SLPs, and again, the Exchange is not making any changes to existing fees and credits. Finally, the Exchange believes that the reformatted Price List, as proposed, will be clearer and less confusing for investors and will eliminate potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest.

The Exchange believes that the proposed reformatted the Price List is equitable and not unfairly discriminatory because the resulting streamlined Price List would continue to apply to all SLPs as it does currently because the Exchange is not adopting any new fees or credits or removing any current fees or credits that impact SLPs. All SLPs would continue to be subject to the same fees and credits that currently apply to them.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[7] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition. The Exchange's proposal to reformat its Price List will not place any undue burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because all SLPs would continue to be subject to the same fees and credits that currently apply to them. The Exchange notes that the proposal does not change the amount of any current fees or rebates, but rather makes clarifying and formatting changes, and therefore does not raise any competitive issues. To the extent the proposed rule change places a burden on competition, any such burden would be outweighed by the fact that a streamlined Price List would promote clarity and reduce confusion with respect to the fees and credits that SLPs would be subject to. As noted, the proposal would apply to all similarly situated member organizations on the same and equal terms, who would benefit from the changes on the same basis. Accordingly, the proposed change would not impose a disparate burden on competition among market participants on the Exchange.

Intermarket Competition. The Exchange believes the proposed rule change does not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange operates in a highly competitive market in which market participants can readily choose to send their orders to other exchanges and off-exchange venues if they deem fee levels at those other venues to be more favorable. Market share statistics provide ample evidence that price competition between exchanges is fierce, with liquidity and market share moving freely from one execution venue to another in reaction to pricing changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[8] of the Act and subparagraph (f)(2) of Rule 19b–4[9] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[10] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or

[4] 15 U.S.C. 78f(b).

[5] 15 U.S.C. 78f(b)(4).

[6] 15 U.S.C. 78f(b)(5).

[7] 15 U.S.C. 78f(b)(8).

[8] 15 U.S.C. 78s(b)(3)(A).

[9] 17 CFR 240.19b–4(f)(2).

[10] 15 U.S.C. 78s(b)(2)(B).

• Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2021–37 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2021–37. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2021–37 and should be submitted on or before July 29, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14500 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Extension: Rule 17g–8 & 9; OMB Control No. 3235–0693]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17g–8 and 17g–9 (17 CFR 240.17g–8 and 9) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'').

Rule 17g–8 contains certain requirements for Nationally Recognized Statistical Rating Organizations (''NRSROs'') to have policies and procedures with respect to the procedures and methodologies the NRSRO uses to determine credit ratings, with respect to the symbols, numbers, or scores it uses to denote credit ratings, to address instances in which a look-back review determines that a conflict of interest influenced a credit rating, and to consider certain prescribed factors for an effective internal structure. Rule 17g–9 contains requirements for NRSROs to ensure that any person employed by an NRSRO to determine credit ratings meets standards necessary to produce accurate ratings. Currently, there are 9 credit rating agencies registered as NRSROs with the Commission. The Commission estimates that the total burden for respondents to comply with Rule 17g–8 is 1,305 hours and to comply with Rule 17g–9 is 32,335 hours.

An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

The public may view background documentation for this information collection at the following website: >*www.reginfo.gov*<. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to (i) >*www.reginfo.gov/public/do/PRAMain*< and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o Cynthia Roscoe, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: July 2, 2021.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14581 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Extension: Rule 17g–5, OMB Control No. 3235–0649]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17g–5 (17 CFR 240.17g–5) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'').

Rule 17g–5 requires the disclosure of and establishment of procedures to manage certain NRSRO conflicts of interest, prohibits certain other NRSRO conflicts of interest, and contains requirements regarding the disclosure of information in the case of the conflict of interest of an NRSRO issuing or maintaining a credit rating on an asset-backed security that was paid for by the issuer, sponsor, or underwriter of the security. The Commission currently estimates that the total annual burden for respondents to comply with Rule 17g–5 is 263,306 hours.

An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

The public may view background documentation for this information collection at the following website:

>*www.reginfo.gov*<. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to (i) >*www.reginfo.gov/public/do/PRAMain*< and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o Cynthia Roscoe, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: July 2, 2021.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14580 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92321; File No. SR–NYSE–Arca2021–29]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade the Shares of ConvexityShares 1x SPIKES Futures ETF Under NYSE Arca Rule 8.200–E (Trust Issued Receipts)

July 2, 2021.

On May 13, 2021, NYSE Arca, Inc. (''NYSE Arca'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the ConvexityShares 1x SPIKES Futures ETF under NYSE Arca Rule 8.200–E, Commentary .02 (Trust Issued Receipts). The proposed rule change was published for comment in the **Federal Register** on May 26, 2021.[3] The Commission has received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is July 10, 2021. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates August 24, 2021 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEArca–2021–29).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14607 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 91952 (May 20, 2021), 86 FR 28410.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Extension: Rule 17g–7, OMB Control No. 3235–0656]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17g–7 (17 CFR 240.17g–7) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'').

Rule 17g–7 contains disclosure requirements for Nationally Recognized Statistical Rating Organizations (''NRSROs'') including certain information to be published when taking a rating action with respect to a credit rating. There are 9 credit rating agencies registered as NRSROs with the Commission. The Commission estimates that the total burden for respondents to comply with Rule 17g–7 is 695,253 based on the number of NRSROs and the number of credit rating actions.

An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

The public may view background documentation for this information collection at the following website: >*www.reginfo.gov*<. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to (i) >*www.reginfo.gov/public/do/PRAMain*< and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o Cynthia Roscoe, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: July 2, 2021.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–14583 Filed 7–7–21; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF STATE

[Public Notice 11454]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''A Superb Baroque: Art in Genoa, 1600–1750'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''A Superb Baroque: Art in Genoa, 1600–1750'' at the National Gallery of Art, Washington, District of Columbia, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email:

section2459@state.gov). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Matthew R. Lussenhop,

Acting Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021–14491 Filed 7–7–21; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11461]

Report to Congress Pursuant to Section 353(d)(1)(A) of the United States—Northern Triangle Enhanced Engagement Act

ACTION: Notice of report.

SUMMARY: This document outlines the State Department's report to Congress regarding foreign persons who have knowingly engaged in actions that undermine democratic processes or institutions, significant corruption, or obstruction of such corruption in El Salvador, Guatemala, and Honduras pursuant to Section 353(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021.

SUPPLEMENTARY INFORMATION:

Report to Congress on Foreign Persons Who Have Knowingly Engaged in Actions That Undermine Democratic Processes or Institutions, Significant Corruption, or Obstruction of Such Corruption in El Salvador, Guatemala, and Honduras Section 353(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (Div. FF, Pub. L. 116–260)

Consistent with Section 353(b) of the United States—Northern Triangle Enhanced Engagement Act (Subtitle F of title III of Div. FF, Pub. L. 116–260), this report is being submitted to the House Foreign Affairs Committee, Senate Foreign Relations Committee, House Committee on the Judiciary, and the Senate Committee on the Judiciary.

Consistent with the requirements of Section 353(b), this report identifies the following persons in El Salvador, Guatemala, and Honduras: (1) Foreign persons determined to have knowingly engaged in actions that undermine democratic processes or institutions; (2) foreign persons determined to have knowingly engaged in significant corruption; and (3) foreign persons determined to have knowingly engaged in obstruction of investigations into such acts of corruption, including the following: Corruption related to government contracts; bribery and extortion; the facilitation or transfer of the proceeds of corruption, including through money laundering; and acts of violence, harassment, or intimidation directed at governmental and nongovernmental corruption investigators.

Consistent with the requirements of Section 353, foreign persons listed in this report are generally ineligible for visas and admission to the United States. Foreign persons listed in this report shall have their visas revoked immediately and any other valid visa or entry documentation will be cancelled, absent an exception or national security interest waiver. Consistent with Section 353(g), this report will be published in the **Federal Register**.

The report includes individuals for whom the Department is aware of credible information or allegations of the conduct at issue, from media reporting and other sources. The Department will continue to review the individuals listed in the report and consider all available tools to deter and disrupt corrupt, undemocratic activity in El Salvador, Guatemala, and Honduras. The Department also continues to actively review additional credible information and allegations concerning corruption and to utilize all applicable authorities, as appropriate, to ensure corrupt officials are denied safe haven in the United States.

El Salvador

Walter René Araujo Morales, former member and president of the Supreme Electoral Tribunal, undermined democratic processes or institutions by calling for insurrection against the Legislative Assembly and repeatedly threatening political candidates.

Pablo Salvador Anliker Infante, former Minister of Agriculture, engaged in significant corruption by misappropriating public funds for his personal benefit.

Conan Tonathiu Castro Ramírez, current legal advisor to the president, undermined democratic processes or institutions by assisting in the inappropriate removal of five Supreme Court Magistrates and the Attorney General.

Óscar Rolando Castro, Minister of Labor, obstructed investigations into corruption and undermined democratic processes or institutions in efforts to damage his political opponents.

Osiris Luna Meza, Vice Minister of Security and Director of Prisons, has engaged in significant corruption related to government contracts and bribery during his term in office.

José Luis Merino, former vice minister for foreign investment and development financing, engaged in significant corruption during his term in office through bribery. He also participated in a money laundering scheme.

Ezequiel Milla Guerra, former mayor of La Union, engaged in significant corruption by abusing his authority as mayor in the sale of Perico Island to agents of the People's Republic of China in exchange for personal benefit.

