AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 86 Thursday

No. 143 July 29, 2021

Pages 40757–40916

OFFICE OF THE FEDERAL REGISTER

The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see *www.federalregister.gov.*

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at *www.govinfo.gov*, a service of the U.S. Government Publishing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 1, 1 (March 14, 1936) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $860 plus postage, or $929, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $330, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 86 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Publishing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	**202–512–1800**
Assistance with public subscriptions	**202–512–1806**

General online information **202–512–1530; 1–888–293–6498**

Single copies/back copies:

Paper or fiche	**202–512–1800**
Assistance with public single copies	**1–866–512–1800 (Toll-Free)**

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

The Federal Register Printing Savings Act of 2017 (Pub. L. 115-120) placed restrictions on distribution of official printed copies of the daily **Federal Register** to members of Congress and Federal offices. Under this Act, the Director of the Government Publishing Office may not provide printed copies of the daily **Federal Register** unless a Member or other Federal office requests a specific issue or a subscription to the print edition. For more information on how to subscribe use the following website link: *https://www.gpo.gov/frsubs.*

Printed on recycled paper.

Contents

Federal Register

Vol. 86, No. 143

Thursday, July 29, 2021

Agency for Toxic Substances and Disease Registry
NOTICES
Proposed Substances To Be Evaluated for Toxicological Profile Development, 40843–40844
Six Draft Toxicological Profiles, 40844–40845

Agricultural Research Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40802

Agriculture Department
See Agricultural Research Service
See Food and Nutrition Service
See National Agricultural Library
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40802–40803

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Management and Organizational Practices Survey 2021, 40807–40808
Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units, 40805
Spatial, Address, and Imagery Data Program, 40805–40807

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40845–40848

Civil Rights Commission
NOTICES
Meetings:
Mississippi Advisory Committee, 40804–40805
New York Advisory Committee, 40804

Coast Guard
PROPOSED RULES
Port Access Route Study:
The Pacific Coast From Washington to California, 40791–40793

Commerce Department
See Census Bureau
See International Trade Administration
See National Institute of Standards and Technology
See National Oceanic and Atmospheric Administration

Community Living Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
State Annual Long-Term Care Ombudsman Report–National Ombudsman Reporting System, 40848–40849
Federal Review:
Missouri Protection and Advocacy System, 40849

Comptroller of the Currency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Appraisal Management Companies, 40898–40899

Copyright Royalty Board
PROPOSED RULES
Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords IV), 40793

Drug Enforcement Administration
NOTICES
Bulk Manufacturer of Controlled Substances Application:
AMPAC Fine Chemicals, LLC, 40874
Bulk Manufacturer of Marihuana: Nusachi Labs, LLC, 40874
Importer of Controlled Substances Application:
Cerilliant Corp., 40875–40877
Purisys, LLC, 40877

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Consolidated State Performance Report Renewal (Part 1 and Part 2), 40817–40818
Federal Family Educational Loan Program—Servicemembers Civil Relief Act, 40818
Service Contract Inventory for Fiscal Year (FY) 2019, 40818–40819

Employment and Training Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Unemployment Compensation for Federal Employees Handbook No. 391, 40879–40880
Change in Status of the Extended Benefit Program:
California, Nevada, and New York, 40880
Requests for Nominations:
Native American Employment and Training Council, 40877–40879

Energy Department
See Federal Energy Regulatory Commission
RULES
Energy Conservation Program:
Test Procedure for Dedicated-Purpose Pool Pump Motors, 40765–40775
NOTICES
Meetings:
Basic Energy Sciences Advisory Committee, 40819

Environmental Protection Agency
RULES
Implementation of the Revoked 1997 8-Hour Ozone National Ambient Air Quality Standards:
Areas that Attained by the Attainment Date, 40784–40787

PROPOSED RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Maine; Chapter 100 Definitions and Chapter 113 Growth Offset Regulations, 40793–40796
South Carolina; 2018 General Assembly New Source Review Update, 40796–40801
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
National Pollutant Discharge Elimination System Program (Renewal), 40823–40825
Clean Air Act Operating Permit Program:
Petitions for Objection to State Operating Permit for Sandy Creek Services, LLC, Sandy Creek Energy Station, Brazoria County, TX, 40823
Proposed Consent Decree:
Clean Air Act Citizen Suit, 40825–40826

Federal Aviation Administration
RULES
Airspace Designations and Reporting Points:
Alaska, 40782–40784
Airworthiness Directives:
Various Restricted Category Helicopters, 40779–40782
PROPOSED RULES
Airspace Designations and Reporting Points:
Creech Air Force Base Airport, NV, 40790–40791
NOTICES
Meetings:
Proposed Air Tour Management Plans at Mount Rainier National Park; Death Valley National Park; Everglades National Park; and Olympic National Park, 40897

Federal Communications Commission
PROPOSED RULES
Petition for Reconsideration of Action in Rulemaking Proceeding, 40801
NOTICES
Media Bureau Extends Comment and Reply Comment Deadlines To Update the Record in the 2018 Quadrennial Review, 40837–40838
Privacy Act; Systems of Records, 40838–40839
Wireless Telecommunications Bureau Seeks Comment on Drive Test Parameters and Model for Alaska Plan Participants, 40826–40837

Federal Energy Regulatory Commission
NOTICES
Combined Filings, 40819–40820
Environmental Impact Statements; Availability, etc.:
Atlantic Coast Pipeline, LLC and Eastern Gas Transmission and Storage, Inc.; Atlantic Coast Pipeline Restoration Project and Supply Header Restoration Project, 40820–40821
Request Under Blanket Authorization:
Columbia Gas Transmission, LLC, 40822–40823

Federal Railroad Administration
NOTICES
Final General Conformity Determination for the California High-Speed Rail System, Bakersfield to Palmdale Section, 40897–40898

Federal Reserve System
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40839–40842

Food and Drug Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Pilot Survey To Develop Standardized Reporting Forms for Federally Funded Public Health Projects, 40853–40855
Survey on the Occurrence of Foodborne Illness Risk Factors in Selected Retail and Foodservice Facility Types, 40856–40860
Electronic Study Data Submission; Data Standards; Technical Rejection Criteria for Study Data Effective Date, 40855–40856
Guidance:
Rabies: Developing Monoclonal Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis, 40851–40853
Withdrawal of Approval of 85 Abbreviated New Drug Applications:
Actavis Elizabeth, LLC, et al., 40850–40851

Food and Nutrition Service
RULES
Supplemental Nutrition Assistance Program:
2008 Farm Bill Provisions on Clarification of Split Issuance; Accrual of Benefits and Definition Changes: Delay of Implementation Date for Certain Provisions, 40763–40764
NOTICES
Food Distribution Program:
Value of Donated Foods From July 1, 2021 Through June 30, 2022, 40803–40804

General Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:, 40843

Health and Human Services Department
See Agency for Toxic Substances and Disease Registry
See Centers for Medicare & Medicaid Services
See Community Living Administration
See Food and Drug Administration
See National Institutes of Health
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40860–40861
Meetings:
Advisory Committee on Blood and Tissue Safety and Availability, 40861

Homeland Security Department
See Coast Guard
See U.S. Citizenship and Immigration Services
See U.S. Customs and Border Protection
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Chemical Facility Anti-Terrorism Standards; Correction, 40866–40867

Housing and Urban Development Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Closeout Instructions for Community Development Block Grant Programs, 40867–40868

Interior Department
See Ocean Energy Management Bureau

Internal Revenue Service
NOTICES
Quarterly Publication of Individuals Who Have Chosen To Expatriate, 40899–40910

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Cold-Rolled Steel Flat Products From the Republic of Korea, 40808–40810

Justice Department
See Drug Enforcement Administration

Labor Department
See Employment and Training Administration

Library of Congress
See Copyright Royalty Board

National Agricultural Library
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40802

National Drug Control Policy Office
NOTICES
Appointment of Members of Senior Executive Service Performance Review Board, 40880

National Institute of Standards and Technology
NOTICES
National Voluntary Laboratory Accreditation Program:
Establishment of a Laboratory Accreditation Program for Laboratories Performing System Integration Testing and Operational/User Acceptance Testing on Federal Warfare Systems, 40813–40814
Request for Information:
Artificial Intelligence Risk Management Framework, 40810–40813

National Institutes of Health
NOTICES
Meetings:
Center for Scientific Review, 40864
Exploring the Science Surrounding the Safe Use of Bioactive Ingredients in Infant Formula: Considerations for an Assessment Framework; Workshop, 40862
National Cancer Institute, 40862–40863
National Heart, Lung, and Blood Institute, 40861–40862
National Institute of Biomedical Imaging and Bioengineering, 40863
Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities Open Session, 40863–40864

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic:
2021 Closure for Spiny Lobster in the United States Caribbean off Puerto Rico, 40787–40788
Fisheries of the Exclusive Economic Zone Off Alaska:
Reapportionment of the 2021 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories, 40788–40789
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application and Certification Requirements for Distributors of Electronic Navigational Charts/Hydrographic Products, 40814–40815
Endangered and Threatened Species:
Take of Anadromous Fish, 40815–40816
Meetings:
South Atlantic Fishery Management Council, 40817

National Science Foundation
NOTICES
Meetings:
Astronomy and Astrophysics Advisory Committee, 40881–40882
Meetings; Sunshine Act, 40880–40881
Service Contract Inventory, 40881

Nuclear Regulatory Commission
RULES
Spent Fuel Reprocessing, 40764–40765

Ocean Energy Management Bureau
NOTICES
Requests for Nominations:
Commercial Leasing for Wind Power Development on the Outer Continental Shelf Offshore Morro Bay, California, East and West Extensions, 40869–40873

Postal Service
NOTICES
Meetings; Sunshine Act, 40882
Product Change:
Priority Mail and First-Class Package Service Negotiated, 40883
Priority Mail and First-Class Package Service Negotiated Service Agreement, 40882–40883
Priority Mail Express, Priority Mail, and First-Class Package Service Negotiated Service Agreement, 40883
Priority Mail Negotiated Service Agreement, 40882–40883

Presidential Documents
PROCLAMATIONS
Special Observances:
Anniversary of the Americans With Disabilities Act (Proc. 10236), 40761–40762
Made in America Week (Proc. 10234), 40757–40758
National Korean War Veterans Armistice Day (Proc. 10235), 40759–40760
ADMINISTRATIVE ORDERS
Foreign Assistance Act of 1961; Delegation of Authority (Memorandum of July 23, 2021), 40911–40913
Immigration and Naturalization:
Unexpected Urgent Refugee and Migration Needs (Presidential Determination No. 2021–09 of July 23, 2021), 40915

Securities and Exchange Commission
NOTICES
Self-Regulatory Organizations; Proposed Rule Changes:
Cboe BZX Exchange, Inc., 40883–40885

New York Stock Exchange, LLC, 40885–40893

Small Business Administration
RULES
Debt Refinancing in the 504 Loan Program, 40775–40779
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40893–40896
Disaster Declaration:
Alabama, 40893

Surface Transportation Board
NOTICES
Discontinuance Exemption:
C and NC Railroad, LLC; Wayne and Henry Counties, IN, 40896

Transportation Department
See Federal Aviation Administration
See Federal Railroad Administration

Treasury Department
See Comptroller of the Currency
See Internal Revenue Service

U.S. Citizenship and Immigration Services
NOTICES
Approval of New Credentialing Organization for Healthcare Workers for Certain Immigration Purposes, 40867

U.S. Customs and Border Protection
NOTICES
COBRA Fees To Be Adjusted for Inflation in Fiscal Year 2022, 40864–40866

Separate Parts In This Issue

Part II
Presidential Documents, 40911–40913, 40915

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Proclamations:

10234 40757
10235 40759
10236 40761

Administrative Orders:

Memorandums:
Memorandum of July 23, 2021 40913
Presidential Determinations:
No. 2021–08 of June 11, 2021 (superseded by Presidential Determination No. 2021–09) 40915
No. 2021–09 of July 23, 2021 40915

7 CFR

274 40763

10 CFR

50 40764
70 40764
431 40765

13 CFR

120 40775

14 CFR

39 40779
71 (2 documents) 40782, 40783

Proposed Rules:

71 40790

33 CFR

Proposed Rules:

166 40791
167 40791

37 CFR

Proposed Rules:

385 40793

40 CFR

52 40784

Proposed Rules:

52 (2 documents) 40793, 40796

47 CFR

Proposed Rules:

4 40801

50 CFR

622 40787
679 40788

Federal Register
Vol. 86, No. 143
Thursday, July 29, 2021

Presidential Documents

Title 3—

The President

Proclamation 10234 of July 26, 2021

Made in America Week, 2021

By the President of the United States of America

A Proclamation

Made in America Week recognizes a basic idea: when we spend taxpayer dollars, we should buy American products and support American jobs. The Congress passed the Buy American Act almost 90 years ago, but we have never fully lived up to this principle.

During Made in America Week, we recognize that just as American manufacturing was the Arsenal of Democracy in World War II, American products and services must be part of the engine of American prosperity today. We also reject the defeatist view that the forces of automation and globalization mean we cannot have good-paying union jobs here in America.

My Administration is making ''Buy American'' a policy, not just a promise. We are closing loopholes and strengthening standards to ensure that the future is made in all of America—by all of America's workers—in every region, of every background, in services, manufacturing, and agriculture.

That is why one of my first acts as President was to sign an Executive Order to tighten existing Buy American policies, and to lay out additional commitments to prevent big corporations and special interests from using loopholes to redirect American taxpayer dollars to foreign companies. And, I have named our Nation's first-ever Made in America Director at our Office of Management and Budget.

When we Buy American, we will buy from all of America. We will include communities that have historically been left out of Government procurement, Black, Brown, and Native American small businesses and entrepreneurs in every region of the country. We will use a federally funded, national network called the Manufacturing Extension Partnership to help government agencies connect with new domestic suppliers across the country.

The COVID–19 pandemic demonstrated our need for greater manufacturing capacity in areas critical to public health, information and communications technology, and national defense.

To build our economy back better, we must have an industrial strategy based on public investment in new technologies, including the domestic production of clean energy goods, critical medical supplies, and the innovative industries of the future. We must prioritize the creation of high skill, high value jobs that empower workers and pay family-supporting wages. We must reject short-termism, offshoring, and a race to the bottom. That is why my Administration is committed to using Made in America policies that give America's workers and companies the tools they need to compete and lead globally for decades to come.

We will send clear market signals so that entrepreneurs make the investments our Nation needs. We will ensure that Made in America preferences are applied consistently and transparently. We will gather data to reveal gaps in our industrial base, and work to close those gaps and boost our economy's productive capacity. And we will ensure that diversity, equity, inclusion, and accessibility are at the center of all of these efforts.

My Administration will maximize the Federal Government's use of goods, products, and materials produced in, and services offered in, the United States. These purchases will maximize our efforts to empower workers and strengthen unionization, tackle the climate crisis, and build and rebuild critical supply chains so that we will never again have to rely on imports from unreliable trading partners to combat threats to our public health.

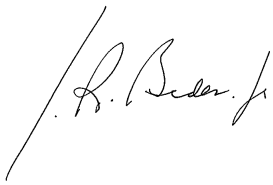
We will also reduce the need for waivers from Made in America rules by creating incentives for private investment in domestic supply chains in critical industries.

As we focus on ''Made in America,'' we are committed to strengthening relationships with allies and trading partners. Resilient supply chains must have built in redundancies—a health crisis or natural disaster in one location must never again threaten the global economy. We must work with our trading partners to promote equitable growth, protect workers' rights, and advance environmental justice globally.

By using Made in America policies as one tool of many to rebuild our industrial base and strengthen critical supply chains, we will help put the American dream within reach for our Nation's families today, and for generations to come.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 26 through July 30, 2021, as Made in America Week. I call upon all Americans to observe this week and to celebrate with appropriate programs, ceremonies, and activities.

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



[FR Doc. 2021–16301
Filed 7–28–21; 8:45 am]
Billing code 3295–F1–P

Presidential Documents

Proclamation 10235 of July 26, 2021

National Korean War Veterans Armistice Day, 2021

By the President of the United States of America

A Proclamation

The United States and the Republic of Korea are allies with a long history of shared sacrifice. In a call to defend freedom and democracy abroad, 1.8 million Americans joined the fight to protect our Korean Peninsula allies from the communist regimes in North Korea and The People's Republic of China. In 1953, after 3 years of violent combat and millions of casualties, an armistice was signed by representatives of the United States, The People's Republic of China, and North Korea. The armistice made possible the exchange of prisoners of war as well as an opportunity to negotiate a peaceful settlement. Almost 70 years later, that settlement still has not been reached, and the Korean Peninsula remains divided along the 38th parallel. Yet, the Republic of Korea has grown into a thriving, vibrant country, and the enduring relationship between our two nations has flourished through decades of peace. Today, we take this opportunity to honor, remember, and pay tribute to the Korean War veterans who fought to defend those universal values and freedoms that the people of South Korea enjoy today.

American service members, along with our United Nations counterparts, fought through some of the most unforgiving terrain and weather conditions on the Korean Peninsula. Through searing summer heat, bitter winter cold, and torrential rains, our forces fought with relentless courage, resilience, and perseverance. In the mountains, valleys, and rice paddies, the battles fought and lives lost in Inchon, the Chosin Reservoir, Heartbreak Ridge, and the Pusan Perimeter, we remember their valor. Earlier this year, I had the great privilege of awarding the Medal of Honor to Colonel Ralph Puckett, Jr., USA (Ret.), a legend in the Army Ranger community, for his extraordinary selflessness and heroism during the Korean War in the Battle of Hill 205. His story, and those of all our veterans of the Korean War, remind every American the high price of freedom.

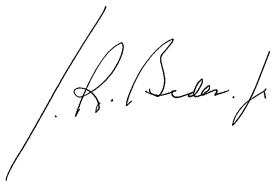
We shall never forget the service members who made the ultimate sacrifice. On the National Mall at the Korean War Memorial, a Wall of Remembrance will be established to further honor and venerate the more than 36,000 American lives lost during the war, along with more than 7,000 Korean Augmentation to the United States Army soldiers who were killed in action. As a grateful Nation, we owe it to the families of the fallen to memorialize, commemorate, and pay tribute to the heroes who have given their lives for our Nation—and to uphold and honor the democratic values for which they fought. We must also always recognize the patriotism and service of our veterans and their families and caregivers, and uphold our sacred obligation to provide the support they need when they come home.

Our commitment to protecting peace on the Korean Peninsula has endured and grown in the ensuing decades. We are immensely proud of our historic friendship and the trust we share with the Republic of Korea. The service and sacrifices of both our nations have left an indelible determination to sustain peace and promote regional stability. Training side-by-side with the Korean military, our Armed Forces abroad help keep the watch while proudly upholding the legacy of those serving before them. Our partnership

remains crucial to maintaining peace and stability today, and to expanding economic growth in a critical region of the world.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 27, 2021, as National Korean War Veterans Armistice Day. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor and give thanks to our distinguished Korean War Veterans.

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



[FR Doc. 2021–16302
Filed 7–28–21; 8:45 am]
Billing code 3295–F1–P

Presidential Documents

Proclamation 10236 of July 26, 2021

Anniversary of the Americans With Disabilities Act, 2021

By the President of the United States of America

A Proclamation

Thirty-one years ago, on July 26, 1990, our Nation moved closer to the fulfillment of its foundational promise when we passed the Americans with Disabilities Act (ADA). This landmark law affirms and protects the fundamental rights of people with disabilities—the right to equal opportunity, economic self-sufficiency, independent living, and equitable participation in every aspect of American life. For more than three decades, the ADA has made our communities, our economy, and our country stronger and more vibrant. It has helped to uphold the dignity of the estimated 61 million Americans who live with a disability—in short, it is a triumph of American civil rights.

I was enormously proud to co-sponsor the ADA, the passage of which was a testament not only to fearless advocacy, but to bipartisan progress. A Democratic bill signed by a Republican President, the ADA was made possible thanks in no small part to the passion and persistence of Senators Tom Harkin and Ted Kennedy and Congressmen Major Owens and Tony Coelho. I will never forget the moment just after the ADA's passage, when Senator Harkin delivered a speech in American Sign Language from the Senate floor—a tribute to his older brother, Frank, who was deaf. That moment was an emotional reminder for all of us of just how personal and powerful the passage of the ADA would be for millions of American families.

Despite the extraordinary progress we have made over the past 31 years, the fight for equitable access and inclusion is far from over. The COVID–19 pandemic has compounded the longstanding inequities and biases that exist for people with disabilities; persistent discrimination and the inability to access services continues to threaten the health and well-being of far too many Americans. Throughout the pandemic, people with disabilities have faced heightened risks—particularly those who lack access to caregiver or support services, those who live in community homes, and the disproportionate share of people with disabilities employed in industries that suffered due to the pandemic. Children and students living with disabilities have also faced an especially challenging year, forced to navigate and adapt to online learning as the virus upended their usual school routines.

As we work to finish the job of defeating COVID–19, my Administration is committed to building on the legacy of the ADA. The American Rescue Plan is providing funding to expand access to home- and community-based services under Medicaid, which will allow more people with disabilities to live safely and independently in their homes. My Build Back Better agenda would build on this by making significant investments in home- and community-based services for people with disabilities and older Americans. It will also spur the creation of quality jobs with good pay, good benefits, and the ability to organize and collectively bargain for caregivers.

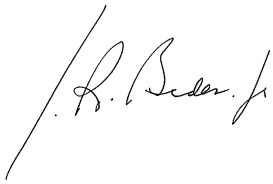
My Administration is also committed to advancing the rights of people with disabilities in the workplace to support economic self-sufficiency. I have proposed eliminating outdated provisions in the Fair Labor Standards Act that allow employers to pay workers with disabilities less than the

minimum wage. My proposal includes funding this transition with $2 billion to expand access to competitive, integrated employment opportunities for workers with disabilities. In addition, I am committed to making the Federal Government a model employer—including for people with disabilities—to set the gold standard for how best to support inclusion and provide appropriate accommodations. To that end, I recently signed an Executive Order to advance diversity, equity, inclusion, and accessibility in the Federal Workforce—a pledge to lead by example to promote economic stability and good paying jobs for Americans with disabilities.

Before I became President, I promised that every policy my Administration pursued—from rebuilding our middle class, to fighting climate change, to achieving universal health coverage—would be created with the full inclusion and dignity of Americans with disabilities in mind. I am proud to say that since my first day in office, my Administration has delivered on that promise. As we celebrate the monumental legacy of the ADA, we recommit ourselves today to upholding and strengthening its protections—and continuing to advance equity, dignity, access, and inclusion together with the disability community as we build our Nation back better.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 26, 2021, the Anniversary of the Americans with Disabilities Act. I encourage Americans across our Nation to celebrate the 31st year of this civil rights law and the many contributions of individuals with disabilities.

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



[FR Doc. 2021–16303
Filed 7–28–21; 8:45 am]
Billing code 3295–F1–P

Rules and Regulations

Federal Register

Vol. 86, No. 143

Thursday, July 29, 2021

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

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

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 274

[FNS 2016–0074]

RIN 0584–AE02

Supplemental Nutrition Assistance Program (SNAP): 2008 Farm Bill Provisions on Clarification of Split Issuance; Accrual of Benefits and Definition Changes: Delay of Implementation Date for Certain Provisions

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule delays from September 24, 2021, until September 24, 2022, the implementation date of certain provisions of the final rule entitled, ''Supplemental Nutrition Assistance Program (SNAP): 2008 Farm Bill Provisions on Clarification of Split Issuance; Accrual of Benefits and Definition Changes'' (''the Final Rule''), which was published in the **Federal Register** on August 24, 2020 and became effective on September 23, 2020. The original implementation date for the final rule was September 24, 2021. For reasons explained below, mostly arising from the burden on State agency resources caused by the COVID–19 pandemic, FNS is changing the implementation date for certain provisions of the final rule to September 24, 2022, effective immediately.

DATES:

Effective date: This interim final regulation regarding the delay of the implementation date is effective July 29, 2021.

Comments due date: To be considered, written comments on this interim final rule must be received on or before August 30, 2021.

Implementation date: State agencies must fully implement the requirements at 7 CFR parts 274.2(h) and 274.2(i)(1)–(3) as established by the final rule published August 24, 2020 (85 FR 52025), no later than September 24, 2022.

ADDRESSES: Comments may be submitted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov* and follow the instructions for submitting comments electronically. Comments may be submitted via email to *Shanta.Swezy@usda.gov.* You may also mail comments to: Shanta Swezy, Chief, Issuance Support Branch, Retailer and Issuance Policy and Innovation Division, Food and Nutrition Service (FNS), U.S. Department of Agriculture (USDA), 1320 Braddock Place, Alexandria, Virginia 22314.

FOR FURTHER INFORMATION CONTACT: Shanta Swezy at the address above or (703) 305–2238, *Shanta.Swezy@usda.gov.*

SUPPLEMENTARY INFORMATION: The final rule, in part, amended SNAP regulations at 7 CFR 274.2(h) and 274.2(i)(1)–(3) to implement provisions of the Food, Conservation and Energy Act of 2008 (Pub. L. 110–234) (2008 Farm Bill) and the Agriculture Improvement Act of 2018 (Pub. L. 115–334) (2018 Farm Bill) regarding storage of benefits off-line and permanent expungement of unused benefits. Due to the extenuating circumstances of COVID–19, State agencies have been focusing efforts on the programming necessary for the 15 percent Thrifty Food Plan increase authorized by the Consolidated Appropriations Act, 2021 (Pub. L 116–133), Pandemic EBT (P–EBT) authorized by the Families First Coronavirus Response Act (FFCRA, Pub. L. 116–127), and Emergency Allotments authorized by FFCRA, which have been essential to providing households additional support during the COVID–19 pandemic. As such, the September 24, 2021 implementation date poses administrative and management information system challenges for State agencies, and efforts to meet it would divert resources from other, more pressing programs and the nutrition assistance that they provide at this critical time. The new implementation date of September 24, 2022, as established by this interim final rule, is intended to result in more effective and efficient implementation of the new requirements for offline storage and expungement, and enable State agencies to better manage any cost adjustments arising from the changes.

Administrative Procedure Act Statement

Pursuant to the Administrative Procedure Act (APA), notice and comment are not required prior to the issuance of a rule if an agency, for good cause, finds that ''notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(B). USDA recognizes that courts have held that the good cause exception to notice and comment rulemaking is to be narrowly construed and only reluctantly countenanced.

Following these principles, the Department finds for good cause that notice and public comment is impracticable, unnecessary, and contrary to the public interest for this rule. Due to the extenuating circumstances of the COVID–19 pandemic, State agencies have intently been working to meet multiple essential pandemic-related requirements. This has limited their ability to implement the final rule, necessitating an implementation date change for certain provisions of the final rule. A notice and public comment period would be impracticable because it would consume time before certainty about the implementation date could be achieved, when State agencies need to know immediately whether the September 24, 2021 implementation date still stands, as it is fast approaching. During a notice and comment period, States would face challenges regarding how best to use their resources. States likely would divert resources from other pandemic-related requirements to ensure they can meet an implementation date that might, after the notice and comment period, not be sustained. Accordingly, the purpose of delaying the implementation date—averting the States' diversion of resources—would be impeded by waiting until after a notice and comment period to determine if the implementation date would be delayed. In addition, being informed of the implementation date change is critical to State agency planning and allocation of resources, and having to divide those

resources between COVID–19 needs and implementation of this final rule could potentially compromise important State efforts related to COVID–19. Thus, it is in the best interest of the public to proceed to change the implementation date immediately without notice-and-comment rulemaking.

Timothy English,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 2021–16123 Filed 7–28–21; 8:45 am]

BILLING CODE 3410–30–P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 70

[NRC–2015–0016]

RIN 3150–AJ53

Spent Fuel Reprocessing

AGENCY: Nuclear Regulatory Commission.

ACTION: Discontinuation of rulemaking activity.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is discontinuing a rulemaking activity that would have amended the NRC's regulations to add a new part to the existing regulatory framework specific to nuclear spent fuel reprocessing facilities. The purpose of this action is to inform members of the public that this rulemaking activity is being discontinued and to provide a brief discussion of the NRC's decision. This rulemaking activity will no longer be reported in the NRC's portion of the Unified Agenda of Regulatory and Deregulatory Actions (the Unified Agenda).

DATES: As of July 29, 2021 the rulemaking activity discussed in this document is discontinued.