José Aquiles Enrique Rais López engaged in significant corruption and undermined democratic processes or institutions by bribing public officials.

Martha Carolina Recinos de Bernal, current Chief of Cabinet, engaged in significant corruption by misusing public funds for personal benefit. She also participated in a significant money laundering scheme.

Carlos Armando Reyes Ramos, current member of the Legislative Assembly, obstructed investigations into corruption by inappropriately influencing the Supreme Court Magistrate selection process.

Othon Sigfrido Reyes Morales, former legislator from the FMLN party of El Salvador, engaged in significant corruption during his term in office through fraud and misuse of public funds.

Rogelio Eduardo Rivas Polanco, former minister of security and justice, engaged in significant corruption by misappropriating public funds for personal benefit.

Adolfo Salume Artinano, engaged in significant corruption and undermined democratic processes and institutions by bribing a Supreme Court Magistrate to avoid paying a fine.

Luis Guillermo Wellman Carpio, current Magistrate of Supreme Electoral Tribunal, undermined democratic processes or institutions by causing serious and unnecessary delays in election preparations and results tabulation for his personal benefit and allowing Chinese malign influence during the Salvadoran elections.

Guatemala

Gustavo Adolfo Alejos Cambara, former Guatemalan presidential chief of staff, engaged in significant corruption by facilitating payments to congressional representatives and judges on Guatemala's Supreme Court of Justice (CSJ) in order to inappropriately influence the judicial selection process for magistrates to the CSJ and Court of Appeals and secure his future release from prison and the dismissal of corruption charges. He is designated under the Global Magnitsky sanctions program and Section 7031(c) for involvement in significant corruption.

Felipe Alejos Lorenzana, former first secretary of the Guatemalan Congress, has engaged in significant corruption. While acting in his official capacity, Mr. Alejos was involved in corrupt acts to enrich himself, while also seriously harming U.S. businesses' international economic activity. He is designated under the Global Magnitsky sanctions program and Section 7031(c) for involvement in significant corruption.

Delia Bac Alvarado, former congressional representative, engaged in significant corruption through her misuse of public funds for personal benefit. She is designated under Section 7031(c) for involvement in significant corruption.

Florencio Carrascoza Gamez, current mayor of Joyabaj, undermined democratic processes or institutions by intimidating and unjustly imprisoning political opponents.

Alvaro Colom Caballeros, former president, engaged in significant corruption when he participated in fraud and embezzlement involving a new bus system in Guatemala City known as Transurbano.

Manuel Duarte Barrera, currently on the Supreme Court, has undermined democratic processes or institutions by abusing his authority to inappropriately influence and manipulate the appointment of judges to high court positions.

Boris Roberto Espana Caceres, current congressional representative in the Guatemalan Congress, engaged in significant corruption when he participated in influence peddling and bribery.

Mario Amilcar Estrada Orellana, former congressional representative, engaged in significant corruption and was sentenced by U.S. courts for seeking millions from Mexico's Sinaloa Cartel to finance political campaigns.

Raul Amilcar Falla Ovalle, a lawyer for the nongovernmental organization (NGO) Fundacion Contra el Terrorismo (Foundation Against Terrorism—FCT), attempted to delay or obstruct criminal proceedings against former military officials who had committed acts of violence, harassment, or intimidation against governmental and nongovernmental corruption investigators.

Moises Eduardo Galindo Ruiz, an attorney with the NGO FCT, attempted to delay or obstruct criminal proceedings against former military officials who had committed acts of violence, harassment, or intimidation against governmental and nongovernmental corruption investigators, as well as the work of the Special Prosecutor's Office Against Impunity (FECI).

Juan Carlos Godinez Rodriguez, lawyer and former member of a congressional commission in charge of selecting Supreme Court magistrates, undermined democratic processes or institutions by abusing his authority to inappropriately influence and manipulate the appointment of judges to high court positions.

Gustavo Adolfo Herrera Castillo, political operative and businessman, undermined democratic processes or institutions by abusing his authority to inappropriately influence and manipulate the appointment of judges to high court positions.

Ricardo Rafael Mendez Ruiz Valdez, the founder and legal representative of the NGO FCT, attempted to delay or obstruct criminal proceedings against former military officials who had committed acts of violence, harassment, or intimidation against governmental and nongovernmental corruption investigators.

Mynor Mauricio Moto Morataya, selected in January 2021 to fill a vacant seat on the country's Constitutional Court, undermined processes or institutions and engaged in significant corruption when he obstructed justice and received bribes in return for a favorable legal decision.

Alejandro Jorge Sinbaldi Aparicio, former minister of communications, infrastructure, and housing, engaged in significant corruption when he participated in bribery and illegal electoral financing, and the laundering of the proceeds of corruption for personal gain. He is designated under Section 7031(c) for involvement in significant corruption.

Guillermo Estuardo de Jesus Sosa Rodriguez, former vice minister of communications, engaged in significant corruption when he participated in bribery schemes, including involvement in a criminal structure that pressured, collected, and deposited bribes from state contractors in exchange for personal benefits.

Blanca Aida Stalling Davila, former Supreme Court Justice, engaged in significant corruption by participating in bribery schemes and inappropriately influencing the judicial branch. She is designated under Section 7031(c) for involvement in significant corruption.

Elder de Jesús Súchite Vargas, former minister of culture, engaged in significant corruption related to government contracts and influence peddling for personal gain.

Jorge Estuardo Vargas Morales, current congressional representative, engaged in significant corruption and undermined democratic processes or institutions when he engaged in bribery, coercion, and influence peddling.

Nester Mauricio Vasquez Pimentel, currently on the Supreme Court, has undermined democratic processes or institutions by abusing his authority to inappropriately influence and manipulate the appointment of judges to high court positions.

Honduras

Gustavo Alberto Perez, current congressional representative, has engaged in significant corruption. He was indicted in the Arca Abierta MACCIH-investigated corruption case for embezzling $800,000 from various government agencies.

Marco Antonio Bogran Corrales, former director of INVEST–H, engaged in significant corruption by misappropriating public funds during the COVID–19 pandemic.

Rosa Elena Bonilla de Lobo, former first lady, engaged in significant corruption through fraud and misappropriation of public funds.

Augusto Domingo Cruz Asensio, former member of congress, engaged in significant corruption by misappropriating funds from the public Generacion employment program to personal accounts.

Jose Celin Discua Elvir, current congressional representative, engaged in significant corruption when he misappropriated funds from the Secretariat of Agriculture to political campaigns.

Rodolfo Irias Navas, current congressional representative, engaged in significant corruption when he misappropriated funds from the Secretariat of Agriculture to political campaigns.

Eleazar Alexander Juarez Sarabia, former member of congress, engaged in significant corruption by misappropriating funds from a public pest control program in his home

department of Valle to his personal accounts.

Jose Porfirio ''Pepe'' Lobo Sosa, former president of Honduras, engaged in significant corruption while president when he accepted bribes from the narco-trafficking organization Los Cachiros in exchange for political favors.

Gladys Aurora Lopez, member of the Honduran National Congress Executive Board, engaged in significant corruption. He was indicted in the Arca Abierta MACCIH-investigated corruption case for embezzling $800,000 from various government agencies.

Miguel Edgardo Martinez Pineda, current congressional representative engaged in significant corruption. He was indicted in the Pandora MACCIH corruption case in June 2018 for misappropriating $12.5 million in public funds from the Secretariat of Agriculture to political campaigns for personal gain.

Sara Ismela Medina Galo, member of congress, obstructed investigations into corruption in her role as Secretary of Congress.

Oscar Najera, current congressional representative, engaged in significant corruption related to the Cachiros narcotrafficking organization. He was designated under Section 7031(c) for involvement in significant corruption.

Hector Enrique Padilla Hernandez, former member of congress, engaged in significant corruption by misappropriating funds from the publicly funded Limpieza de Solares y Calles development project in his home department of Choluteca to his personal accounts.

Milton Jesus Puerto Oseguera, current congressional representative, engaged in significant corruption. He was indicted in the Arca Abierta MACCIH-investigated corruption case for embezzling $800,000 from various government agencies.

Audelia Rodriguez Rodrigo, current member of congress, engaged in significant corruption by misappropriating funds from the publicly funded Limpieza de Solares y Calles development project to her personal accounts.

Dennys Antonio Sanchez Fernandez, current member of congress, engaged in significant corruption by misappropriating funds from a public pest control program in his home department of Santa Barbara to his personal accounts.

Elvin Ernesto Santo Ordonez, current congressional representative, engaged in significant corruption when he misappropriated funds from the Secretariat of Agriculture to political campaigns.

Juan Carlos Valenzuela Molina, current congressional representative. He was indicted in the Arca Abierta MACCIH-investigated corruption case for embezzling $800,000 from various government agencies.

Elden Vasquez, current congressional representative, engaged in significant corruption through the misappropriation of $12.5 million from the Secretariat of Agriculture to political campaigns for his personal gain. He was indicted in the Pandora MACCIH-investigated corruption case in June 2018.

Welsy Milena Vasquez Lopez, current congressional representative, engaged in significant corruption including embezzlement and misappropriation of public funds for personal gain. He was indicted in the Arca Abierta MACCIH-investigated corruption case for embezzling $800,000 from various government agencies.