ADDRESSES: Please refer to Docket ID NRC–2015–0016 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2015–0016. Address questions about NRC dockets to Dawn Forder; telephone: 301–415–3407; email: *Dawn.Forder@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *Attention:* The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at *pdr.resource@nrc.gov* or call 1–800–397–4209 between 8:00 a.m. and 4:00 p.m. Easter Standard Time (EST), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Tom Boyce, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–7335; email: *Tom.Boyce@nrc.gov;* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Background

Industry interest was the primary impetus for the NRC to update the regulatory framework for reprocessing light-water reactor spent fuel. In Staff Requirements Memorandum (SRM)—SECY–13–0093, ''Staff Requirements—SECY–13–0093—Reprocessing Regulatory Framework—Status and Next Steps,'' the Commission approved the NRC staff's recommendation to develop a reprocessing-specific rule. It directed the staff's ''continued development of the regulatory framework should be limited in scope—for the time being—to the resolution of Gap 5, 'Safety and Risk Assessment Methodologies and Considerations for a Reprocessing Facility.' '' Gap 5 focused on the development of analytical methods for the quantitative assessment of risks associated with reprocessing facility accidents to inform the basis for the development of regulatory requirements and regulatory guidance.

From 2013 to 2016 the staff focused its efforts on assessing the quantitative risk associated with reprocessing facility accidents (*i.e.,* Gap 5). In 2016, the staff found that industry interest in constructing and operating a commercial light-water reactor spent fuel reprocessing facility had declined. As a result, in 2016, the NRC suspended work on the spent fuel reprocessing regulatory framework because of other higher priorities related to spent fuel storage and transportation, as well as budgetary constraints.

II. Discussion

To inform its decision making, the NRC reached out to stakeholders to determine the degree of stakeholder interest in constructing, operating, and licensing a spent fuel reprocessing facility. Specifically, the NRC held a Category 3 public meeting on March 4, 2020; participating stakeholders included the Nuclear Energy Institute (NEI), the U.S. Department of Energy (DOE), the Union of Concerned Scientists (UCS), industry representatives, environmental groups, and private citizens. The NEI and industry representatives voiced their support for continuing the rulemaking primarily on the basis of a need for a clear and stable regulatory framework for reprocessing and to support advanced reactor licensing. However, no industry stakeholders indicated that they plan to submit an application to the NRC for a reprocessing facility in the foreseeable future. Other stakeholders, such as UCS and members of the public, indicated they do not support the continuation of the rulemaking because of proliferation and other concerns.

In May 2020, after the public meeting, the NEI and the American Nuclear Society (ANS) sent letters to the NRC with further feedback on the need for rulemaking. The NEI stated that developers with advanced reactor designs that may eventually source their fuel from the spent fuel of other reactors are generally not planning to do so in the near future. The NEI encouraged the NRC to assess the technologies for advanced reactors before making any decisions on the reprocessing rulemaking. It also suggested that the NRC should not charge existing facilities with fees for work on a reprocessing rule. ANS encouraged the NRC to continue with the rulemaking and stated that the lack of an efficient, technically robust, and technology-inclusive regulatory foundation for reprocessing and recycling is a barrier to innovation in advanced reactor designs.

The NRC also engaged organizations and vendors in the advanced reactor community to assess their interest in and specific needs for reprocessing, such as the use of fuel recovered from the existing spent fuel feedstock. Based on these interactions, the NRC concluded that, in addition to using fresh fuel obtained from enrichment and fabrication, some advanced reactor designs have the capability to eventually source their fuel from the spent fuel of other reactors, but there

was limited interest in pursuing reprocessing activities in the near future (within 10 to 20 years).

The NRC also engaged staff from the DOE's Office of Nuclear Energy to exchange information regarding developments in reprocessing efforts and technologies, particularly in reprocessing of spent fuel for advanced reactors. The DOE efforts in the area of reprocessing are aimed at providing a limited near-term supply of high-assay low-enriched uranium (HALEU) for initial advanced reactor designs. These DOE reprocessing initiatives do not require NRC licensing. The NRC is not aware of any other DOE initiatives to reprocess light water reactor spent fuel or potential commercial efforts to reprocess spent HALEU fuel for reuse in advanced reactors.

In the event that the NRC receives an application for a commercial reprocessing facility, the NRC could use its existing regulatory framework under part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Domestic Licensing of Production and Utilization Facilities'' for any near-term licensing needs, because a reprocessing facility is a type of production facility as defined in § 50.2, ''Definitions.'' Should an applicant submit such an application, there would likely be a need for exemptions from certain 10 CFR part 50 requirements. In such cases, the NRC could leverage knowledge from the gap analysis in SECY–13–0093 in considering any exemptions.

The NRC's decision to discontinue this rulemaking is based on the estimated costs to conduct the rulemaking and the limited interest expressed or expected from industry to submit an application for any type of facility involving reprocessing technologies in the near-term. The staff estimates that $2.5 million would be needed to complete a regulatory basis, develop and issue guidance, and develop a proposed and final rule. Therefore, while a rule would provide additional clarity for potential applicants, the NRC concludes that it is not warranted at this time.

III. Availability of Documents

The documents identified in the following table are available to interested persons in the ADAMS Public Documents collection.

Document	ADAMS Accession No.
SRM–SECY–13–0093, ''Reprocessing Regulatory Framework—Status and Next Steps,'' dated November 4, 2013	ML13308A403
Summary of March 4, 2020 Public Meeting to Discuss Status of Spent Fuel Reprocessing Rulemaking, dated March 16, 2020	ML20077K146
SRM–SECY–15–0129, ''Commission Involvement in Early Stages of Rulemaking,'' dated February 3, 2016	ML16034A441
E-mail and Letter from R. McCullum: NEI Comments on Spent Fuel Reprocessing Rulemaking, dated May 28, 2020	ML20154K554
E-mail and Letter from J. Starkey: ANS Comments on Spent Fuel Reprocessing Rulemaking, dated May 28, 2020	ML20154K530
SECY–21–0026, ''Discontinuation of Rulemaking—Spent Fuel Reprocessing,'' dated March 5, 2021	ML20301A387

IV. Conclusion

The NRC is no longer pursuing rulemaking for spent fuel reprocessing facilities for the reasons discussed in this document. In the next edition of the Unified Agenda, the NRC will update the entry for this rulemaking activity and reference this document to indicate that the rulemaking activity is no longer being pursued. This rulemaking activity will appear in the completed actions section of that edition of the Unified Agenda but will not appear in future editions. If the NRC decides to pursue similar or related rulemaking activities in the future, it will inform the public through new rulemaking entries in the Unified Agenda.

Dated July 26, 2021.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2021–16173 Filed 7–28–21; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF ENERGY

10 CFR Part 431

[EERE–2017–BT–STD–0048]

RIN 1904–AE38

Energy Conservation Program: Test Procedure for Dedicated-Purpose Pool Pump Motors

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule.

SUMMARY: On October 5, 2020, the U.S. Department of Energy (''DOE'') issued a notice of proposed rulemaking (''NOPR'') to establish a test procedure and an accompanying labeling requirement for dedicated purpose pool pump (''DPPP'') motors. This final rule establishes a test procedure for DPPP motors. Specifically, the final rule incorporates by reference an industry standard pertaining to DPPP definitions; and requires the use of an industry testing standard for testing the energy efficiency of DPPP motors. This final rule does not establish a labeling requirement and DOE intends to address any such labeling and/or energy conservation standards requirement in a separate notification.

DATES: The effective date of this rule is September 27, 2021. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register as of September 27, 2021.

ADDRESSES: The docket, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov*. All documents in the docket are listed in the *www.regulations.gov* index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

A link to the docket web page can be found at *www.regulations.gov/docket?D=EERE-2017-BT-STD-0048*. The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov*.

FOR FURTHER INFORMATION CONTACT: Mr. Jeremy Dommu, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–2J, 1000 Independence Avenue SW, Washington,

DC 20585–0121. Telephone: (202) 586–9870. Email *ApplianceStandardsQuestions@ee.doe.gov*.

Ms. Amelia Whiting, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–2588. Email: *amelia.whiting@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: DOE incorporates by reference the following industry standards into 10 CFR part 431:

CSA C747–09 (Reaffirmed 2014), ''Energy Efficiency Test Methods for Small Motors,'' as revised through August 2016, including Update No. 1.

Copies of CSA C747–09, can be obtained from the Canadian Standards Association (''CSA''), Sales Department, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada, 1–800–463–6727, or *https://www.csagroup.org/store*.

UL 1004–10:2020, ''Standard for Safety for Pool Pump Motors'', First Edition, Dated February 28, 2020.

Copies of UL 1004–10:2020, Edition 1, can be obtained from Underwriters Laboratories (''UL''), 333 Pfingsten Road, Northbrook, Illinois, 60062, (841) 272–8800 or *https://www.ul.com*.

For a further discussion of these standards, see section IV.N.

Table of Contents

I. Authority and Background
A. Authority
B. Background
II. Synopsis of the Final Rule
III. Discussion
A. Scope of Applicability
B. Definitions
C. Test Procedures
D. Metric
E. Harmonization With Industry Standards
F. Effective Date
IV. Procedural Issues and Regulatory Review
A. Review Under Executive Order 12866
B. Review Under the Regulatory Flexibility Act
C. Review Under the Paperwork Reduction Act of 1995
D. Review Under the National Environmental Policy Act of 1969
E. Review Under Executive Order 13132, ''Federalism''
F. Review Under Executive Order 12988, ''Civil Justice Reform''
G. Review Under the Unfunded Mandates Reform Act of 1995
H. Review Under the Treasury and General Government Appropriations Act, 1999
I. Review Under Executive Order 12630
J. Review Under Treasury and General Government Appropriations Act, 2001
K. Review Under Executive Order 13211
L. Review Under Section 32 of the Federal Energy Administration Act of 1974
M. Congressional Notification
N. Description of Materials Incorporated by Reference
V. Approval of the Office of the Secretary

I. Authority and Background

Electric motors are included in the list of ''covered equipment'' for which DOE is authorized to establish and amend energy conservation standards, test procedures, and labeling requirements. (42 U.S.C. 6311)(1)(A)). Electric motors include dedicated-purpose pool pump motors (''DPPP motors'' or ''pool pump motors''), the subject of this rulemaking.[1] The following sections discuss DOE's authority to establish a test procedure for DPPP motors, and relevant background information regarding DOE's consideration of a test procedure for this equipment.

A. Authority

The Energy Policy and Conservation Act, as amended (''EPCA''),[2] among other things, authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317) Title III, Part C[3] of EPCA, added by Public Law 95–619, Title IV, section 441(a), established the Energy Conservation Program for Certain Industrial Equipment, which sets forth a variety of provisions designed to improve energy efficiency. This equipment includes those electric motors that are DPPP motors, the subject of this document. (42 U.S.C. 6311(1)(A))

The energy conservation program under EPCA consists essentially of four parts: (1) Testing, (2) labeling, (3) Federal energy conservation standards, and (4) certification and enforcement procedures. Relevant provisions of EPCA specifically include definitions (42 U.S.C. 6311), energy conservation standards (42 U.S.C. 6313), test procedures (42 U.S.C. 6314), labeling provisions (42 U.S.C. 6315), and the authority to require information and reports from manufacturers (42 U.S.C. 6316).

The Federal testing requirements consist of test procedures that manufacturers of covered equipment must use as the basis for: (1) Certifying to DOE that their equipment complies with the applicable energy conservation standards adopted pursuant to EPCA (42 U.S.C. 6316(a); 42 U.S.C. 6295(s)), and (2) making representations about the efficiency of that equipment (42 U.S.C. 6314(d)). Similarly, DOE must use these test procedures to determine whether the equipment complies with relevant standards promulgated under EPCA. (42 U.S.C. 6316(a); 42 U.S.C. 6295(s))

Federal energy efficiency requirements for covered equipment established under EPCA generally supersede State laws and regulations concerning energy conservation testing, labeling, and standards. (42 U.S.C. 6316(a) and (b); 42 U.S.C. 6297)

Under 42 U.S.C. 6314, EPCA outlines the criteria and procedures DOE must follow in prescribing test procedures for covered equipment. EPCA requires that any test procedure prescribed or amended under this section must be reasonably designed to produce test results which reflect energy efficiency, energy use, and estimated operating costs of a type of industrial equipment (or class thereof) during a representative average use cycle (as determined by the Secretary), and shall not be unduly burdensome to conduct. (42 U.S.C. 6314(a)(2)) Before issuing a final test procedure, the Secretary shall publish the proposed test procedure in the **Federal Register** and afford interested persons an opportunity (of not less than 45 days' duration) to present oral and written data, views, and arguments on the proposed test procedures. (42 U.S.C. 6314(b))

When the Secretary has issued a test procedure under section 6314 of EPCA for a specific class of industrial equipment, the Secretary shall also prescribe a labeling rule for that equipment, subject to certain statutory criteria. (42 U.S.C. 6315(a)) EPCA establishes specific requirements for the labeling of classes of equipment, including electric motors, for which test procedures have been established. (42 U.S.C. 6315(a), (b) and (d)) The labeling rule shall provide that the labeling of any electric motor manufactured after the 12-month period beginning on the date the Secretary prescribes such labeling rules, shall: (1) Indicate the energy efficiency of the motor on the permanent nameplate attached to such motor; (2) prominently display the energy efficiency of the motor in equipment catalogs and other material used to market the equipment; and (3) include such other markings as the Secretary determines necessary solely to facilitate enforcement of the standards established for electric motors under section 6313 of this title. (42 U.S.C. 6315(d)) DOE is publishing this final rule to establish a test procedure for DPPP motors pursuant to its authority under EPCA. As stated, DOE intends to address labeling in a separate notification.

[1] An electric motor is defined as ''a machine that converts electrical power into rotational mechanical power.'' 10 CFR 431.12.

[2] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020).

[3] For editorial reasons, upon codification in the U.S. Code, Part C was redesignated Part A–1.

B. Background

DPPP motors are electric motors, which are defined as machines that convert electrical power into rotational mechanical power. 10 CFR 431.12. DOE has established test procedures, labeling requirements, and energy conservation standards for certain electric motors (10 CFR part 431, subpart B), but those requirements do not apply to DPPP motors subject to the testing requirements of this final rule. DPPP motors subject to the testing requirements of this final rule had not previously been subject to any Federal energy conservation standards, test procedures, or labeling requirements because they do not fall within any of the specific classes of electric motors that are currently regulated by DOE. [4] However, DPPP motors are electric motors and, therefore, are and have been among the types of industrial equipment for which Congress has authorized DOE to establish applicable regulations under EPCA without need for DOE to undertake any additional prior administrative action.

As a general matter, DOE notes that 42 U.S.C. 6297, as applied to certain industrial equipment through 42 U.S.C. 6316(a), provides that Federal preemption applies to testing and labeling requirements of equipment covered under EPCA.[5] *See* 42 U.S.C. 6297(a). Federal preemption also generally applies to energy use and energy efficiency or water use of covered products both before and after Federal energy conservation standards become effective. *See* 42 U.S.C. 6296(b)–(c). In the October 2020 NOPR, DOE discussed the historical backdrop of electric motor regulation and the statutory framework that indicates that covered equipment specified by Congress (in this case, electric motors) are subject to Federal preemption regardless of whether Federal energy conservation standards, labeling requirements, or test procedures have been established. 85 FR 62816, 62818. Accordingly, DOE notes that efforts by States to set energy conservation standards, test procedures, or labeling requirements for DPPP motors—or any other electric motor—are preempted as a matter of law.[6]

On January 18, 2017, DOE published a direct final rule establishing energy conservation standards for dedicated-purpose pool pumps (''DPPPs''). 82 FR 5650 (the ''January 2017 Direct Final Rule'').[7] Acknowledging comments received in response to the direct final rule in support of regulating DPPP motors that would serve as replacement motors to the regulated pool pumps, DOE published a notice of public meeting and held a public meeting on August 10, 2017, to consider potential scope, definitions, equipment characteristics, and metrics for pool pump motors. 82 FR 30845 (July 3, 2017). DOE also requested comment on potential requirements for pool pump motors in a request for information (''RFI'') pertaining to test procedures for small electric motors and electric motors. 82 FR 35468, 35474 (July 31, 2017). On August 14, 2018, DOE received a petition submitted by a variety of entities (collectively, the ''Joint Petitioners'') [8] requesting that DOE issue a direct final rule to establish prescriptive standards and a labeling requirement for DPPP motors (''Joint Petition'').[9] The Joint Petitioners sought a compliance date of July 19, 2021, to align with the standards compliance date for DPPPs. (Id.) See also 82 FR 24218 (May 26, 2017). DOE published a notice of the Joint Petition and sought comment on whether to proceed with the proposal, as well as any data or information that could be used in DOE's determination of whether to issue a direct final rule. 83 FR 45851 (September 11, 2018).[10]

On December 12, 2018, representatives from APSP, NEMA, Nidec Motors, Regal Beloit, and Zodiac met with DOE to reiterate the need for implementation of the Joint Petition. (December 2018 *Ex Parte* Meeting, No. 42 at p. 1) [11] On February 5, 2019, the Association of Pool & Spa Professionals (''APSP''), National Electrical Manufacturers Association (''NEMA''), Hayward, Pentair, Nidec Motors, Regal Beloit, WEG Commercial Motors, and Zodiac Pool Systems met with DOE to present an alternative approach to the Joint Petition, suggesting DOE propose a labeling requirement for DPPP motors. (February 2019 *Ex Parte* Meeting, No. 43 at p. 1) [12] These interested parties specifically requested that DOE base the labeling requirement on a newly-available industry standard for pool pump motors published on July 1, 2019 (UL 1004–10:2019, ''Pool Pump Motors''), a design standard that incorporates some of the proposals contained in the Joint Petition. (February 2019 *Ex Parte* Slides, No. 43 at pp. 9–10) A follow-up memorandum was submitted to DOE on March 1, 2019, providing additional information related to UL 1004–10:2019. (March 2019 *Ex Parte* Memo, No. 44) The interested parties noted the timelines and costs that would be involved in

[4] The current energy conservation standards at 10 CFR 431.425 apply to electric motors that satisfy nine criteria listed at 10 CFR 431.425(g), subject to the exemptions listed at 10 CFR 431.25(l). The nine criteria are as follows: (1) Are single-speed, induction motors; (2) are rated for continuous duty (MG1) operation or for duty type S1 (IEC); (3) contain a squirrel-cage (MG1) or cage (IEC) rotor; (4) operate on polyphase alternating current 60-hertz sinusoidal line power; (5) are rated 600 volts or less; (6) have a 2-, 4-, 6-, or 8-pole configuration; (7) are built in a three digit or four-digit NEMA frame size (or IEC metric equivalent), including those designs between two consecutive NEMA frame sizes (or IEC metric equivalent), or an enclosed 56 NEMA frame size (or IEC metric equivalent); (8) produce at least one horsepower (0.746 kW) but not greater than 500 horsepower (373 kW), and; (9) meet all of the performance requirements of one of the following motor types: A NEMA Design A, B, or C motor or an IEC Design N or H motor. The exemptions listed at 10 CFR 431.25(l) are: (1) Air-over electric motors; (2) component sets of an electric motor; (3) liquid-cooled electric motors; (4) submersible electric motors; and (5) inverter-only electric motors.

[5] Both pumps (such as DPPPs) and electric motors are treated as covered industrial equipment under EPCA, thus providing the legal basis for DOE's authority to regulate these types of equipment. *See* 42 U.S.C. 6311(1).

[6] EPCA defines an ''energy conservation standard'' as either a performance standard prescribing a minimum level of energy efficiency or a maximum quantity of energy use for a product or a design requirement for a product. *See* 42 U.S.C. 6311(18).

[7] DOE confirmed the adoption of the standards and the effective date and compliance date in a notice published on May 26, 2017. 82 FR 24218. DOE also established a test procedure for DPPPs. 82 FR 36858 (August 7, 2017).

[8] The Joint Petitioners are: The Association of Pool & Spa Professionals, Alliance to Save Energy, American Council for an Energy-Efficient Economy, Appliance Standards Awareness Project, Arizona Public Service, California Energy Commission, California Investor Owned Utilities, Consumer Federation of America, Florida Consumer Action Network, Hayward Industries, National Electrical Manufacturers Association, Natural Resources Defense Council, Nidec Motor Corporation, Northwest Power and Conservation Council, Pentair Water Pool and Spa, Regal Beloit Corporation, Speck Pumps, Texas ROSE (Ratepayers' Organization to Save Energy), Waterway Plastics, WEG Commercial Motors, and Zodiac Pool Systems.

[9] The Joint Petition is available at *www.regulations.gov/document?D=EERE-2017-BT-STD-0048-0014.*

[10] Docket No. EERE–2017–BT–STD–0048, available at: *www.regulations.gov/docket?D=EERE-2017-BT-STD-0048.*

[11] With respect to each of the ex parte communications noted in this document, DOE posted a memorandum submitted by the interested party/parties that summarized the issues discussed in the relevant meeting as well as its date and attendees, in compliance with DOE's Guidance on *Ex Parte* Communications. 74 FR 52795–52796 (Oct. 14, 2009). The memorandum of the meeting as well as any documents given to DOE employees during the meeting were added to the docket as specified in that guidance. See *Id.* at 74 FR 52796.

[12] The parenthetical reference provides a reference for information located in the docket of DOE's rulemaking to develop the test procedure requirements for DPPP motors. (Docket No. EERE-2017-BT-STD-0008, which is maintained at *www.regulations.gov/#!docketDetail;D=EERE-2017-BT-STD-0008*). The references are arranged as follows: (commenter, comment docket ID number, page of that document).

applying a label to the affected pool pump motors and the impacts flowing from past labeling efforts. (*See generally Id.* at 1–3.)

On October 5, 2020, DOE published a NOPR proposing to establish a test procedure and an accompanying labeling requirement for DPPP motors. 85 FR 62816. (''October 2020 NOPR'') Specifically, DOE proposed to incorporate by reference UL Standard 1004–10:2019 ''Outline of Investigation for Pool Pump Motors'' (''UL 1004–10:2019'') pertaining to DPPP definitions and marking requirements; require the use of CSA C747–09 (R2014), ''Energy Efficiency Test Methods for Small Motors'' (''CSA C747–09'') for testing the energy efficiency of DPPP motors; require the nameplate of a subject DPPP motor (1) to include the full-load efficiency of the motor as determined under the proposed test procedure, and (2) if the DPPP motor is certified to UL–1004–10:2019, to include the statement, ''Certified to UL 1004–10:2019''; require that catalogs and marketing materials include the full-load efficiency of the motor; require manufacturers to notify DOE of the subject DPPP motor models in current production (according to the manufacturer's model number) and whether the motor model is certified to UL 1004–10:2019; and require manufacturers to report to DOE the full-load efficiency of the subject DPPP motor models as determined pursuant to the proposed test procedure. Additionally, if a DPPP motor model is certified to UL 1004–10:2019, DOE proposed to require manufacturers to report the total horsepower and speed configuration of the motor model as provided on the nameplate pursuant to the UL certification. 85 FR 62816, 62820.

DOE received comments in response to the proposed test procedure and labeling requirements in the October 2020 NOPR from the interested parties listed in Table I.1.

TABLE I–1—OCTOBER 2020 NOPR WRITTEN COMMENTS

Commenter(s)	Reference in this NOPR	Commenter type
Anonymous	Anonymous	NA.
Appliance Standards Awareness Project, Consumer Federation of America, Florida Consumer Action Network.	ASAP, CFA, and FCAN	Efficiency Organizations.
California Energy Commission	CEC	State agency.
California Investor-Owned Utilities	CA IOUs	Utilities.
Fluidra	Fluidra	Pool Pump Manufacturer.
Hayward Industries, Inc	Hayward	Pool Pump Manufacturer.
Natural Resources Defense Council	NRDC	Efficiency Organization.
Nidec Motor Corporation	Nidec	Motor Manufacturer.
Northwest Energy Efficiency Alliance and Northwest Power and Conservation Council.	NEEA and NWPCC	Efficiency Organizations.
Pentair Water Pool and Spa, Inc	Pentair	Pool Pump Manufacturer.
Regal Beloit America, Inc	Regal Beloit	Motor Manufacturer.
Speck Pumps	Speck Pumps	Pool Pump Manufacturer.
The Pool & Hot Tub Alliance and National Electrical Manufacturers Association	PHTA and NEMA	Trade Association.
Underwriters Laboratory LLC	UL	Laboratory.

In this final rule, DOE is not establishing a labeling requirement. DOE intends to address labeling separately. DOE may also consider energy conservation standards, but would do so separate from this rulemaking. Comments received specific to labeling or regarding energy conservation standards will be addressed, as appropriate to the extent that DOE addresses either of these issues in a separate notice or notices.

The UL 1004–10:2019 standard referenced in the October 2020 NOPR has since been replaced by an American National Standards Institute (''ANSI'') approved 2020 version published on February 28, 2020. This version was ANSI-approved on January 23, 2020 and therefore, the latest version of the standard is UL 1004–10:2020 ''Standard for Safety for Pool Pump Motors'' (edition date February 28, 2020).

II. Synopsis of the Final Rule

In this final rule, DOE is establishing a test procedure for DPPP motors. DOE is not, however, establishing separate labeling requirements or energy conservation standards for the DPPP motors within scope of the test procedure established in this final rule.

In this final rule, DOE establishes subpart Z within 10 CFR part 431, ''Dedicated-Purpose Pool Pump Motors,'' which:

- Specifies that the test procedure applies to ''subject DPPP motors'' (*i.e.,* DPPP motors with a total horsepower (''THP'') of less than or equal to 5, but does not apply to: (i) DPPP motors that are polyphase motors capable of operating without a drive and distributed in commerce without a drive that converts single-phase power to polyphase power; (ii) waterfall pump motors; (iii) rigid electric spa pump motors, (iv) storable electric spa pump motors; (v) integral cartridge-filter pool pump motors, and (vi) integral sand-filter pool pump motors);
- Incorporates by reference UL 1004–10:2020 ''Standard for Safety for Pool Pump Motors'' (''UL 1004–10:2020'') and reference the definitions of that industry standard; and
- Incorporates by reference CSA C747–09 as the energy efficiency test method for DPPP motors.

The effective date for the amended test procedures adopted in this final rule is 30 days after publication of this document in the **Federal Register**.

DOE notes that the use of the test procedure would not be required for Federal certification or labeling purposes until such time as DOE were to establish a label requirement or standards for DPPP motors, (*see* 42 U.S.C. 6315(d); 42 U.S.C. 6316(a); 42 U.S.C. 6295(s))) Accordingly, DOE concludes that this test procedure final rule would not impose added costs for DPPP motor manufacturers. DOE notes that, outside of these contexts, effective 180 days after an applicable test procedure for covered equipment is prescribed, any other representations by manufacturers, distributors, retailers, and private labelers about the energy consumption or cost of energy for these motors must be based on the use of that test procedure. (See 42 U.S.C. 6314(d)(1))

III. Discussion

A. Scope of Applicability

In the October 2020 NOPR, DOE proposed the scope of the test procedure and labeling requirements for DPPP motors to align with the scope of motors used in pool pumps that are subject to the standards and for which DOE has established an energy performance requirement,[13] both in terms of capacity and categories of equipment (with the six exemptions). 85 FR 62816, 62820. *See also* 10 CFR 431.465. In response to the October 2020 NOPR, NEMA and PHTA supported establishing test procedures and a mandatory labeling requirements for the pool pump motors proposed in scope. (NEMA and PHTA, No. 57 at p. 4) Fluidra, Hayward, Nidec, Pentair, Regal Beloit and Speck Pumps-Pool Products all supported NEMA and PHTA's comment regarding scope.[14] (Fluidra, No. 56 at p. 1; Hayward, No. 62 at p. 2; Nidec, No. 58; Pentair, No. 67 at p. 1; Regal Beloit, No. 61 at p. 1; Speck Pumps-Pool Products, No. 65 at p. 1)

The scope of this final rule is that, as proposed in the October 2020 NOPR. *See* 85 FR 62816, 62820–62821. As noted, this final rule does not establish a labeling requirement. The scope of this test procedure is all pool pump motors with a THP less than or equal to 5 THP, and excludes six categories of motors that correspond to the kinds of motors used in pool pumps for which DOE has not established performance standards. *See* 10 CFR 431.465. DOE notes that DPPP motors are not small electric motors as defined under EPCA.[15] Therefore, the test procedure requirements apply to DPPP motors regardless of how the equipment is sold: *i.e.,* whether incorporated in a DPPP or sold separately as a replacement part. The scope is the same as the scope recommended by the Joint Petitioners, which includes pool pump motors regardless of how they are sold—*i.e.,* incorporated in pool pumps, individually sold, and without regard to whether the motor is manufactured domestically or imported. 83 FR 45851, 45855. The scope is also the same as the scope of UL 1004–10:2020. (*See* UL 1004–10:2020 sec. 1.2, 1.3, 1.4) The exemptions, for which definitions are provided in UL 1004–10:2020, are listed as follows:

- Polyphase motors capable of operating without a drive and distributed in commerce without a drive that converts single-phase power to polyphase power,
- waterfall pump motors,
- rigid electric spa pump motors,
- storable electric spa pump motors,
- integral cartridge-filter pool pump motors, and
- integral sand-filter pool pump motors.