Roman Villeda Aguilar, member of congress, obstructed investigations into corruption, which resulted in the dismissal of an embezzlement case against several congressman who were under investigation for redirecting money to a fake NGO.

Dated: June 30, 2021.

Brian P. McKeon,

Deputy Secretary of State for Management and Resources.

[FR Doc. 2021–14515 Filed 7–7–21; 8:45 am]

BILLING CODE 4710–29–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR–2021–0011]

Request for Comments on Operation of the Caribbean Basin Initiative

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Notice of initiation of review, public hearing, and request for comments.

SUMMARY: The U.S. Trade Representative has to submit a report to Congress regarding the operation of the Caribbean Basin Initiative (CBI) no later than December 31, 2021. The Trade Policy Staff Committee (TPSC) invites comments concerning the operation of the CBI, including the performance of each beneficiary country, to assist in preparing the report to Congress on the operation of the CBI.

DATES: The TPSC must receive your written comments by August 31, 2021.

ADDRESSES: The TPSC strongly prefers electronic submissions made through the Federal eRulemaking Portal: *https://www.regulations.gov* (*Regulations.gov*), using Docket Number USTR–2021–0011. Follow the instructions for submitting comments in 'Requirements for Submissions' below. For alternatives to on-line submissions, please contact Magaly Garcia, Director for Bolivia, Ecuador, and the Caribbean, at *magaly.a.garcia@ustr.eop.gov* or 202–395–9597.

FOR FURTHER INFORMATION CONTACT: Magaly Garcia, Director for Bolivia, Ecuador, and the Caribbean, at *magaly.a.garcia@ustr.eop.gov* or 202–395–9597.

SUPPLEMENTARY INFORMATION:

I. Background

Together, the Caribbean Basin Economic Recovery Act (CBERA), as amended by the Caribbean Basin Trade Partnership Act (CBTPA) (19 U.S.C. 2701 *et seq.*) commonly are referred to as the Caribbean Basin Initiative or CBI. Section 212(f)(1) of the CBERA, as amended (19 U.S.C. 2702(f)(1)), requires the U.S. Trade Representative to report on the performance of each CBERA or CBTPA beneficiary country. Barbados, Belize, Curacao, Guyana, Haiti, Jamaica, Saint Lucia, and Trinidad and Tobago receive benefits under both CBERA and CBTPA. Antigua and Barbuda, Aruba, the Bahamas, British Virgin Islands, Dominica, Grenada, Montserrat, Saint Kitts and Nevis, and Saint Vincent and the Grenadines currently receive benefits only under CBERA. For purposes of this report, the term 'beneficiary country' includes both the independent countries and dependent territories receiving benefits under CBTPA and/or CBERA.

As described in detail below, the TPSC seeks comments on any aspect of the CBI's operation, including the performance of CBERA and CBTPA beneficiary countries under the criteria described in sections 212(b), 212(c), and 213(b)(5)(B) of the CBERA, as amended. You can access the criteria at: *http://www.gpo.gov/fdsys/pkg/USCODE-2011-title19/html/USCODE-2011-title19-chap15.htm.* The report also will examine the CBI's effect on the volume and composition of trade and investment between the United States and the CBI beneficiary countries and on advancing U.S. trade policy goals. You can access the most recent CBI report at: *CBI_Report_2019.pdf* (*ustr.gov*).

II. Reporting Requirements on the Eligibility Criteria for All CBI Beneficiary Countries

The TPSC seeks comments on any aspect of the CBI's operation, including the performance of CBERA and CBTPA beneficiary countries using the following criteria:

A. CBERA Bases for Ineligibility

Under section 212(b) (19 U.S.C. 2702(b)), the President cannot designate a country as a CBI beneficiary country:

1. If it is a Communist country.
2. If it has expropriated or nationalized property owned by a U.S. citizen or by a corporation owned by U.S. citizens, unless the President determines that the country is taking steps to resolve the matter.
3. If it fails to act in good faith in recognizing as binding or in enforcing arbitral awards in favor of a U.S. citizen or a corporation owned by U.S. citizens.
4. If it affords preferential treatment to the products of a developed country other than the United States that has, or is likely to have, a significant adverse effect on U.S. commerce, unless the President has received satisfactory assurances that the country will eliminate this preferential treatment or that action will be taken to assure that there will be no significant adverse effect.
5. If a government-owned entity in the country engages in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent.
6. Unless it is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of U.S. citizens.
7. If it has not or is not taking steps to afford internationally recognized worker rights as defined in section 507(4) of the Trade Act of 1974, as amended (19 U.S.C. 2467(4)) to workers in the country (including any designated zone in that country).

Paragraphs (1), (2), (3), (5) and (7) do not prevent the designation of any country as a CBI beneficiary country if the President determines that the designation will be in the national economic or security interest of the United States and reports that determination to Congress.

B. CBERA Factors Determining Designation

In determining whether to designate a country as a CBI beneficiary country, section 212(c) (19 U.S.C. 2702(c)), requires the President to take into account the following factors:

1. An expression of a country's desire to be so designated.
2. The economic conditions and living standards in a country.
3. The extent to which a country has assured the United States that it will provide equitable and reasonable access to the markets and basic commodity resources of the country.
4. The degree to which the country follows the international trade rules of the World Trade Organization (WTO).
5. The degree to which a country uses export subsidies or imposes export performance requirements or local content requirements that distort international trade.
6. The degree to which the trade policies of a country as they relate to other beneficiary countries are contributing to the revitalization of the region.
7. The degree to which a country is undertaking self-help measures to promote its own economic development.
8. Whether or not a country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights.
9. The extent to which a country provides adequate and effective legal means for foreign nationals to secure, exercise, and enforce exclusive intellectual property rights.
10. The extent to which a country prohibits its nationals from broadcasting U.S. copyrighted materials, including film and television material, without their express consent.
11. The extent to which a country cooperates with the United States in the administration of CBI preferences.

C. CBTPA Eligibility Criteria

Under section 213(b)(5)(B) (19 U.S.C. 2703(b)(5)(B)), in considering the eligibility of the CBI countries and dependent territories that have expressed an interest in receiving the enhanced preferences of the CBTPA, the President must take into account the existing eligibility criteria of the CBERA, as well as several additional criteria elaborated in the CBTPA. These additional criteria are:

1. Whether the beneficiary country has demonstrated a commitment to undertake its obligations under the World Trade Organization (WTO) on or ahead of schedule and participate in negotiations toward the completion of the Free Trade Area of the Americas (FTAA) or another free trade agreement.
2. The extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the Agreement on Trade-Related Aspects of Intellectual Property Rights.
3. The extent to which the country provides internationally recognized worker rights, including: The right of association; the right to organize and bargain collectively; a prohibition on the use of any form of forced or compulsory labor; a minimum age for the employment of children; and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.
4. Whether the country has implemented its commitments to eliminate the worst forms of child labor, as defined in section 507(6) of the Trade Act of 1974, as amended (19 U.S.C. 2467(6)).
5. The extent to which the country has met U.S. counter-narcotics certification criteria under the Foreign Assistance Act of 1961.
6. The extent to which the country has taken steps to become a party to and implement the Inter-American Convention Against Corruption.
7. The extent to which the country applies transparent, nondiscriminatory and competitive procedures in government procurement, and contributes to efforts in international fora to develop and implement rules on transparency in government procurement.

III. Requirements for Submissions

The TPSC must receive your comments by the August 31, 2021 deadline. You must make all submissions in English via *Regulations.gov*, using Docket Number USTR–2021–0011. USTR will not accept hand-delivered submissions.

To make a submission using *Regulations.gov*, enter the appropriate docket number in the 'search for' field on the home page and click 'search.' The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting 'notice' under 'document type' in the 'filter results by' section on the left side of the screen and click on the link entitled 'comment now.' You must identify on the first page of the submission the subject matter of the comment as the 'CBI Report to Congress.' *Regulations.gov* offers the option of providing comments by filling in a 'type comment' field or by attaching a document using the 'upload file(s)' field. The TPSC prefers that you provide submissions in an attached document and note 'see attached' in the 'type comment' field on the online submission form.

The TPSC prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf) format. If the submission is in another file format, please indicate the name of the software application in the 'Type Comment' field. File names should reflect the name of the person or entity submitting the comments. Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the comment itself, rather than submitting them as separate files. Submissions should not exceed 30 single-spaced, standard letter-size pages in 12-point type, including attachments.

You will receive a tracking number upon completion of the submission procedure *Regulations.gov*. The tracking number is confirmation that *Regulations.gov* received the submission. Keep the confirmation for your records. The TPSC is not able to provide technical assistance for the website. The TPSC may not consider documents you do not submit in accordance with these instructions. If you are unable to provide submissions as requested, please contact Magaly Garcia, Director for Bolivia, Ecuador, and the Caribbean, at *magaly.a.garcia@ustr.eop.gov* or 202–395–9597 to arrange for an alternative method of transmission.

IV. Business Confidential Submissions

If you ask the TPSC to treat information you submitted as business confidential information (BCI), you must certify that the information is business confidential and that you would not customarily release it to the public. You must clearly designate BCI by marking the submission 'BUSINESS CONFIDENTIAL' at the top and bottom of the cover page and each succeeding page, and indicating, via brackets, the specific information that is BCI. Additionally, you must include 'Business Confidential' in the 'type comment' field. For any submission containing BCI, you separately must submit a non-confidential version (*i.e.,* an additional submission indicating where BCI has been redacted). The TPSC will post the non-confidential version in the docket and it will be open to public inspection.