The upper limit of 5 THP approximates the scope of the pool pumps subject to standards at 10 CFR 431.465(f), which has an upper bound of 2.5 hydraulic horsepower (''HHP'').[16] DOE already defines the term ''dedicated-purpose pool pump motor total horsepower'' at 10 CFR 431.462 and establishes how it is determined in section E.3.4 of 10 CFR part 431, subpart Y, appendix C. This approach is identical to the characterization of DPPP motor THP in UL 1004–10:2020 . (*See* UL 1004–10:2020, sec. 2.6.) UL 1004–10:2020 also directs that the DPPP motor THP to be permanently marked on the nameplate. (See UL 1004–10:2020, sec. 7.1.)

The exemption for polyphase motors applies to three-phase motors operating on three-phase power supply, which means that these motors are most commonly used in commercial applications and not in residential ones. (Residential applications commonly use single-phase power.) The exemptions for polyphase motors do not exempt three-phase motors operating on a single-phase power supply (by connecting the motor to a drive that converts single-phase power to three-phase power). This exemption ensures that DPPP motors used in pool pumps operating on three-phase power, which are not subject to energy performance requirements under 10 CFR part 431, subpart Y, are exempt from the testing requirements. The remaining five exemptions also exempt DPPP motors used in DPPPs that are not subject to energy performance requirements under 10 CFR part 431, subpart Y.

As discussed, the scope of the test procedure requirements is consistent with the scope of motors used in pool pumps that are subject to standards and for which DOE has set an energy performance requirement, with the scope of UL 1004–10:2020, and with the scope recommendations of the Joint Petitioners.

B. Definitions

In the October 2020 NOPR, DOE noted that UL 1004–10:2019 provides definitions for certain pool pump motors relevant to the marking and testing specifications provided in that industry test standard. 85 FR 62816, 62821. DOE noted that while UL 1004–10:2019 was referenced in the Joint Petition, at the time, UL 1004–10:2019 was in the process of being developed and had not been finalized. *Id.* (*See also* Joint Petition, No. 14 at p.7) DOE presented the main deviations of the definitions finalized in UL 1004–10:2019 from those recommended by the Joint Petitioners in Table III–1 of the October 2020 NOPR. 85 FR 62816, 62821–62822. DOE proposed to incorporate by reference definitions from UL 1004–10:2019 and requested comment on the proposal. 85 FR 62816, 62822.

In response to the October 2020 NOPR, UL commented that the 2019 version of the UL 1004–10 standard referenced in the NOPR has been replaced by an American National Standards Institute (''ANSI'') approved 2020 version published on February 28, 2020, which includes minor editorial changes. UL also provided information on the ANSI standard approval process, which gathered broader feedback and gained consensus from several stakeholder types. (UL, No. 63 at pp. 1–2) The CA IOUs, NEMA and PHTA commented that DOE should incorporate by reference the UL 1004–10:2020 as it is the most recent version. (CA IOUs, No. 64 at p. 5; NEMA and PHTA, No. 57 at p. 4) NEMA and PHTA stated that the definitions in UL 1004–10:2020 were appropriate. NEMA and PHTA further referenced UL comments regarding the development process for UL 1004–10:2020, which NEMA and PHTA described as compliant with section 32 of the Federal Energy

[13] Integral cartridge filter pool pumps and integral sand filter pool pumps subject to standards do not have energy performance requirements. Instead, they must be distributed in commerce with a pool pump timer that is either integral to the pump or a separate component that is shipped with the pump. 10 CFR 431.465(g).

[14] Fluidra, Hayward, Nidec, Pentair, Regal Beloit and Speck Pumps-Pool Products commented in support of the comments submitted by NEMA and PHTA except where noted otherwise in this notice (Fluidra, No. 56 at p. 1; Hayward, No. 62 at p. 1; Nidec, No. 58; Pentair, No. 67 at p. 2; Regal Beloit, No. 61 at p. 1; Speck Pumps-Pool Products, No. 65 at p. 1)

[15] DPPP motors are not general-purpose motors and therefore do not meet the definition of small electric motors. 10 CFR 431.442. Certain DPPP motors have similar characteristics to small electric motors. They can be single-speed, NEMA 2-digit frame size, have open enclosures and can either be capacitor-start induction-run, capacitor-start capacitor-run or polyphase motors. However, these DPPP motors do not meet all the performance requirements in section 1.05 of NEMA MG1–1987 for general purpose motors (*i.e.* service factor, breakdown torque, locked rotor torque); and/or are designed, marketed for use in pool pump application, or both. Therefore, they do not meet the definition of a small electric motor. Accordingly, EPCA's exclusion of small electric motors that are a component of a covered product or equipment type from the small electric motors energy conservation standards does not apply to DPPP motors. *See* 42 U.S.C. 6317(b)(3).

[16] A pool pump providing 2.5 HHP typically operates using a 5 THP motor.

Administration Act of 1974, as amended by the Federal Energy Administration Authorization Act of 1977 (15 U.S.C. 788; FEAA). (NEMA and PHTA, No. 57 at p. 4)

As noted by commenters, UL 1004–10 was ANSI approved on January 23, 2020 and the latest standard is UL 1004–10:2020 ''Standard for Safety for Pool Pump Motors'' (edition date February 28, 2020). DOE reviewed UL 1004–10:2020 and only identified minor editorial updates compared to UL 1004–10:2019 (*See* UL 1004–10:2020 sec 1.1, 2.1, 3.1, and 3.2) and did not identify any updates to the definitions. Therefore, in this final rule, DOE incorporates by reference UL 1004–10:2020 (see section III.D.3) and references the definitions published in that industry standard.

In the October 2020 NOPR, DOE also proposed to rely on the term ''manufacturer's model number,'' as currently defined in 10 CFR 431.2, as the identifier used by a manufacturer to uniquely identify the group of identical or essentially identical commercial equipment to which a particular unit belongs and which is generally applicable to commercial equipment. 85 FR 62816, 62822. The manufacturer's model number typically appears on equipment nameplates, in equipment catalogs and in other product advertising literature. 10 CFR 431.2. DOE proposed to require manufacturers to report to DOE the models in current production (according to the manufacturer's model number) to which the labeling requirement applies. 85 FR 62816, 62822. DOE requested comment on the proposed use of the term ''manufacturer's model number'' as defined at 10 CFR 431.2 for the purpose of reporting to DOE. *Id.*

NEMA and PHTA commented that a manufacturer's unique identifier is needed. NEMA and PHTA recommended that a catalog or model number be used to describe and track subject DPPP motors throughout the rule's requirements, as using the catalog or model number would significantly reduce the need for updates to the DOE database. (NEMA and PHTA, No. 57 at p. 5) DOE did not receive any other comments regarding using the term ''manufacturer's model number.''

DOE proposed a definition of ''manufacturer's model number'' in the context of the proposed reporting required in conjunction with the proposed labeling requirement. As DOE is not adopting a labeling requirement in this final rule, DOE is not adopting the use of the term ''manufacturer's model number'' in this final rule.

C. Test Procedures

As discussed in section I.A.1, EPCA provides for the establishment of a test procedure for covered equipment. (42 U.S.C. 6314(a)) The test procedure must be reasonably designed to produce results reflecting the energy efficiency, energy use, and estimated operating costs of the covered equipment and not be unduly burdensome to conduct. (42 U.S.C. 6314(a)(2)) While EPCA includes specific test procedure-related requirements for electric motors, these requirements are limited to those motors for which standards are applicable. (*See* 42 U.S.C. 6314(a)(5)) As there are currently no energy conservation standards for DPPP motors, these specific requirements do not apply.

In the October 2020 NOPR, consistent with the statutory framework, DOE proposed to incorporate by reference CSA C747–09 (R2014) (published October 1, 2009 and reaffirmed in 2014) as the prescribed test method for evaluating the energy efficiency of the pool pump motors in scope. 85 FR 62816, 62822. This industry-based test procedure, which is already prescribed by DOE as an alternative testing method for evaluating the efficiency of certain small electric motors, can be applied to the range of electric motors that are used in DPPPs—including both single-, two-,multi-, and variable-speed DPPP motors. CSA C747–09 provides for the direct measurement of electrical input power to the motor (or to the drive, as applicable) [17] and mechanical output power (in the form of torque and speed) from the motor (*i.e.,* ''input-output'' test), and for the calculation of efficiency as the ratio of these two values at different load points. 85 FR 62816, 62822. CSA C747–09 provides that the test method is applicable to motors with drives (also known as ''inverters'' or ''converters''), such as variable-speed drives (see Section 1 and Section 4 of CSA C747–09), and two- and multi-speed motors (see Section 6.6 and 6.7.1 of CSA C747–09), which is inclusive of the scope of DPPP motors. CSA 747–09 is a commonly used industry test method that is reasonably designed to produce results reflecting the energy efficiency, energy use, and estimated operating cost of DPPP motors and is not unduly burdensome to conduct.

In response to the October 2020 NOPR, CA IOUs, NEMA and PHTA commented that CSA C747–09 was the appropriate test standard for DPPP motors and agreed with DOE's proposal to incorporate by reference CSA C747–09. (CA IOUs, No. 64 at p. 5; NEMA and PHTA, No. 57 at p. 5) DOE did not receive any comments opposed to the incorporation by reference of CSA C747–09. Accordingly, in this final rule, DOE incorporates CSA C747–09 by reference at 10 CFR 431.482 as the prescribed test method for evaluating the energy efficiency of the pool pump motors in scope.

D. Metric

In the October 2020 NOPR, DOE noted that section 6.5 of CSA C747–09 specifies that the motor efficiency must be measured at no fewer than five load points [18] and proposed that the energy efficiency metric for pool pump motors to be the full-load efficiency,[19] consistent with current industry practice. 85 FR 62816, 62822.

The CA IOUs commented that the full-load efficiency metric would provide consumer utility when combined with the UL certification because it would indicate that the pool pump would be suitable for use or replacement in one of those products. (CA IOUs, Public Meeting Transcript, No. 55 at p. 62)

NEMA and PHTA commented in support of using the full-load efficiency as determined by CSA C747–09 as the metric. However, NEMA and PHTA noted that CSA C747–09 measures an efficiency that includes the losses of both the motor and the drive (or ''control''). As such, NEMA and PHTA recommended that the metric be described as a ''motor system efficiency'' (*i.e.,* combined motor and drive efficiency) and not as a motor efficiency. (NEMA and PHTA, No. 57 at p. 5) CA IOUs also recommended describing the metric as a motor system efficiency. (CA IOUs, No. 64 at pp. 5–6)

Nidec, however, commented that full-load efficiency is not an appropriate metric for pool pump motors and asserted that it does not capture the energy saving benefits of variable-speed pool pump motors. Nidec commented that the full-load efficiency of a non-UL 1004–10:2020-compliant single-speed pool pump motor measured in accordance with CSA C747–09 could be

[17] UL 1004–10:2020 defines a drive as ''a power converter, such as a variable-speed drive or phase converter'' Section 2.7 of UL 1004–10:2020.

[18] As specified in section 6.5 of CSA C747–09, the motor efficiency is measured at no fewer than five load points in total, with at least four of which being between 25% and 100% of full-load, and at least one of which being between 100% and 125% of full-load.

[19] For variable-speed motors, Section 3 of CSA C747–09 defines ''full-load'' as the rated output power at the speed specified by the manufacturer. For all other motors, it is defined as the rated horsepower of the motor (*i.e.* the horsepower indicated on its nameplate).

higher than the efficiency of a UL 1004–10:2020-compliant variable-speed motor, for which the full-load efficiency metric includes the losses of the integrated drive.[20] Nidec asserted that requiring a full-load efficiency metric on the motor nameplate would be confusing to the end-user and is detrimental to the success of implementing the rule. (Nidec, No. 58) Similarly, Regal Beloit commented that a full-load efficiency metric would not be effective in assisting consumers in making purchasing decisions if single-speed motors are still allowed on the market. (Regal Beloit, Public Meeting Transcript, No. 55 at pp. 49–50)

The definitions related to DPPP motors incorporated into this final rule includes ''variable-speed control DPPP motors.'' A DPPP motor, including a variable-speed control DPPP motor, may include a drive which could be physically combined with the motor into a single unit, may include a drive that is physically separate from the DPPP motor, or may not include a drive but the motor is unable to operate without a drive. UL 1004–10:2020 defines a ''drive'' as ''a power converter such as a variable-speed drive or phase converter.'' (UL 1004–10:2020 sec. 2.7.) The term ''drive'' is used to describe the category of speed controls used in variable-speed control DPPP motors and certain two- and multi-speed DPPP motors. (*See* UL 1004–10:2020 sec. 2.11, 2.15, 2.16.) When testing motors with drives, the drive cannot always be tested separately from the motor.

As stated, DOE proposed to incorporate by reference CSA C747–09 as the prescribed test method for evaluating the energy efficiency of the pool pump motors in scope. 85 FR 62816, 62822–62823. When the motor requires a drive to operate, CSA C747–09 provides that testing includes testing of the drive (see Section 4 of CSA C747–09).[21] Based on its review of catalogs, DOE has determined that DPPP motors that operate with a drive, either have an integrated drive, or are sold in conjunction with a drive (including when the motor is unable to operate without a drive).[22] NEMA, PHTA, and the CA IOUs, stated manufacturers test DPPP motors with drives inclusive of the drive. As such, the measured full-load efficiency of the DPPP motor includes the efficiency of the drive if a drive is integrated into the motor, or the motor cannot operate without the presence of a drive.

This final rule maintains the ''full-load efficiency'' as the description of the metric for DPPP motors. DOE is concerned that the term ''motor system efficiency,'' or some variant, could be misunderstood to mean that the measured value includes the efficiency of components other than the DPPP motor (*e.g.,* as inclusive of the pool pump). In addition, not all DPPP motors include a drive (*e.g.,* single-speed DPPP motors).

To address stakeholder concerns regarding the description of the metric and to reflect the inclusion of the drive, as appropriate, DOE is clarifying that the measured full-load efficiency of the DPPP motor is inclusive of the drive if the DPPP motor is placed into commerce with a drive or is unable to operate without the presence of a drive. In addition, the provisions of section 4 of CSA C747 would still apply, and DOE adds that the measured full-load efficiency of the DPPP motor is also inclusive of the drive if the DPPP motor requires a drive to operate, regardless of whether the DPPP motor is sold with a drive.

E. Harmonization With Industry Standards

On February 14, 2020, DOE finalized its rule, ''Procedures for Use in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment'' (''the Process Rule''). 85 FR 8626. The Process Rule requires DOE to adopt industry test standards as DOE test procedures for covered products and equipment, unless such methodology would be unduly burdensome to conduct or would not produce test results that reflect the energy efficiency, energy use, water use (as specified in EPCA) or estimated operating costs of that equipment during a representative use cycle. Section 8(c) of appendix A 10 CFR part 430 subpart C; 10 CFR 431.4.[23] In cases where the industry standard does not meet EPCA statutory criteria for test procedures, DOE will make modifications through the rulemaking process to these standards as the DOE test procedure.

The test procedures for DPPP motors at new subpart Z to part 431 incorporates by reference the test standard CSA C747–09 (reaffirmed in 2014), Energy Efficiency Test Methods for Small Motors, without modification. CSA C747–09 is an industry-accepted test procedure that measures the energy efficiency of certain motors, and is applicable to DPPP motors in scope sold in North America. CSA C747–09 includes specifications for the test setup, instrumentation, test conduct, and calculations. DOE also incorporates by reference UL 1004–10:2020, Standard for Safety for Pool Pump Motors, without modification, to reference the definitions published in the same standard. UL 1004–10:2020 establishes definitions and marking requirements for certain pool pump motors and describes methods to verify the information conveyed by those required markings.

F. Effective Date

EPCA prescribes that, if DOE establishes or amends a test procedure, all representations of energy efficiency and energy use, including those made on marketing materials and product labels, must be made in accordance with that test procedure, beginning 180 days after publication of such a test procedure final rule in the **Federal Register**. (42 U.S.C. 6314(d)(1))

If DOE were to establish a new, or amend an existing test procedure, EPCA provides an allowance for individual manufacturers to petition DOE for an extension of the 180-day period to begin making representations if the manufacturer may experience undue hardship in meeting the deadline. (42 U.S.C. 6314(d)(2)) To receive such an extension, petitions must be filed with DOE no later than 60 days before the end of the 180-day period and must detail how the manufacturer will experience undue hardship. (*Id.*)

DOE received a number of comments involving the effective and compliance dates focusing on the labeling requirements proposed in the October 2020 NOPR. As DOE is not finalizing that aspect of the October 2020 NOPR, DOE will address those comments in a future rulemaking regarding the labeling requirements.

The effective date for the established test procedure will be 30 days after publication of this final rule in the **Federal Register**. The test procedure established in this final rule does not require manufacturers to test DPPP

[20] For example, a motor could have a full-load efficiency of 70 percent compared to a motor (70 percent full-load efficiency) and integrated controls (95 percent full-load efficiency) with a full-load efficiency of $70 \times 95 = 66.5$ percent. (Nidec, No. 58)

[21] CSA C747–09 uses the term ''inverter'' motor and ''converter,'' but as evidenced by the definition in UL 1004–10:2020, a ''converter'' and drive are synonymous. NEMA MG 1–2016, ''American National Standard for Motors and Generators'' paragraph 30.2.1.5 defines the term ''control'' as ''devices that are also called inverters and converters''.

[22] As the DPPP motors are replacement motors, absent a specific drive identified, the applicable drive would be that in the dedicated-purpose pool pump for which the motor serves as a replacement.

[23] This practice implements the National Technology Transfer and Advancement Act and OMB Circular A–119 with respect to the adoption of industry standards. (See 85 FR 8679–8680).

motors for certification of compliance with standards or labeling requirements. But when manufacturers, distributors, retailers, and private labelers make any representations respecting the energy consumption or cost of energy consumed by DPPP motors, such representations must be made in accordance with the test procedure. (*See* 42 U.S.C. 6314(d)(1))

IV. Procedural Issues and Regulatory Review

A. Review Under Executive Order 12866

The Office of Management and Budget (''OMB'') has determined this test procedure rulemaking does not constitute a ''significant regulatory action'' under section 3(f) of Executive Order (''E.O.'') 12866, *Regulatory Planning and Review,* 58 FR 51735 (Oct. 4, 1993). Accordingly, this action was not subject to review under the Executive order by the Office of Information and Regulatory Affairs (''OIRA'') in OMB.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of a final regulatory flexibility analysis (FRFA) for any final rule where the agency was first required by law to publish a proposed rule for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (August 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the DOE rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website: *https://energy.gov/gc/office-general-counsel.*

In this final rule, DOE establishes a test procedure for DPPP motors. This final rule does not establish a labeling requirement and DOE intends to address any such labeling requirement in a separate notice. Further, this final rule does not establish energy conservation standards for DPPP motors. Were DOE to consider energy conservation standards for this equipment, it would do so in a separate rulemaking.

DOE reviewed this final rule to establish a test procedure for DPPP motors under the provisions of the Regulatory Flexibility Act and the procedures and policies published on February 19, 2003. DOE uses the Small Business Administration's (SBA) small business size standards to determine whether manufacturers qualify as small businesses, which are listed by the North American Industry Classification System (NAICS). The SBA considers a business entity to be a small business, if, together with its affiliates, it employs less than a threshold number of workers specified in 13 CFR part 121. The 2017 NAICS code for DPPP motors is 335312, motor and generator manufacturing. The threshold number for NAICS code 335312 is 1,250 employees.[24] This employee threshold includes all employees in a business's parent company and any other subsidiaries.

As previously stated, use of the test procedure would not be required until such time as DOE were to establish a label requirement or energy conservation standards for DPPP motors. (*See,* 42 U.S.C. 6315(d) and 42 U.S.C. 6314(a)(5)(A), respectively) Accordingly, manufacturers would only incur costs if/when DOE were to establish a labeling and/or energy conservation standards for DPPP motors. Therefore, DOE estimates that the adopted test procedure would not result in any DPPP motor manufacturer, large or small, to incur any additional costs.

Therefore, DOE certifies that the impacts of the adopted test procedure requirement in this final rule would not have a ''significant economic impact on a substantial number of small entities,'' and that the preparation of an FRFA is not warranted. DOE has transmitted the certification and supporting statement of factual basis to the Chief Counsel for Advocacy of the Small Business Administration for review under 5 U.S.C. 605(b).

C. Review Under the Paperwork Reduction Act of 1995

Manufacturers of electric motors must certify to DOE that their products comply with any applicable energy conservation standards. To certify compliance, manufacturers must first obtain test data for their products according to the DOE test procedures, including any amendments adopted for those test procedures. DOE has established regulations for the certification and recordkeeping requirements for all covered consumer products and commercial equipment, including electric motors. (See generally 10 CFR part 429.) The collection-of-information requirement for the certification and recordkeeping is subject to review and approval by OMB under the Paperwork Reduction Act (''PRA''). This requirement has been approved by OMB under OMB control number 1910–1400. Public reporting burden for the certification is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This final rule does not establish any certification or recordkeeping requirements on manufacturers. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

D. Review Under the National Environmental Policy Act of 1969

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE has analyzed this proposed action in accordance with NEPA and DOE's NEPA implementing regulations (10 CFR part 1021). DOE has determined that this rule qualifies for categorical exclusion under 10 CFR part 1021, subpart D, appendix A5, because it is an interpretive rulemaking that does not change the environmental effect of the rule and meets the requirements for application of a CX. See 10 CFR 1021.410. Therefore, DOE has determined that promulgation of this rule is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA, and does not require an Environmental Assessment or an Environmental Impact Statement.

E. Review Under Executive Order 13132, ''Federalism''

Executive Order 13132, ''Federalism,'' 64 FR 43255 (August 4, 1999), imposes certain requirements on agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy

[24] *www.sba.gov/document/support-table-size-standards.* Last accessed on December 11, 2020.

describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE examined this final rule and determined that it 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. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this final rule. States can petition DOE for exemption from such preemption to the extent, and based on criteria, set forth in EPCA. (42 U.S.C. 6297(d)) No further action is required by Executive Order 13132.

F. Review Under Executive Order 12988, ''Civil Justice Reform''

Regarding the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (Feb. 7, 1996), imposes on Federal agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; (3) provide a clear legal standard for affected conduct rather than a general standard; and (4) promote simplification and burden reduction. Section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires executive agencies to review regulations in light of applicable standards in sections 3(a) and 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this final rule meets the relevant standards of Executive Order 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA'') requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action resulting in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a), (b)) The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a proposed ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect small governments. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820; also available at *https://energy.gov/gc/office-general-counsel.* DOE examined this final rule according to UMRA and its statement of policy and determined that the rule contains neither an intergovernmental mandate, nor a mandate that may result in the expenditure of $100 million or more in any year, so these requirements do not apply.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Public Law 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any rule that may affect family well-being. This final rule will not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 12630

DOE has determined, under Executive Order 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights'' 53 FR 8859 (March 18, 1988), that this regulation will not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note) provides for agencies to review most disseminations of information to the public under guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M–19–15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines which are available at *www.energy.gov/sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf.* DOE has reviewed this final rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OMB, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgated or is expected to lead to promulgation of a final rule, and that (1) is a significant regulatory action under Executive Order 12866, or any successor order; and (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (3) is designated by the Administrator of OIRA as a significant energy action. For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use if the regulation is implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This regulatory action is not a significant regulatory action under Executive Order 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as a significant energy action by the Administrator of OIRA. Therefore, it is not a significant energy action, and, accordingly, DOE has not prepared a Statement of Energy Effects.

L. Review Under Section 32 of the Federal Energy Administration Act of 1974

Under section 301 of the Department of Energy Organization Act (Public Law 95–91; 42 U.S.C. 7101), DOE must comply with section 32 of the Federal Energy Administration Act of 1974, as amended by the Federal Energy Administration Authorization Act of 1977. (15 U.S.C. 788; FEAA) Section 32 essentially provides in relevant part that, where a proposed rule authorizes or requires use of commercial standards, the notice of proposed rulemaking must inform the public of the use and background of such standards. In addition, section 32(c) requires DOE to consult with the Attorney General and the Chairman of the Federal Trade Commission (FTC) concerning the impact of the commercial or industry standards on competition.

The modifications to the test procedure for DPPP motors adopted in this final rule incorporates testing methods contained the following commercial standards: UL 1004–10:2020 and CSA C747–09. DOE has evaluated these standards and is unable to conclude whether it fully complies with the requirements of section 32(b) of the FEAA (*i.e.,* whether it was developed in a manner that fully provides for public participation, comment, and review.) DOE has consulted with both the Attorney General and the Chairman of the FTC about the impact on competition of using the methods contained in these standards and has received no comments objecting to their use.

M. Congressional Notification

As required by 5 U.S.C. 801, DOE will report to Congress on the promulgation of this rule before its effective date. The report will state that it has been determined that the rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

N. Description of Materials Incorporated by Reference

In this final rule, DOE incorporates by reference the test standard published by CSA, titled, Energy Efficiency Test Methods for Small Motors, CSA C747–09 (reaffirmed in 2014, including Update 1). CSA C747–09 is an industry-accepted test procedure that measures the energy efficiency of certain motors, and is applicable to pool pump motors in scope sold in North America. The test procedure references various sections of CSA C747–09 that address test setup, instrumentation, test conduct, and calculations. CSA C747–09 is readily available at CSA's website at *https://webstore.ansi.org/standards/csa/csac74709.*

In this final rule, DOE also incorporates by reference the standard published by UL, titled, Standard For Safety for Pool Pump Motors, UL 1004–10:2020. UL 1004–10:2020 establishes definitions for certain pool pump motors and describes methods to verify the information conveyed by those required markings. UL 1004–10:2020 is readily available at UL's website at *www.shopulstandards.com/ProductDetail.aspx?productId=UL1004–10_1_S_20200228.*

V. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule.

List of Subjects in 10 CFR Part 431

Administrative practice and procedure, Confidential business information, Energy conservation test procedures, Incorporation by reference, Reporting and recordkeeping requirements.

Signing Authority

This document of the Department of Energy was signed on July 19, 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 20, 2021.

Treena V. Garrett,

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

For the reasons stated in the preamble, DOE amends part 431 of chapter II of title 10, Code of Federal Regulations as follows:

PART 431—ENERGY EFFICIENCY PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 1. The authority citation for part 431 continues to read as follows:

Authority: 42 U.S.C. 6291–6317; 28 U.S.C. 2461 note.

■ 2. Section 431.11 is amended by adding a sentence at the end of the paragraph to read as follows:

§ 431.11 Purpose and scope.

* * * This subpart does not cover electric motors that are ''dedicated-purpose pool pump motors,'' which are addressed in subpart Z of this part.

■ 3. Section 431.441 is amended by adding a sentence at the end of the paragraph to read as follows:

§ 431.441 Purpose and scope.

* * * This subpart does not cover electric motors that are ''dedicated-purpose pool pump motors,'' which are addressed in subpart Z of this part.

■ 4. Add subpart Z, consisting of §§ 431.481 through 431.484, to read as follows:

Subpart Z—Dedicated-Purpose Pool Pump Motors

Sec.
431.481 Purpose and scope.
431.482 Materials incorporated by reference.
431.483 Definitions.
431.484 Test procedure.

§ 431.481 Purpose and scope.

(a) *Purpose.* This subpart contains definitions and test procedures requirements for electric motors that are dedicated-purpose pool pump motors, pursuant to Part A–1 of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317. It also identifies materials incorporated by reference in this part. This subpart does not cover other ''electric motors,'' which are addressed in subpart B of this part, nor does it cover ''small electric motors,'' which are addressed in subpart X of this part.

(b) *Scope.* The requirements of this subpart apply to dedicated-purpose pool pump motors, as specified in paragraphs 1.2, 1.3 and 1.4 of UL 1004–10:2020 (incorporated by reference, see § 431.482).

(c) *Incorporation by reference.* In § 431.482, DOE incorporates by reference entire standards for use in this subpart; however, only the provisions of the document enumerated in an approved section are applicable within § 431.482.

§ 431.482 Materials incorporated by reference.

(a) *General.* Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition

other than that specified in this section, DOE must publish a document in the **Federal Register** and the material must be available to the public. Standards can be obtained from the sources in this section. All approved material is available for inspection at the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–2945, *https://www.energy.gov/eere/buildings/appliance-and-equipment-standards-program,* and may be obtained from the other sources in this section. It is also available for inspection 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: *www.archives.gov/federal-register/cfr/ibr-locations.html.*

(b) *CSA.* Canadian Standards Association, Sales Department, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada, 1–800–463–6727, or *https://www.csagroup.org/store.*

(1) CSA C747–09 (Reaffirmed 2014) (''CSA C747–09''), ''Energy efficiency test method for small motors'' as revised through August 2016, including Update No. 1; IBR approved for § 431.484.