V. Public Viewing of Review Submissions

The TPSC will post comments in the docket for public inspection, except business confidential information. You can view comments on *Regulations.gov* by entering the relevant docket number in the search field on the home page. You can find general information about the Office of the United States Trade Representative on its website: *http://www.ustr.gov.*

Edward Gresser,

Chair of the Trade Policy Staff Committee, Office of the United States Trade Representative.

[FR Doc. 2021–14601 Filed 7–7–21; 8:45 am]

BILLING CODE 3290–F1–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2016–0086]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on June 11, 2021, Kansas City Southern Railway Company (KCS) petitioned the Federal Railroad Administration (FRA) to join an existing waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-Of-Train Devices), and 229 (Railroad Locomotive Safety Standards). The relevant FRA Docket Number is FRA–2016–0086.

Specifically, KCS requests to join a waiver previously granted to CSX Transportation (CSX) and BNSF Railway (BNSF), and be granted relief from 49 CFR 232.205(c)(1)(iii), *Class I brake test-initial terminal inspection,* and 229.29(b), *Air brake system calibration, maintenance, and testing,* related to air flow method (AFM) indicator calibration intervals. The relief granted to CSX and BNSF allows the railroads to test extending the AFM test intervals from 92 days to 184 days on locomotives equipped with the New York Air Brake (NYAB) CCB–II air brake systems. KCS seeks to form a test waiver team operating under the current test committee overseeing the relief in FRA–2016–0086 to test 376 NYAB CCBII-equipped locomotives owned by KCS. KCS states that it has been an active member of the Association of American Railroads Locomotive Committee and is familiar with the work performed by the FRA–2016–0086 test committee.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.

Communications received by August 23, 2021 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. 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 *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2021–14538 Filed 7–7–21; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2020–0064]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on June 15, 2021, BNSF Railway

Company (BNSF) petitioned the Federal Railroad Administration (FRA) to modify a waiver of compliance that provides relief from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 213. FRA previously assigned the waiver Docket Number FRA–2020–0064.

BNSF's existing waiver identified two territories, the Powder River Territory, and the Southern Transcon Territory, where 49 CFR 213.233 visual track inspection requirements are replaced with a combination of performance-based automated and visual inspections. Automated inspections are performed by Unmanned Automated Track Geometry Cars every 12 million gross tons, not exceeding four weeks between tests, and visual inspections are performed either twice per month, weekly, or three times per week, based on risk model calculations made weekly for each track segment.

BNSF is requesting to expand the scope of the waiver by adding two additional territories. First, BNSF requests to incorporate their Orin Subdivision, a 395-track mile line running from Donkey Creek Junction, Wyoming, to Bridger Junction, Wyoming, into the existing Powder River Territory. In support of this request, BNSF states that the operational, traffic mix, and weather characteristics of the Orin Subdivision are similar to the other subdivisions of the Powder River Territory.

Second, BNSF requests to add a new territory to the waiver, their Northern Transcon Route. This 4,322-track mile line runs from Chicago, Illinois, to Seattle, Washington. In support of this request, BNSF references their 2020 geometry defect rates along the route as lower (safer) than the rates of the Southern Transcon Territory.

In support of its petition, BNSF references data and analysis from their Track Inspection Test Program, Docket Number FRA–2018–0091, and data and analysis already available in Docket Number FRA–2020–0064. BNSF states that all requirements of the waiver have been met during implementation on the Powder River Territory and Southern Transcon Territory. BNSF contends there are no unique characteristics of the Northern Transcon Route or Orin Subdivision that would prevent BNSF's successful implementation of the existing relief over those additional territories. BNSF concludes that adding the two new territories will result in net safety benefits for those territories due to the increased geometry inspections and data-driven visual inspections.

A copy of the petition, as well as any written communications concerning the petition, if any, are available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing for these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Ave. SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by August 23, 2021 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. 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 *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2021–14535 Filed 7–7–21; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2020–0164]

Frequently Asked Questions on 911 Notifications Following Possible Pipeline Ruptures

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice; draft frequently asked questions.

SUMMARY: The Pipeline and Hazardous Materials Safety Administration (PHMSA) is soliciting public comment on draft frequently asked questions (FAQs) intended to clarify existing regulatory requirements that operators of natural gas transmission and distribution pipelines and hazardous liquid pipelines alert emergency responders when a pipeline emergency occurs. The draft FAQs explain that compliance with these existing requirements is best achieved when operators promptly identify a possible rupture and alert emergency responders in the impacted community or jurisdiction through 911 services, or direct contact with emergency responders in areas where 911 services are not available.

DATES: Comments on the draft FAQs should be submitted to Docket No. PHMSA–2020–0164 no later than August 9, 2021.

ADDRESSES: *E-Gov Web: http://www.regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the online instructions for submitting comments.

- *Mail:* Docket Management System: U.S. Department of Transportation 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* Department of Transportation (DOT) Docket Management System: West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, between 9:00 a.m. and 5:00 p.m. ET, Monday through Friday, except federal holidays.
- *Fax:* 202–493–2251.
- *Instructions:* Identify the Docket No. PHMSA–2020–0164, at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.*

• *Privacy Act:* DOT may solicit comments from the public regarding certain general notices. 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.*

• *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 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. Submissions containing CBI should be sent to Byron Coy at Pipeline and Hazardous Materials Safety Administration, Eastern Region, PHP–100, 840 Bear Tavern Rd., Suite 300., West Trenton, New Jersey 08628. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

• *Docket:* For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.* Follow the online instructions for accessing the dockets. Alternatively, you may review the documents in person at the street address listed above.

FOR FURTHER INFORMATION CONTACT: Byron Coy, Senior Technical Advisor, Program Development Division, by telephone at 609–433–2173, or by email at *Byron.Coy@dot.gov.*

SUPPLEMENTARY INFORMATION: In 2011, NTSB issued several safety recommendations following its investigation of the natural gas pipeline rupture and explosion that occurred on September 9, 2010, in San Bruno, California. Finding that the operator of the pipeline, Pacific Gas and Electric Company (PG&E), had not notified emergency officials that the accident involved the rupture of one of PG&E's pipelines, NTSB made the following recommendation to PHMSA:

> Require operators of natural gas transmission and distribution pipelines and hazardous liquid pipelines to ensure that their control room operators immediately and directly notify the 911 emergency call center(s) for the communities and jurisdictions in which those pipelines are located when a possible rupture of any pipeline is indicated. (P–11–9)

Under existing pipeline safety regulations, operators are required to alert emergency responders when a pipeline emergency occurs. Section 192.615(a)(8) requires operators of natural gas pipelines to notify appropriate fire, police, and other public officials of gas pipeline emergencies. Section 195.402(e)(7) requires operators of hazardous liquid pipelines to do the same. Operators are also required to establish and maintain means of communication with appropriate fire, police, and other public officials under §§ 192.615(a)(2) and 195.402(c)(12).

In response to NTSB's recommendation, PHMSA first surveyed existing FAQs in related areas to determine if, and where, 911 notification following a possible rupture had already been addressed. As part of its research, PHMSA examined general PHMSA and pipeline safety FAQs, as well as FAQs related to gas transmission, gas distribution, hazardous liquid integrity management, control room management (CRM), and operator qualification.

PHMSA found that existing FAQs most closely related to this topic are those addressing CRM. These FAQs (listed in the Appendix) include the following:

• C.07 and C.09, which address emergency communications.

• F.01, G.02, G.03, H.06, and H.07, which cover emergency operations.

PHMSA found, however, that the existing FAQs do not explicitly address 911 notification in response to a possible pipeline rupture. In addition, while the FAQs pertain to CRM, some pipelines operate without a control room.

PHMSA considered adding 911 notifications to existing FAQs but determined that could dilute the importance of emergency notification requirements, as well as divert attention from the specific topic of the existing FAQs. Accordingly, PHMSA believes that the safety issues raised in NTSB's recommendation are of sufficient importance to merit new FAQs. In addition, since control room personnel may be fully occupied during an emergency addressing the emergency itself, an operator's procedures could assign the duty to notify emergency responders to others. Also, many smaller pipeline operators do not have control rooms. As a result, PHMSA is creating guidance for all operators to contact emergency responders without specifically stating that it must be the pipeline controllers who make the notification, as mentioned in the NTSB recommendation.

Issued in Washington, DC, on July 2, 2021, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2021–14582 Filed 7–7–21; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Actions on Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of actions on special permit applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before August 9, 2021.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East

Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on July 1, 2021.