(2) [Reserved]

(c) *UL.* Underwriters Laboratories, 333 Pfingsten Road, Northbrook, IL 60062, (841) 272–8800, or go to *https://www.ul.com.*

(1) UL 1004–10 (1004–10:2020), ''Standard for Safety for Pool Pump Motors,'' First Edition, Dated February 28, 2020; IBR approved for §§ 431.481 and 431.483.

(2) [Reserved]

§ 431.483 Definitions.

The definitions applicable to this subpart are defined in Section 2 ''Glossary'' of UL 1004–10:2020 (incorporated by reference, see § 431.482).

§ 431.484 Test procedure.

(a) *Scope.* Pursuant to section 343(a) of EPCA, this section provides the test procedures for measuring the efficiency of dedicated-purpose pool pump motors. (42 U.S.C. 6314) For purposes of this part and EPCA, the test procedures for measuring the efficiency of dedicated-purpose pool pump motors shall be the test procedure specified in paragraph (b) of this section.

(b) *Testing and calculations.* At such time as compliance is required with a labeling requirement or an energy conservation standard, the full-load efficiency of each dedicated-purpose pool pump motor model (inclusive of the drive, if the dedicated-purpose pool pump motor model is placed into commerce with a drive, or is unable to operate without the presence of a drive) is determined in accordance with CSA C747–09, Section 1.6 ''Scope'', Section 3 ''Definitions'', Section 4 ''General requirements'', Section 5, ''General test requirements'', and Section 6 ''Test method'' (incorporated by reference, see § 431.482).

[FR Doc. 2021–15759 Filed 7–28–21; 8:45 am]

BILLING CODE 6450–01–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

RIN 3245–AH78

Debt Refinancing in the 504 Loan Program

AGENCY: U.S. Small Business Administration (SBA).

ACTION: Interim final rule with request for comments.

SUMMARY: This interim final rule implements section 328 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, which revises the requirements for refinancing debt in the 504 Loan Program, including: For 504 debt refinancing involving expansions, increasing the amount of existing indebtedness that may be refinanced; and for 504 debt refinancing not involving expansions, removing two limitations on the program, reinstating an alternate job retention goal for the refinancing project, revising the definition of qualified debt, and removing the prohibition against Certified Development Companies (''CDCs'') participating in the Premier Certified Lenders Program using their delegated authority to make these loans.

DATES: *Effective Date:* This rule is effective July 29, 2021.

Comment Date: Comments must be received on or before September 27, 2021.

ADDRESSES: You may submit comments, identified by RIN 3245–AH78, through the Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

SBA will post all comments on *http://www.regulations.gov.* If you wish to submit confidential business information (CBI) as defined in the User Notice at *http://www.regulations.gov,* please submit the information via email to *504refi@sba.gov.* Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make the final determination whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Linda Reilly, Chief, 504 Program Branch, Office of Financial Assistance, Small Business Administration, 409 3rd Street SW, Washington, DC 20416; telephone: (202) 604–5032; email: *linda.reilly@sba.gov.*

SUPPLEMENTARY INFORMATION:

I. Background Information

The 504 Loan Program is an SBA financing program authorized under title V of the Small Business Investment Act of 1958, 15 U.S.C. 695 *et seq.* The core mission of the 504 Loan Program is to provide long-term financing to small businesses for the purchase or improvement of land, buildings, and major equipment, in an effort to facilitate the creation or retention of jobs and local economic development. Under the 504 Loan Program, loans are made to small business applicants by Certified Development Companies (''CDCs''), which are certified and regulated by SBA to promote economic development within their community. In general, a project in the 504 Loan Program (a ''504 Project'') includes: A loan obtained from a private sector lender with a senior lien covering at least 50 percent of the project cost; a loan obtained from a CDC (a ''504 Loan'') with a junior lien covering up to 40 percent of the total cost (backed by a 100 percent SBA-guaranteed debenture); and a contribution from the Borrower of at least 10 percent equity.

In addition, the 504 Loan Program may be used to refinance debt under two options authorized under section 502(7)(B) and (C) of the Small Business Investment Act of 1958. First, if a 504 Project involves the expansion of the small business, any amount of existing indebtedness that does not exceed 50 percent of the project cost of the expansion may be refinanced and added to the project's cost (Debt Refinancing with Expansion) under the conditions set forth in section 502(7)(B) and the implementing regulations. *See* 13 CFR 120.882(e) and (f). Second, debt refinancing is available for a 504 Project that does not involve the expansion of the small business under the requirements set forth in section 502(7)(C) and 13 CFR 120.882(g) (Debt Refinancing without Expansion).

Section 328(a) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Economic Aid Act),

enacted December 27, 2020, Public Law 116–260, revises the conditions and requirements for refinancing debt in the 504 Loan Program as follows:

(1) With respect to Debt Refinancing with Expansion, 13 CFR 120.882(e), the Economic Aid Act increases the amount of existing indebtedness that may be refinanced as part of a 504 Project from not more than 50 percent of the project cost of the expansion to not more than 100 percent of the project cost;

(2) With respect to Debt Refinancing without Expansion, 13 CFR 120.882(g), the Economic Aid Act:

(a) Eliminates the condition that this program shall only be in effect in any fiscal year during which the cost to the Federal Government of making guarantees under 13 CFR 120.882(g) and under the 504 Loan Program is zero;

(b) Eliminates the requirement that a CDC limit its financing under the 504 Loan Program so that, during any Federal fiscal year, new financings under 13 CFR 120.882(g) do not exceed 50% of the dollars the CDC loaned under the 504 Loan Program, including under 13 CFR 120.882(g), during the previous fiscal year, unless otherwise waived;

(c) Eliminates the prohibition against Premier Certified Lender Program (PCLP) CDCs using delegated authority to approve loan applications for Debt Refinancing without Expansion;

(d) Reinstates an alternate job retention standard that was previously removed from the Debt Refinancing without Expansion Program by section 521 of division E of the Consolidated Appropriations Act, 2016, Public Law 114–113, enacted on December 18, 2015;

(e) Revises the definition of ''qualified debt'' to mean debt that was incurred not less than 6 months before the date of application instead of 2 years before the date of application;

(f) Removes from the definition of ''qualified debt'' the condition that the debt not be subject to a guarantee by a Federal agency; and

(g) Eliminates from the definition of ''qualified debt'' the requirement that the borrower be current on all payments for not less than 1 year before the date of the application for refinancing.

As described in the section-by-section analysis below, SBA is issuing this interim final rule to conform the current rules to the requirements of the Economic Aid Act.

II. Comments and Immediate Effective Date

This interim final rule is effective without the advance notice and public comment required by section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(3)(B), because section 303 of the Economic Aid Act authorizes SBA to issue regulations to implement the amendments described above without regard to notice requirements.

In addition, pursuant to section 553(d)(1), this rule is exempt from the APA's 30-day delayed effective date requirement on the basis that it is a substantive rule that relieves restrictions relating to the debt refinancing options available to small businesses. SBA has also determined that, pursuant to section 553(d)(3), there is good cause for dispensing with the 30-day delayed effective date on the grounds that it would be contrary to the public interest. To meet the immediate debt refinancing needs of small businesses impacted by the COVID–19 pandemic, it is essential to be able to implement the statutory changes to the refinancing programs as expeditiously as possible.

Although this rule is being published as an interim final rule, comments are solicited from interested members of the public. These comments must be submitted on or before the deadline for comments stated in this rule. SBA will consider any comments it receives and the need for making any amendments as a result of the comments.

III. Section-by-Section Analysis

Section 120.882(e). This provision currently states that the amount of existing indebtedness that may be refinanced is limited to no more than 50 percent of the project cost of the expansion. Section 328(a)(2)(A) of the Economic Aid Act amends section 502(7)(B) of the Small Business Investment Act to increase the percentage and, accordingly, SBA is revising this provision to increase the amount of existing indebtedness that may be refinanced to no more than 100 percent of the project cost.

Section 120.882(g)(3). This section currently provides that the approval of a Refinancing Project is subject to the requirement that the cost to the Federal Government of making guarantees under 13 CFR 120.882(g) and under the 504 Loan Program is zero during the fiscal year in which the guarantee is made. Section 328(a)(1) of the Economic Aid Act repeals this statutory requirement and, therefore, SBA is removing this requirement.

In its place, this provision will set forth the conditions and requirements that will apply to the refinancing of a loan that is subject to a guarantee by a Federal agency or department. As indicated above, the Economic Aid Act removes the prohibition against refinancing a loan that is subject to a guarantee by a Federal agency or department. Although these loans may now be refinanced in the Debt Refinancing without Expansion program, the rule will provide that they must comply with SBA's policies related to the refinancing of existing 504 and 7(a) loans, including that:

(1) For an existing 504 loan, either both the Third Party Loan and the 504 loan must be refinanced, or the Third Party Loan must have been paid in full; and

(2) for an existing 7(a) loan, the CDC must verify in writing that the present lender is either unwilling or unable to modify the current payment schedule. In addition, in the case of same institution debt, if the Third Party Lender or the CDC affiliate as authorized under 13 CFR 120.820 is the 7(a) lender, the loan will be eligible for 504 refinancing only if the lender is unable to modify the terms of the existing loan because a secondary market investor will not agree to modified terms.

In addition, the rule will require that the refinancing of any Federally-guaranteed loan will provide a substantial benefit to the borrower. ''Substantial benefit'' will mean that the portion of the new installment amount attributable to the debt being refinanced must be at least 10 percent less than the existing installment amount(s). Prepayment penalties, financing fees, and other financing costs must be added to the amount being refinanced in calculating the percentage reduction in the new installment payment. The portion of the new installment amount attributable to Eligible Business Expenses will not need to be included in this calculation. The rule will also allow the Director, Office of Financial Assistance (D/FA) or designee to approve an exception to the 10 percent reduction requirement for good cause, and will not allow PCLP CDCs to use their delegated authority to approve a loan requiring this exception.

Section 120.882(g)(11). This section currently states that PCLP CDCs may not use delegated authority to approve refinancing under 13 CFR 120.882(g). Section 328(a) of the Economic Aid Act removes this statutory prohibition and, accordingly, SBA is removing the current language. In its place, the rule will state that PCLP CDCs may not approve the refinancing of same institution debt under their delegated authority and must submit the loan to SBA for approval. This requirement is consistent with SBA's long-standing policy of prohibiting its participating lenders from using their delegated authority to approve the financing of

same institution debt due to the potential conflict of interest and the risk of the 504 loan proceeds being used to shift to SBA a potential loss from the existing debt.

Section 120.882(g)(15). SBA is redesignating the current paragraph (g)(15), Definitions, as paragraph (g)(16), and adding a new paragraph (g)(15) to set forth the alternate job retention standard that is reinstated by section 328(a) of the Economic Aid Act. Under this alternate job retention standard, the Agency may provide a 504 loan in the amount that is not more than the product obtained by multiplying the number of employees of the borrower by $75,000. The Economic Aid Act provides that the number of employees of a borrower is equal to the sum of:

(1) The number of full-time employees of the borrower on the date on which the borrower applies for a loan under this subparagraph; and

(2) the product obtained by multiplying:

(a) The number of part-time employees of the borrower on the date on which the borrower applies for a loan under this subparagraph, by

(b) the quotient obtained by dividing the average number of hours each part-time employee of the borrower works each week by 40.

An example of how this standard is calculated is included in the text of the rule.

Section 120.882(g)(16). As stated above, SBA is redesignating the current paragraph (g)(15), Definitions, as paragraph (g)(16) and is making five changes to the definition of ''Qualified debt''. First, under the current language of paragraph (i), the debt must not have been incurred less than 2 years before the date of the application for refinancing. However, section 328(a) of the Economic Aid Act has shortened this period to 6 months before the date of the application for refinancing. Accordingly, SBA is revising this paragraph by replacing 2 years with 6 months.

Second, paragraph (i) currently allows a loan that was refinanced within the 2 years before the date of application (the most recent loan) to be deemed incurred not less than 2 years before the date of the application provided that the effect of the most recent loan was to extend the maturity date without advancing any additional proceeds. With the minimum age of the qualified debt shortened from 2 years to 6 months, SBA believes that it is no longer necessary to address this situation and is, therefore, removing the second and third sentences of paragraph (i).

Third, paragraph (ii) currently excludes debt that is subject to a guarantee by a Federal agency or department. As stated above, section 328(a) of the Economic Aid Act no longer includes this statutory exclusion and SBA is removing this paragraph and renumbering the remaining paragraphs accordingly. The conditions and requirements that will apply to the refinancing of a loan that is subject to a Federal guarantee will be set forth in paragraph (g)(3).

Fourth, under the current paragraph (vi), the definition of qualified debt excludes a Third Party Loan that is part of an existing 504 Project. However, under the new paragraph (g)(3), an existing 504 loan may be refinanced when both the Third Party Loan and the 504 loan are being refinanced. Accordingly, SBA is revising this paragraph, which will be newly designated as paragraph (v), to incorporate this exception to the general prohibition against a qualified debt including a Third Party Loan.

Fifth, the current paragraph (vii) reflects the statutory requirement that, for the debt to qualify for refinancing, the applicant must be current on all payments due for not less than one year preceding the date of application. Section 502(7)(C) of the Small Business Investment Act, as amended by section 328(a) of the Economic Aid Act, no longer includes this requirement and, accordingly, SBA is removing this paragraph from the regulations. In accordance with prudent lending standards, SBA expects CDCs to consider whether the applicant is current on all payments due, and the applicant's history of delinquency, in its credit analysis.

Section 120.882(g)(16). The phrase ''Same institution debt'' is currently used in connection with the Debt Refinancing without Expansion program only in reference to the Third Party Loan, *see* § 120.882(g)(13), and, thus, the current definition of ''same institution debt'' references only the Third Party Lender. With the requirement in § 120.882(g)(11) that PCLP CDCs cannot use their delegated authority to approve the refinancing of same institution debt in the Debt Refinancing without Expansion program, SBA is revising the definition of ''Same institution debt'' to also mean the debt of the CDC (or its affiliates) that is providing funds for the refinancing.

Compliance With Executive Orders 12866, 12988, 13132, and 13563, the Congressional Review Act (5 U.S.C. 801–808), Paperwork Reduction Act (44 U.S.C., Ch. 35), and the Regulatory Flexibility Act (5 U.S.C. 601–612)

Executive Orders 12866 and 13563

The Office of Management and Budget (OMB) has determined that this rule constitutes a ''significant regulatory action'' for purposes of Executive Orders 12866 and 13563. SBA, however, is proceeding under the emergency provision at Executive Order 12866, section 6(a)(3)(D), based on the need to move expeditiously to mitigate the current conditions arising from the COVID–19 pandemic.