Donald P. Burger,

Chief, General Approvals and Permits Branch.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
		Special Permits Data—Granted	
16427–M	Washington State Department of Transportation.	172.101(k)	To modify the special permit to add an additional 1.4S hazardous material to the permit.
21090–N	Shijiazhuang Enric Gas Equipment Co., Ltd..	180.205	To authorize the use of UE testing for DOT 3AA, 3AAX, 3T and UN ISO 11120 cylinders in place of the internal visual inspection and the hydrostatic test method required in § 180.205.
21140–N	Philips Medical Systems MR, Inc ..	172.101(j)	To authorize the transportation of MRI machines containing compressed gas aboard aircraft.
21152–N	Halendt Solutions, LLC	180.205	To authorize transportation in commerce certain gasses in cylinders produced in accordance with specification 3A, 3AX 3AA, 3AAX, 3T and UN–ISO cylinders made in accordance with ISO 11120, having been requalified by acoustic emission (AE) and ultrasonic examination (UE).
21161–N	Structure Probe, Inc.	172.101(j)	To authorize the transportation in commerce of asbestos via passenger and cargo-only aircraft.
21167–N	KULR Technology Corporation	173.185(a)(1)	To authorize the manufacture, mark, sale, and use of alternative packaging for shipments of prototype and low production lithium batteries.
21169–N	Americase, LLC	172.200, 172.700(a)	To authorize the manufacture, mark, sale, and use of thermal packaging for the purpose of shipping lithium batteries for recycling. Shipments are provided limited relief from the shipping papers and training required in 49 CFR Subparts C and H of Part 172 of the HMR.
21172–N	North Carolina Department of Agriculture & Consumer Services.	172.300, 173.196, 173.199, 173.201, 173.202, 173.203, 173.211, 173.212, 173.213.	To authorize one-time transportation by highway of certain biological and infectious substances, dilute pesticide solutions and small quantities of laboratory reference standard materials from two adjacent facilities to newly constructed facility.
21185–M	Hach Company	172.102(b)(4), 173.36(a)	To modify the permit to authorize additional Class 8 hazardous material.
21187–N	Enerdel, Inc.	172.101(j)	To authorize the transportation in commerce of lithium ion batteries exceeding 35 kg by cargo-only aircraft.
21189–N	Veolia Es Technical Solutions, LLC.	173.21(b), 173.51, 173.54(a), 173.56(b), 173.64, 173.65.	To authorize the one-time, one-way transportation in commerce of unapproved fireworks by highway.
21195–N	Panasonic Energy Corporation of America.	173.185(c)	To authorize the transportation in commerce of lithium metal batteries in alternative packaging by motor vehicle.
21199–N	Solvay Fluorides, LLC.	173.227(c)	To authorize the transportation in commerce of a Division 6.1 hazardous material that has been packaged and packed in accordance with the International Maritime Dangerous Goods (IMDG) Code regulations but not the Hazardous Materials Regulations (HMR).
21210–N	Aero Micronesia Inc	172.101(j), 173.27(b)(2), 173.27(b)(3), 175.30.	To authorize the transportation in commerce of Class 1 materials that are forbidden aboard cargo-only aircraft by cargo-only aircraft.
21217–N	Transport Logistics International, Inc..	173.420(a)(2), 173.420(a)(3)(i)	To authorize the transportation in commerce of UF6 in repaired cylinders that no longer meet the specification required by the Hazardous Materials Regulations.
21239–N	Lockheed Martin Corporation	173.185(a)(1)	To authorize the transportation in commerce of lithium ion batteries contained in equipment by cargo-only aircraft.
21243–N	National Air Cargo Group, Inc.	172.101(j), 172.204(c)(3), 173.27(b)(2), 173.27(b)(3), 175.30(a)(1).	To authorize the transportation of explosives by cargo aircraft.
		Special Permits Data—Denied	
11818–M	Thermavant Technologies, LLC	172.101(j), 173.301(f), 173.302a(a)(1), 173.304a(a)(2).	To modify the special permit to authorize mass spectrometer leak inspection as a means of verifying the integrity of cylinder welds.
21155–N	Aithre, Inc.	172.301(c), 173.302a(a)(1), 180.205.	To authorize the manufacture, mark, sale, and use non-DOT specification fully wrapped carbon-fiber reinforced aluminum lined cylinders for the transportation in commerce of UN1072 compressed oxygen.
21159–N	Aithre, Inc.	172.301(c), 173.302a(a)(1), 180.205.	To authorize the transportation in commerce of non-DOT specification cylinders containing oxygen.
21215–N	Lord Corporation	172.203(a), 173.58(a)	To authorize the transportation in commerce of a certain explosive (quinone dioxime) as a flammable solid.
21219–N	FIBA Technologies, Inc.	180.212(a)	To authorize the transportation in commerce of certain specification DOT 3A, DOT 3AA, DOT 3AX, DOT 3AAX, and DOT 3T cylinders and UN ISO 11120 tubes that have been repaired.
		Special Permits Data—Withdrawn	
21248–N	Romeo Systems, Inc.	173.156	To authorize the transportation of unapproved explosives (pyro fuse) by motor vehicle for field testing.

[FR Doc. 2021–14529 Filed 7–7–21; 8:45 am]

BILLING CODE 4909–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for modification of special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the ''Nature of Application'' portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

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

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on July 1, 2021.

Donald P. Burger,

Chief, General Approvals and Permits Branch.

SPECIAL PERMITS DATA

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
11379–M	ZF Passive Safety Systems US Inc.	173.301, 173.302a	To modify the special permit to authorize alternative safety control measures. (Mode 1).
11646–M	Aegis Chemical Solutions, LLC	172.203(a), 172.301(c), 177.834(h).	To modify the special permit by authorizing additional hazardous materials. (Mode 1).
11650–M	Autoliv Asp, Inc.	173.301(a)(1), 173.302(a)	To modify the special permit to authorize cylinder weld studs. (Modes 1, 2, 3, 4, 5).
14467–M	Brenner Tank LLC	172.203(a), 178.345–2, 178.346–2, 178.347–2, 178.348–2.	To modify the special permit to update to current DOT incorporations by reference in 49 CFR 171.7. (Mode 1).
20584–M	Battery Solutions, LLC	173.185(f)(3), 173.185(c)(1)(iii), 173.185(c)(1)(iv), 173.185(c)(1)(v), 173.185(c)(3), 173.185(f), 173.185(f)(1), 173.185(a)(1).	To modify the special permit to authorize relief from the UN 38.3 testing and recordkeeping requirements of § 173.185(a). (Modes 1, 2, 3).
20898–M	Rivian Automotive, LLC	172.101(j), 173.185(a), 173.185(b)(3)(i), 173.185(b)(3)(ii).	To modify the special permit to authorize additional batteries and cargo vessel as a mode of transportation. (Modes 3, 4).
21008–M	Lucid USA, Inc.	172.101(j), 173.220(d), 173.185(a)(1), 173.185(b)(5).	To modify the special permit to authorize additional cells within the batteries. (Modes 1, 2, 3, 4).
21063–M	Cobham Mission Systems Orchard Park Inc.	173.302(a)(1)	To modify the special permit to authorize alternative test pressures and refilling up to five times. (Modes 1, 2, 3, 4).

[FR Doc. 2021–14528 Filed 7–7–21; 8:45 am]

BILLING CODE 4909–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for New Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the ''Nature of Application'' portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before August 9, 2021.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East Building, PHH–13, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on July 1, 2021.

Donald P. Burger,

Chief, General Approvals and Permits Branch.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
		SPECIAL PERMITS DATA	
21245–N	Rivian Automotive, LLC	172.101(j)	To authorize the transportation of lithium batteries in excess of 35 kg by cargo-only aircraft. (mode 4).
21246–N	Ensign-Bickford Aerospace & Defense Co.	172.320(a), 173.51(a), 173.56(b)	To authorize the transportation in commerce of subassembly components of previously approved assemblies without subassembly components being tested, classed, and approved. (mode 1).
21247–N	Volkswagen AG	172.101(j)	To authorize the transportation in commerce of lithium ion batteries exceeding 35 kg by cargo-only aircraft. (mode 4).
21251–N	Luxfer Inc	173.302a(a), 180.205	To authorize the manufacture, marking, sale and use of non-DOT specification fully wrapped composite cylinders with load sharing aluminum liner with either aramid fiber or carbon fiber reinforcement, for use in aircraft with a limited number of filling cycles. (modes 4, 5).
21252–N	Honda Racing Development UK Ltd.	173.185(a)(1)	To authorize the transportation in commerce of prototype lithium batteries by cargo-only aircraft. (mode 4).
21253–N	Ford Motor Company	172.101(j)	To authorize the transportation in commerce of lithium ion batteries exceeding 35 kg by cargo-only aircraft. (mode 4).
21254–N	Praxair Distribution, Inc	173.301(f)(1)	To authorize the transportation in commerce Chlorine (UN1017) in DOT specification cylinders, UN standard cylinders prescribed in part 178 of 49 CFR, DOT special permit cylinders, or TC cylinders which are not equipped with pressure relief devices. (modes 1, 2, 3).
21255–N	Mac Trailer Manufacturing, Inc	172.203(a), 178.345–2, 178.346–2, 178.347–2, 178.348–2.	To authorize the manufacture, marking, sale and use of DOT 400 series cargo tanks fabricated using certain duplex stainless steels and other materials not authorized in 49 CFR 178.345–2 as materials of construction and fabricated with thickness less than specified. (mode 1).
21256–N	Veolia Es Technical Solutions, LLC.	173.56(b)	To authorize the one-time, one-way transportation in commerce of unapproved explosives originating at Aberdeen Proving Ground and transported to Veolia's waste incinerator for final disposal located at in Sauget, Illinois. (mode 1).
21257–N	The Procter & Gamble Company	173.306(a)(5)(v), 173.306(a)(5)(vi)	To authorize the transportation in commerce of non-flammable, non-toxic compressed gases (Division 2.2) in DOT Specification 2S and non-DOT specification plastic aerosols not exceeding 1 L capacity designed and tested through an in-line pressure testing approach under a quality management system. (modes 1, 2, 3, 4).
21259–N	Quantum Fuel Systems LLC	173.302(a)(1)	To authorize the manufacture, mark, sale, and use of non-DOT specification fully wrapped fiber reinforced composite gas cylinder with a non-load sharing plastic liner similar to ISO 11515:2013. (mode 1).

[FR Doc. 2021–14527 Filed 7–7–21; 8:45 am]

BILLING CODE 4909–60–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for effective date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Andrea Gacki, Director, tel.: 202–622–2490; Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; Assistant Director for Licensing, tel.: 202–622–2480; or Assistant Director for Regulatory Affairs, tel.: 202–622–4855.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Actions

On July 2, 2021, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

1. MOE, Banyar Aung (a.k.a. BANYAR, Aung Moe; a.k.a. MOE, Banya Aung; a.k.a. MOE, Banya Ong; a.k.a. MOE, Banyar Ong; a.k.a. MOE, Nai Banya Aung; a.k.a. MOE, Nai Banya Ong; a.k.a. MOE, Nai Banyar Aung; a.k.a. MOE, Nai Banyar Ong), Naypyitaw, Burma; DOB 14 Aug 1947; POB Ye, Burma; nationality Burma; citizen Burma; Gender Male; National ID No. 10RAMANAN202348 (Burma); alt. National ID No. EYE089248 (Burma); State Administrative Council Member (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of Executive Order 14014 of February 10, 2021, ''Blocking Property With Respect to the Situation in Burma'' (''the Order'') for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

2. NAING, Chit (a.k.a. HLAING, Chit; a.k.a. HLAING, U Chit; a.k.a. NAING, U Chit; a.k.a. NYAR, Sate Pyin), Burma; DOB Dec 1948; POB Kyee Nee Village, Chauk Township,

Burma; nationality Burma; citizen Burma; Gender Male; Minister for Information (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

3. OO, Aung Naing (a.k.a. OO, U Aung Naing; a.k.a. ''KYAW, Kyaw''), L 103 Kanyeikthar Lane 6 FMI City, Rangoon, Burma; DOB 13 Oct 1962; alt. DOB 09 Jun 1969; POB Kyaukse, Burma; alt. POB Hkamti, Burma; nationality Burma; citizen Burma; Gender Male; Passport DM002656 (Burma) issued 25 Aug 2014 expires 24 Aug 2024; National ID No. 7PAKHANAN013345 (Burma); alt. National ID No. 5SAKANAN017289 (Burma); Minister for Investment and Foreign Economic Relations (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

4. KYAING, Myint (a.k.a. KYAING, U Myint), Burma; DOB 17 Apr 1957; nationality Burma; citizen Burma; Gender Male; Minister for Labor, Immigration, and Population (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

5. KHINE, Thet Thet (a.k.a. KHAING, Thet Thet; a.k.a. KHINE, Daw Thet Thet), 127A Dhamazadei Road, Kamayut, Rangoon, Burma; DOB 19 Aug 1967; POB Mogok, Burma; nationality Burma; citizen Burma; Gender Female; Passport MB132403 (Burma) issued 07 May 2015 expires 06 May 2020; National ID No. 9MAKANAN034200 (Burma); Minister of Social Welfare, Relief, and Resettlement (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

6. DANIEL, Saw, Naypyitaw, Burma; DOB 25 Nov 1957; alt. DOB 1968 to 1969; POB Loikaw, Burma; nationality Burma; citizen Burma; Gender Male; State Administrative Council Member (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

7. SEIN, Aye Nu (a.k.a. AYE, Nu Sein; a.k.a. SEIN, Daw Aye Nu), Naypyitaw, Burma; DOB 24 Mar 1957; POB Sittwe, Burma; nationality Burma; citizen Burma; Gender Female; State Administrative Council Member (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(iii)(B) of the Order for being or having been a leader or official of the Government of Burma on or after February 2, 2021.

8. HLA, Kyu Kyu (a.k.a. HLA, Daw Kyu Kyu), Naypyitaw, Burma; DOB 13 Apr 1954; nationality Burma; Gender Female; National ID No. 12SAKANAN020151 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

9. AUNG, Thet Thet (a.k.a. AUNG, Daw Thet Thet), Naypyitaw, Burma; DOB 22 Dec 1961; nationality Burma; Gender Female; National ID No. 9MAHTALAN230610 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

10. AYE, Than Than (a.k.a. AYE, Daw Than Than), Naypyitaw, Burma; DOB 08 Jan 1960; nationality Burma; Gender Female; National ID No. 12LAMANAN089490 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

11. MYINT, Aung Mar (a.k.a. MYINT, Daw Aung Mar), Naypyitaw, Burma; DOB 25 Oct 1964; nationality Burma; Gender Female; National ID No. 12DAGANAN018846 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

12. CHIT, Khaing Pa Pa (a.k.a. CHIT, Daw Kaing Pa Pa), Burma; DOB 15 Jul 1971; nationality Burma; Gender Female; National ID No. 9MAYAMAN018125 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

13. TUN, Moe Htet Htet (a.k.a. TUN, Daw Moe Htet Htet; a.k.a. TUN, Ma Moe Htet Htet), Burma; DOB 16 Aug 1997; nationality Burma; Gender Female; National ID No. 9PAMANAN259747 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

14. MYINT, Khaing Moe (a.k.a. MYINT, Daw Khaing Moe; a.k.a. MYINT, Ma Khaing Moe), Burma; DOB 23 Apr 2001; nationality Burma; Gender Female; National ID No. 9PAMANAN275475 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

15. MYINT, Yadanar Moe (a.k.a. MYINT, Daw Yadanar Moe), Naypyitaw, Burma; DOB 16 May 1994; nationality Burma; Gender Female; National ID No. 9PAMANAN259746 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

16. NILAR, Daw, Burma; DOB 03 May 1968; nationality Burma; Gender Female; National ID No. 12AHLANAN026686 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

17. YE, Theit Thinzar (a.k.a. YE, Daw Theit Thinzar), Burma; DOB 07 May 1997; nationality Burma; Gender Female; National ID No. 12AHLANAN048417 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

18. MYINT, Ohn Mar (a.k.a. MYINT, Daw Ohn Mar; a.k.a. MYINT, Daw Ohnmar), Burma; DOB 19 Nov 1967; nationality Burma; Gender Female; National ID No. 10THAHTANAN013008 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

19. AUNG, Shwe Ye Phu (a.k.a. AUNG, Daw Shwe Ye Phu), Burma; DOB 18 Apr 1990; nationality Burma; Gender Female; National ID No. 9PAOULAN025761 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

20. AUNG, Hlaing Bwar (a.k.a. AUNG, U Hlaing Bwar), Burma; DOB 22 May 1993; nationality Burma; Gender Male; National ID No. 9PAOULAN025759 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

21. AUNG, Phyo Arkar (a.k.a. AUNG, U Phyo Akar), Burma; DOB 30 Apr 1995; nationality Burma; Gender Male; National ID No. 9PAOULAN013500 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

22. NWE, Than Than (a.k.a. NEW, Daw Than Than), Naypyitaw, Burma; DOB 26 Feb 1954; nationality Burma; Gender Female; National ID No. 9MAYAMAN007349 (Burma) (individual) [BURMA–EO14014].

Designated pursuant to section 1(a)(v) of the Order for being a spouse or adult child of any person whose property and interests in property are blocked pursuant to the Order.

Dated: July 2, 2021.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2021–14547 Filed 7–7–21; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been removed from the list of Specially Designated Nationals and Blocked Person (SDN List). Their property and interests in property are no longer blocked, and U.S. persons are no longer prohibited from engaging in lawful transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT: *OFAC:* Andrea M. Gacki, Director, tel.: 202–622–2480; Associate Director for Global Targeting, tel: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://www.treasury.gov/ofac*).

Notice of OFAC Actions

On July 2, 2021, OFAC determined that circumstances no longer warrant the inclusion of the following persons on the SDN List and that their property and interests in property are no longer blocked under the relevant sanctions authorities listed below.

Individuals

1. DEZFULIAN, Mohammed Reza (a.k.a. DEZFULIAN, Mohammad Reza), Iran; POB Tehran, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; National ID No. 0061496766 (Iran) (individual) [NPWMD] [IFSR] (Linked To: MAMMUT DIESEL).

Designated on September 21, 2020, pursuant to Section 1(a)(iv) of Executive Order 13382 of June 28, 2005, ''Blocking Property Weapons of Mass Destruction Proliferators and Their Supporters,'' 70 FR 38567, 3 CFR, 2006 Comp., p. 170 (E.O. 13382) for acting or purporting to act for or on behalf of, directly or indirectly, MAMMUT DIESEL.

2. FERDOWS, Behzad Daniel, Dubai, United Arab Emirates; DOB 14 Mar 1969; POB Tehran, Iran; nationality Iran; alt. nationality Germany; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport C4KNRMNCF (Germany) expires 18 Mar 2018; National ID No. 0037251910 (Iran) (individual) [NPWMD] [IFSR] (Linked To: MAMMUT INDUSTRIAL GROUP P.J.S).

Designated on September 21, 2020, pursuant to Section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, MAMMUT INDUSTRIAL GROUP P.J.S.

3. FERDOWS, Mehrzad Manuel, Iran; DOB 23 Jul 1970; POB Tehran, Iran; nationality Iran; alt. nationality Germany; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport C4JRGPJ7H (Germany) expires 11 Mar 2019; alt. Passport J32379304 (Iran); National ID No. 0055124240 (Iran) (individual) [NPWMD] [IFSR] (Linked To: MAMMUT INDUSTRIAL GROUP P.J.S).

Designated on September 21, 2020, pursuant to Section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, MAMMUT INDUSTRIAL GROUP P.J.S.

Dated: July 2, 2021.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2021–14568 Filed 7–7–21; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 944, Form 944(SP), Form 944–X, and Form 944–X (SP)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 944, Employer's Annual Employment Tax Return, Form 944(SP), Declaracion Federal Anual de Impuestos del Patrono o Empleador, Form 944–X, Adjusted Employer's Annual Federal Tax Return or Claim for Refund, and 944–X (SP), Ajuste a la Declaración Federal ANUAL del Patrono o Reclamación de Reembolso.

DATES: Written comments should be received on or before September 7, 2021 to be assured of consideration.

ADDRESSES: Direct all written comments to Kinna Brewington, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224. You must reference the information collection's title, form number, reporting or record-keeping requirement number, and OMB number in your comment.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Jon Callahan, (737) 800–7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jon.r.callahan@irs.gov.*

SUPPLEMENTARY INFORMATION: The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: Employer's Annual Employment Tax Return.

OMB Number: 1545–2007.

Form Number: Forms 944, 944(SP), 944–X, and 944–X(SP).

Abstract: The information on Form 944 will be collected to ensure the smallest nonagricultural and non-household employers are paying the correct amount of social security tax, Medicare tax, and withheld federal income tax. Information on line 13 will be used to determine if employers made any required deposits of these taxes. Form 944(SP) is the Spanish version of the Form 944. Form 944–X and Form 944–X(SP) are used to correct errors made on Form 944.

Current Actions: There are changes to the existing collection: (1) Changes were made to the Form 944 series for reporting new employment tax credits and deferred payments allowed by provisions of the Families First Coronavirus Response Act, Public Law 116–127, and (2) additional changes were made to comply with provisions of the American Rescue Plan Act of 2021, Public Law 117–2.

Type of Review: Revision of a currently approved collection.

Affected Public: Individual or households, Businesses and other for-profit organizations, Not-for-profit institutions, and State, Local, and tribal Governments.

Estimated Number of Respondents: 135,884.

Estimated Time per Respondent: 23 hours 31 minutes.

Estimated Total Annual Burden Hours: 3,196,031.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. *Comments are invited on:* (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the 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 of information 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.

Approved: July 2, 2021.

Jon R. Callahan,

Tax Analyst.

[FR Doc. 2021–14558 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Assistance Center Improvements Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, August 12, 2021.

FOR FURTHER INFORMATION CONTACT: Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel's Taxpayer Assistance Center Improvements Project Committee will be held Thursday, August 12, 2021, at 12:00 p.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Matthew O'Sullivan. For more information please contact Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274, or write TAP Office, 1301 Clay Street, Oakland, CA 94612–5217 or contact us at the website: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14511 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Communications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will still be held via teleconference.

DATES: The meeting will be held Tuesday, August 10, 2021.

FOR FURTHER INFORMATION CONTACT: Conchata Holloway at 1–888–912–1227 or 336–690–6217.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee will be held Tuesday, August 10, 2021, at 12:00 p.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Conchata Holloway. For more information please contact Conchata Holloway at 1–888–912–1227 or 336–690–6217, or write TAP Office, 4905 Koger Boulevard, Greensboro, NC 27407–2734 or contact us at the website: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14512 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. This meeting will still be held via teleconference.

DATES: The meeting will be held Wednesday, August 11, 2021.

FOR FURTHER INFORMATION CONTACT: Robert Rosalia at 1–888–912–1227 or (718) 834–2203.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee will be held Wednesday, August 11, 2021, at 1:00 p.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Robert Rosalia. For more information please contact Robert Rosalia at 1–888–912–1227 or (718) 834–2203, or write TAP Office, 2 Metrotech Center, 100 Myrtle Avenue, Brooklyn, NY 11201 or contact us at the website: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14513 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Joint Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Joint Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, August 26, 2021.

FOR FURTHER INFORMATION CONTACT: Gilbert Martinez at 1–888–912–1227 or (737) 800–4060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Joint Committee will be held Thursday, August 26, 2021, at 1:30 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. For more information please contact Gilbert Martinez at 1–888–912–1227 or (737–800–4060), or write TAP Office 3651 S. IH–35, STOP 1005 AUSC, Austin, TX 78741, or post comments to the website: *http://www.improveirs.org.*

The agenda will include various committee issues for submission to the IRS and other TAP related topics. Public input is welcomed.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14506 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Special Projects Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Special Projects Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, August 12, 2021.

FOR FURTHER INFORMATION CONTACT: Antoinette Ross at 1–888–912–1227 or 202–317–4110.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel's Special Projects Committee will be held Thursday, August 12, 2021, at 11:00 a.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Antoinette Ross. For more information please contact Antoinette Ross at 1–888–912–1227 or 202–317–4110, or write TAP Office, 1111 Constitution Ave. NW, Room 1509, Washington, DC 20224 or contact us at the website: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14514 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 5884–D

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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 continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning employee retention credit for certain tax-exempt organizations affected by qualified disasters.

DATES: Written comments should be received on or before September 7, 2021 to be assured of consideration.

ADDRESSES: Direct all written comments Kinna Brewington, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224.

Requests for additional information or copies of the form should be directed to Sara Covington, at (737) 800–6149 or Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Sara.L.Covington@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Employee Retention Credit for Certain Tax-Exempt Organizations Affected by Qualified Disasters.

OMB Number: 1545–2298.

Regulation Project Number: Form 5884–D.

Abstract: Under section 303(d)of the Taxpayer Certainty and Disaster Tax Relief Act 2020, a qualified Tax-Exempt Organization (including certain governmental entities) that continued to pay or incur wages after activities of the organization(treated as an active trade or business for this purpose) became inoperable because of damage from a qualified disaster may be able to use Form 5884–D to claim the 2020 qualified disaster employee retention credit against certain payroll taxes. The credit is equal to 40 percent of qualified wages for each eligible employee (up to a maximum of $6,000 in qualified wages per employee).

Current Actions: This is a new Form, with changes in the number filers from a previously approved collection due to an adjustment to estimates. The Instructions for Form 5884–D will direct filers on how to report and claim these credits.

Type of Review: Extension of a currently approved collection.

Affected Public: Certain tax-exempt organizations, including certain governmental entities.

Estimated Number of Respondents: 26,300.

Estimated Time per Respondent: 2.23 hours.

Estimated Total Annual Burden Hours: 58,649.

The following paragraph applies to all of the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the 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 of information 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.

Approved: June 30, 2021.

Sara L. Covington,

IRS Tax Analyst.

[FR Doc. 2021–14552 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, August 10, 2021.

FOR FURTHER INFORMATION CONTACT: Rosalind Matherne at 1–888–912–1227 or 202–317–4115.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Lines Project Committee will be held Tuesday, August 10, 2021 at 11:00 a.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited time and structure of meeting, notification of intent to participate must be made with Rosalind Matherne. For more information please contact Rosalind Matherne at 1–888–912–1227 or 202–317–4115, or write TAP Office, 1111 Constitution Ave. NW, Room 1509, Washington, DC 20224 or contact us at the website: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: July 1, 2021.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2021–14507 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Requesting Comments on Form 8865

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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 continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 8865, Return of U.S. Persons with Respect to Certain Foreign Partnerships.

DATES: Written comments should be received on or before September 7, 2021 to be assured of consideration.

ADDRESSES: Direct all written comments to Kinna Brewington, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224. Please send separate comments for each specific information collection listed below. You must reference the information collection's title, form number, reporting or record-keeping requirement number, and OMB number in your comment.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Jon Callahan, (737) 800–7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jon.r.callahan@irs.gov.*

SUPPLEMENTARY INFORMATION: Currently, the IRS is seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: Return of U.S. Persons With Respect to Certain Foreign Partnerships.

OMB Number: 1545–1668.

Form Number: Form 8865, Schedules A, A–1, A–2, A–3, B, G, H, K, K–1, K–2, K–3, L, M, M–1, M–2, N, O, P, and Form 8838 P.

Abstract: The Taxpayer Relief Act of 1997 significantly modified the information reporting requirements with respect to foreign partnerships. The Act made the following three changes: (1) Expanded section 6038B to require U.S. persons transferring property to foreign partnerships in certain transactions to report those transfers, (2) expanded section 6038 to require certain U.S. Partners of controlled foreign partnerships to report information about the partnerships, and (3) modified the reporting required under section 6046A with respect to acquisitions and dispositions of foreign partnership interests. Form 8865 is used by U.S. persons to fulfill their reporting obligations under sections 6038B, 6038, and 6046A. Form 8838–P is used to extend the statute of limitations for U.S. persons who transfers appreciated property to partnerships with foreign partners related to the transferor. The form is filed when the transferor makes a gain recognition agreement. This agreement allows the transferor to defer the payment of tax on the transfer.

Current Actions: There are changes to the existing collection: (1) The number of responses for each form and schedule is being reduced to account for filers (individuals, businesses and tax-exempt organizations) being reported under OMB numbers 1545–0123 and 1545–0074, (2) additional information is being collected to comply with the Tax Cuts and Jobs Act, Public Law 115–97, and new section 250, (3) information about the number of foreign partners subject to section 864(c)(8) is being collected, (4) information about section 721(c) partnerships is being collected, (5) information is being collected for disclosure requirements under Treasury Regulations 1.703–3, 1.707–6, and 1.707–8, and (6) new Schedules K–2 and K–3 replace, supplement, and clarify certain amounts formerly reported on Schedules K and K–1 of Form 8865.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit organizations, individuals, and not-for-profit institutions.

Estimated Number of Respondents: 3,695.

Estimated Time per Respondent: 22 hours, 45 minutes.

Estimated Total Annual Burden Hours: 84,057.

The following paragraph applies to all of the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the 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 of information 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.

Approved: July 2, 2021.

Jon R. Callahan,

Tax Analyst.

[FR Doc. 2021–14557 Filed 7–7–21; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Interest Rate Paid on Cash Deposited To Secure U.S. Immigration and Customs Enforcement Immigration Bonds

AGENCY: Departmental Offices, Treasury.

ACTION: Notice.

SUMMARY: For the period beginning July 1, 2021, and ending on September 30, 2021, the U.S. Immigration and Customs Enforcement Immigration Bond interest rate is .02 per centum per annum.

DATES: Rates are applicable July 1, 2021 to September 30, 2021.

ADDRESSES: Comments or inquiries may be mailed to Will Walcutt, Supervisor, Funds Management Branch, Funds Management Division, Fiscal Accounting, Bureau of the Fiscal Services, Parkersburg, West Virginia 26106–1328.

You can download this notice at the following internet addresses: *http://www.treasury.gov* or *http://www.federalregister.gov*.

FOR FURTHER INFORMATION CONTACT: Ryan Hanna, Manager, Funds Management Branch, Funds Management Division, Fiscal Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia 261006–1328 (304) 480–5120; Will Walcutt, Supervisor, Funds Management Branch, Funds Management Division, Fiscal Accounting, Bureau of the Fiscal Services, Parkersburg, West Virginia 26106–1328, (304) 480–5117.

SUPPLEMENTARY INFORMATION: Federal law requires that interest payments on cash deposited to secure immigration bonds shall be ''at a rate determined by the Secretary of the Treasury, except that in no case shall the interest rate exceed 3 per centum per annum.'' 8 U.S.C. 1363(a). Related Federal regulations state that ''Interest on cash deposited to secure immigration bonds will be at the rate as determined by the Secretary of the Treasury, but in no case will exceed 3 per centum per annum or be less than zero.'' 8 CFR 293.2. Treasury has determined that interest on the bonds will vary quarterly and will accrue during each calendar quarter at a rate equal to the lesser of the average of the bond equivalent rates on 91-day Treasury bills auctioned during the preceding calendar quarter, or 3 per centum per annum, but in no case less than zero. [FR Doc. 2015–18545]. In addition to this Notice, Treasury posts the current quarterly rate in Table 2b—Interest Rates for Specific Legislation on the TreasuryDirect website.

The Deputy Assistant Secretary for Public Finance, Gary Grippo, having reviewed and approved this document, is delegating the authority to electronically sign this document to Heidi Cohen, **Federal Register** Liaison for the Department, for purposes of publication in the **Federal Register**.

Heidi Cohen,

Federal Register Liaison.

[FR Doc. 2021–14487 Filed 7–7–21; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF VETERANS AFFAIRS

National Research Advisory Council, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the National Research Advisory Council (NRAC) will hold a meeting on Wednesday, September 1, 2021, by Webex. The teleconference number is 1–404–397–1596, conference ID 199 811 6717 or the meeting link is: *https://veteransaffairs.webex.com/veteransaffairs/j.php?MTID=mee580294d1ca4b86e69b617fd028f134*. The meeting will convene at 11:00 a.m. and end at 2:00 p.m. Eastern Daylight Time. This meeting is open to the public.

The purpose of the National Research Advisory Council is to advise the Secretary on research conducted by the Veterans Health Administration, including policies and programs targeting the high priority of Veterans' health care needs.

On September 1, 2021, the agenda will include a discussion of new research initiatives for fiscal year 2023, follow up discussion of diversity, equity, and inclusion activities in response to the NRAC recommendations; and discussion of a white paper on best practices in collaborating with academic affiliates and non-profit corporations in response to a Government Accountability Report on extramural funding. No time will be allocated at this meeting for receiving oral presentations from the public. Members of the public wanting to attend, have questions or presentations to present may contact Ms. Rashelle Robinson, Designated Federal Officer, Office of Research and Development (14RD), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, at 202–443–5768 or *Rashelle.Robinson@va.gov* no later than close of business on August 27, 2021. All questions and presentations will be presented during the public comment section of the meeting. Any member of the public seeking additional information should contact Rashelle Robinson at the above phone number or email address noted above.

Dated: July 2, 2021.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2021–14599 Filed 7–7–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

National Research Advisory Council, Notice of Meeting

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Dated: July 2, 2021.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2021–14602 Filed 7–7–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

Research Advisory Committee on Gulf War Veterans' Illnesses, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the Research Advisory Committee on Gulf War Veterans' Illnesses (RAC–GWVI) will meet by teleconference on August 4, 2021. The open session will convene at 11:00 a.m. (EST) and end at 4:00 p.m. (EST). The open session will be available to the public by connecting to: Webex URL: *https://veteransaffairs.webex.com/veteransaffairs/j.php?MTID=mb993599afcb0dbe5e53e60c9e635ca67.* Or, Join by phone: 1–404–397–1596 USA Toll Number or 1–833–558–0712 Toll-free Number; Meeting number (access code): 199 041 5097. Meeting password: GWVets1990!

The purpose of the Committee is to provide advice and make recommendations to the Secretary of Veterans Affairs on proposed research studies, research plans, and research strategies relating to the health consequences of military service in the Southwest Asia Theater of operations during the Gulf War in 1990–1991.

The Committee will review VA program activities related to Gulf War Veterans' illnesses and updates on relevant scientific research published since the last Committee meeting. This meeting will include presentations related to health issues, complications of aging, and disorders of the autonomic nervous system, and will engage VA Senior Leadership. This meeting will also include Committee discussion of Committee business and activities.

The meeting will include time reserved for public comments 30 minutes before the meeting closes. Individuals who wish to address the Committee may submit a 1–2 page summary of their comments for inclusion in the official meeting record. Members of the public may submit written statements for the Committee's review or seek additional information by contacting Dr. Karen Block, Designated Federal Officer, at 202–443–5600, or at *Karen.Block@va.gov.*

Dated: July 2, 2021.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2021–14598 Filed 7–7–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0491]

Agency Information Collection Activity: Community Residential Care (CRC) Recordkeeping Requirements

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before September 7, 2021.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Janel Keyes, Office of Regulations, Appeals, and Policy (10BRAP), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *Janel.Keyes@va.gov.* Please refer to ''OMB Control No. 2900–0491'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0491'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility;

(2) the accuracy of VHA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Public Law 104–13; 44 U.S.C. 3501–3521.

Title: Community Residential Care (CRC) Recordkeeping Requirements.

OMB Control Number: 2900–0491.

Type of Review: Reinstatement of a previously approved collection.

Abstract: One of the standards a Community Residential Care (CRC) facility must meet is the requirement that the CRC must maintain records on each resident in a secure place. Facility records must include emergency notification procedures and a copy of all signed agreements with the resident. 38 CFR 17.63(i). These records must be maintained by the CRC, and the CRC must make those records available for VA inspection upon request. A Medical Foster Home is a subtype of CRC and is required to comply with the record keeping requirements of 38 CFR 17.63(i). See 38 CFR 17.74(q). In addition, the CRC must maintain and make available upon request of the approving official, records related to CRC staff requirements, and provide that the CRC must have sufficient, qualified staff must be on duty and available to care for the resident and ensure the health and safety of each resident.

Affected Public: Individuals and households.

Estimated Annual Burden: 1,095 hours.

Estimated Average Burden per Respondent: 90 minutes.

Frequency of Response: Once annually.

Estimated Number of Respondents: 730.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2021–14594 Filed 7–7–21; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Research Advisory Committee on Gulf War Veterans' Illnesses, Notice of Meeting

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The purpose of the Committee is to provide advice and make recommendations to the Secretary of Veterans Affairs on proposed research studies, research plans, and research strategies relating to the health consequences of military service in the Southwest Asia Theater of operations during the Gulf War in 1990–1991.

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The meeting will include time reserved for public comments 30 minutes before the meeting closes. Individuals who wish to address the Committee may submit a 1–2 page summary of their comments for inclusion in the official meeting record. Members of the public may submit written statements for the Committee's review or seek additional information by contacting Dr. Karen Block, Designated Federal Officer, at 202–443–5600, or at *Karen.Block@va.gov*.

Dated: July 2, 2021.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2021–14603 Filed 7–7–21; 8:45 am]

BILLING CODE P

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The text of laws is not published in the **Federal Register** but may be ordered in ''slip law'' (individual pamphlet) form from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 (phone, 202–512–1808). The text will also be made available at *https://www.govinfo.gov*. Some laws may not yet be available.

S. 409/P.L. 117–25
To provide for the availability of amounts for customer education initiatives and non-awards expenses of the Commodity Futures Trading Commission Whistleblower Program, and for other purposes. (July 6, 2021; 135 Stat. 297)

S. 1340/P.L. 117–26
To amend title 28, United States Code, to redefine the eastern and middle judicial districts of North Carolina. (July 6, 2021; 135 Stat. 299)

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