As shown in the table below, during the five-year period spanning FY 2016 and FY 2020, a total of 31,248 504 loans were approved for a total gross approval amount as of May 31, 2021 of $25,720,047,200. In addition, during this five-year period, SBA approved 202 debt refinance with expansion loans on average per year with an average annual dollar volume of $237,880,000, and approved 209 debt refinance without expansion loans on average per year with an average annual dollar volume of $203,339,000. Of the debt refinance with expansion loans, only 16 refinanced a debt that equaled 50 percent of the expansion costs; if these borrowers had been able to refinance 100 percent of the expansion costs instead of 50 percent, and assuming that all these borrowers did so, these borrowers would have been able to borrow $15 million more over five years, or about $3 million more annually.

TABLE 1—504 LOAN ACTIVITY FY 2016–FY 2020

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Total Number of 504 Loans	5,938	6,218	5,874	6,099	7,119
Total Dollar Volume of 504 Loans Approved	$4,840,820,000	$5,111,480,700	$4,844,181,000	$5,042,010,500	$5,881,555,000
Number of 504 Debt Refi With Expansion	193	219	181	181	236
Dollar Volume of 504 Debt Refi With Expansion	$230,987,000	$244,499,000	$215,311,000	$197,484,000	$301,159,000
Number of 504 Debt Refi Without Expansion	45	266	181	166	386

TABLE 1—504 LOAN ACTIVITY FY 2016–FY 2020—Continued

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Dollar Volume of 504 Debt Refi Without Expansion	$41,598,000	$289,491,000	$154,745,000	$156,114,000	$374,749,000

Data as of 5/31/2021, total dollar volume is lifetime gross approval amount including increases.

This rule is necessary to implement the Economic Aid Act and provide economic relief to small businesses adversely impacted by COVID–19. SBA anticipates that the changes to the 504 debt refinancing programs will result in benefits to small businesses by providing greater flexibility to restructure debt.

Congressional Review Act

OMB's Office of Information and Regulatory Affairs has determined that this rule is not a major rule under Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act), 5 U.S.C. 804(2).

Executive Order 12988

This action meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have preemptive effect or retroactive effect.

Executive Order 13132

This rule does not have Federalism implications as defined in Executive Order 13132. It will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in the Executive order. As such it does not warrant the preparation of a Federalism Assessment.

Paperwork Reduction Act

In order to implement the Act, SBA has determined that it is necessary to modify SBA Form 1244, *Application for Section 504 Loans,* which is currently approved under OMB Control Number 3245–0071, to conform the form to the revised requirements for debt refinancing loans. The changes do not add any new burdens for the respondents, rather, in some instances, the revisions will result in reduced burden as applicants and CDCs no longer have to submit certain information.

Summary of Rule Revisions

(a) The information collection currently requires PCLP CDCs to process all applications for debt refinancing without expansion through the Sacramento Loan Processing Center (SLPC) and not through the PCLP CDC's delegated authority. As discussed above, this requirement was removed by the Economic Aid Act and, accordingly, SBA is removing it from the information collection. This revision does not change the information the PCLP CDC is required to collect, only how the application is processed. In addition, consistent with the changes made by this rulemaking, SBA is adding two questions to clarify that, for debt refinancing without expansion, PCLP CDCs must process applications through the SLPC when the application involves the refinancing of same institution debt or, in cases involving the refinancing of Federally-guaranteed debt, the CDC is requesting an exception to the requirement that the new installment payment be at least 10% less than the existing installment amount.

(b) With respect to the question regarding whether the Applicant creates or retains the required number of jobs per debenture amount, an option has been added for the Applicant to indicate whether the project is eligible under the 504 debt refinance alternate job goal established by the Economic Aid Act.

(c) Of the exhibits that are required, Exhibit 20 currently requires that, if the debt was previously refinanced within two years of the date of application, non-PCLP CDCs must submit with the application (and PCLP CDCs must retain in the loan file) copies of the current debt and lien instruments as well as copies of the debt and lien instruments for the debt that was replaced by the current debt. With the minimum age of the qualified debt shortened from 2 years to 6 months by the Economic Aid Act, SBA is revising the form to remove the requirement that these debt and lien instruments be included as part of Exhibit 20.

In addition to the changes resulting from this rule, SBA is making the following technical corrections and clarifying changes to Form 1244: (1) SBA is adding two questions, consistent with the current regulations, to clarify when PCLP CDCs must submit applications for refinancing with expansion to the SLPC instead of approving the application under their delegated authority; (2) SBA is correcting the description of which exhibits are to be retained and which are to be submitted with the loan application; (3) SBA is adding a separate entry to facilitate disclosure of the use of refinancing proceeds involving land purchases only (the current format of ''Land/Building'' does not clearly indicate how information is to be reported); and (4) under the list of economic development objectives met by the project, SBA is adding references to ''base closures'' and ''minority-owned business''.

SBA has requested emergency approval from OMB for the revised information collection to implement the Economic Aid Act as expeditiously as possible.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires administrative agencies to consider the effect of their actions on small entities, including small non-profit businesses, and small local governments. Pursuant to the RFA, when an agency issues a rule, the agency must prepare an analysis that describes whether the impact of the rule will have a significant economic impact on a substantial number of these small entities. However, the RFA requires such analysis only where notice and comment rulemaking is required. As discussed above, SBA is publishing this rule as an interim final rule without advance notice and public comment because section 303 of the Economic Aid Act authorizes SBA to issue regulations to implement the amendments in the Act without regard to notice requirements. This rule is, therefore, exempt from the RFA requirements.

List of Subjects in 13 CFR Part 120

Loan programs-business, Small businesses, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, SBA amends 13 CFR part 120 as follows:

PART 120—BUSINESS LOANS

■ 1. The authority citation for 13 CFR part 120 is revised to read as follows:

Authority: 15 U.S.C. 634(b)(6), (b)(7), (b)(14), (h), and note, 636(a), (h), and (m), 636m, 650, 687(f), 696(3), 697, 697a, and 697e; Public Law 111–5, 123 Stat. 115; Public Law 111–240, 124 Stat. 2504; Public Law 116–260, 134 Stat. 1182.

■ 2. Amend § 120.882 as follows:
■ a. Remove the number ''50'' in paragraph (e) introductory text and add the number ''100'' in its place.
■ b. Revise paragraphs (g)(3) and (11);
■ c. Redesignate paragraph (g)(15) as paragraph (g)(16);
■ d. Add a new paragraph (g)(15);
■ e. In the newly redesignated paragraph (g)(16):
■ i. Remove the paragraph heading;
■ ii. In the definition for the term *Qualified debt:*
■ A. Redesignate paragraphs (i) through (vii) as paragraphs (A) through (G);
■ B. Revise newly redesignated paragraph (A);
■ C. Remove newly redesignated paragraphs (B) and (G) and further redesignate paragraphs (C) through (F) as paragraphs (B) through (E);
■ D. In newly redesignated paragraph (B), remove ''(iii)'', ''13 CFR 120.131 and 13 CFR 120.870(b)'', and ''13 CFR 120.131(b)'' and add in their places ''(B)'', ''§§ 120.131 and 120.870(b)'', and ''§ 120.131(b)'', respectively;
■ E. Add the word ''and'' at the end of newly redesignated paragraph (D); and
■ F. Revise newly redesignated paragraph (E); and
■ iii. Revise the definition for the term *Same institution debt.*

The revisions and addition read as follows:

§ 120.882 Eligible Project costs for 504 loans.

* * * * *

(g) * * *

(3) A loan that is subject to a guarantee by a Federal agency or department may be refinanced under the following conditions and requirements:

(i) An existing 504 loan may be refinanced if both the Third Party Loan and the 504 Loan are being refinanced or the Third Party Loan has been paid in full.

(ii) An existing 7(a) loan may be refinanced if the CDC verifies in writing that the present lender is either unwilling or unable to modify the current payment schedule. In the case of same institution debt, if the Third Party Lender or the CDC affiliate as authorized under § 120.820 is the 7(a) lender, the loan will be eligible for 504 refinancing only if the lender is unable to modify the terms of the existing loan because a secondary market investor will not agree to modified terms.

(iii) The refinancing will provide a substantial benefit to the borrower. For purposes of this paragraph (g)(3)(iii), ''substantial benefit'' means that the portion of the new installment amount attributable to the debt being refinanced must be at least 10 percent less than the existing installment amount(s). Prepayment penalties, financing fees, and other financing costs must be added to the amount being refinanced in calculating the percentage reduction in the new installment payment, but the portion of the new installment amount attributable to Eligible Business Expenses (as described in paragraph (g)(6)(ii) of this section) is not included in this calculation. Exceptions to the 10 percent reduction requirement may be approved by the Director, Office of Financial Assistance (D/FA) or designee for good cause. PCLP CDCs may not use their delegated authority to approve a loan requiring the exception in this paragraph (g)(3)(iii).

* * * * *

(11) PCLP CDCs may not approve the refinancing of same institution debt under their delegated authority and must submit the application to SBA for approval.

* * * * *

(15) Notwithstanding § 120.860, a debt may be refinanced under this paragraph (g) if it does not meet the job creation or other economic development objectives set forth in § 120.861 or § 120.862. In such case, the 504 loan may not exceed the product obtained by multiplying the number of employees of the Borrower by $75,000. The number of employees of the Borrower is equal to the sum of:

(i) The number of full-time employees of the Borrower on the date of the application; and

(ii) The product obtained by multiplying:

(A) The number of part-time employees of the Borrower on the date of the application; by

(B) The quotient obtained by dividing the average number of hours each part-time employee of the Borrower works each week by 40.

Example to paragraph (g)(15): 30 full-time employees and 35 part-time employees working 20 hours per week is calculated as follows: 30 + (35 × (20/40)) = 47.5. The maximum amount of the 504 loan would be 47.5 multiplied by $75,000, or $3,562,500.

(16) * * *

Qualified debt * * *

(A) That was incurred not less than 6 months before the date of the application for refinancing available under this paragraph (g).

* * * * *

(E) That is not a Third Party Loan that is part of an existing 504 Project, except as allowed under paragraph (g)(3) of this section.

* * * * *

Same institution debt means any debt of the CDC or the Third Party Lender, or an affiliate of either, that is providing funds for the refinancing.

Isabella Casillas Guzman,
Administrator.

[FR Doc. 2021–15975 Filed 7–28–21; 8:45 am]
BILLING CODE 8026–03–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2021–0605; Project Identifier AD–2021–00805–R; Amendment 39–21664; AD 2021–15–52]

RIN 2120–AA64

Airworthiness Directives; Various Restricted Category Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for various restricted category helicopters originally manufactured by Bell Textron Inc. This AD was prompted by a fatal accident in which an outboard main rotor hub strap pin (pin) sheared off during flight, resulting in the main rotor blade and the main rotor head detaching from the helicopter. This AD requires removing certain pins from service and prohibits installing those pins on any helicopter. The FAA previously sent an emergency AD to all known U.S. owners and operators of these restricted category helicopters and is now issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 13, 2021. Emergency 2021–15–52, issued on July 8, 2021, which contained the requirements of this amendment, was effective with actual notice.

The FAA must receive comments on this AD by September 13, 2021.

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

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations,

M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

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

For service information identified in this final rule, contact Bell Textron, Inc., P.O. Box 482, Fort Worth, TX 76101, United States; telephone 1–450–437–2862 or 1–800–363–8023; fax 1–450–433–0272; email *productsupport@bellflight.com;* or at *https://www.bellflight.com/support/contact-support.* You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2021–0605; 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 Transport Canada AD, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5786; email *david.wilson@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, the FAA issued Emergency AD 2021–15–51 (Emergency AD 2021–15–51) for Bell Textron Inc. Model 204B, 205A, 205A–1, 205B, and 212 helicopters. That action was prompted by a Bell Textron Inc., Model 212 helicopter fatal accident in which a pin part number (P/N) 204–012–104–005 with a serial number (S/N) prefix ''FNFS'' sheared off during flight, resulting in the main rotor blade and the main rotor head detaching from the helicopter. The pin had accumulated only 20 total hours time-in-service (TIS). An inspection of a different Model 212 helicopter revealed that another pin installed, and made by the same manufacturer with the same S/N prefix, was deformed; this pin had accumulated only 29 total hours TIS. Failure of the pin could result in the main rotor blade detaching from the helicopter and subsequent loss of control of the helicopter.

Transport Canada, which is the aviation authority for Canada, has issued Canadian Emergency AD CF–2021–23, dated July 5, 2021 (Transport Canada Emergency AD CF–2021–23), to correct an unsafe condition for Bell Helicopter Textron Inc., Model 204B helicopters, S/Ns 2001 through 2070 and 2196 through 2199; Model 205A–1 helicopters, S/Ns 30001 through 30065, 30067 through 30165, 30167 through 30187, 30189 through 30296, and 30298 through 30332; Model 205B helicopters, S/Ns 30066, 30166, 30188, and 30297; and Model 212 helicopters, S/Ns 30501 through 30999, 31101 through 31311, 32101 through 32142, and 35001 through 35103. Transport Canada advises that during an investigation of a Bell Textron Inc., Model 212 fatal accident in Canada, it was discovered that a pin P/N 204–012–104–005 with an S/N prefix ''FNFS'', sheared off during flight, leading to detachment of the main rotor blade and the main rotor head. The pin had accumulated only 20 hours of service, and inspection of another Canadian Bell Textron Inc., Model 212 helicopter found a pin of the same P/N, made by the same manufacturer, with the same S/N prefix ''FNFS'', to be deformed after only approximately 29 hours in service. According to Transport Canada, failure of a pin will result in detachment of the main rotor blade and loss of control of the helicopter. Transport Canada also advises that, although the defective pins were only reported on Bell Textron Inc., Model 212 helicopters, pins of the same P/N can also be installed on Bell Textron Inc., Model 204B, 205A–1, and 205B helicopters. While the cause of failure has not been determined, as a precautionary measure and to address the risk of detachment of affected pins in flight, Bell has issued alert service bulletins that specify replacing pins P/N 204–012–104–005 that have S/N prefix ''FNFS''.

Accordingly, Transport Canada Emergency AD CF–2021–23 requires replacement of affected pins. Transport Canada considers its emergency AD an interim action and states that further AD action may follow.

After Emergency AD 2021–15–51 was issued, the FAA determined that pin P/N 204–012–104–005 with S/N prefix ''FNFS'' could also be installed on restricted category helicopters originally manufactured by Bell Textron Inc. These helicopters include, but are not limited to, the following:

• Rotorcraft Development Corporation Model HH–1K helicopters;

• Robinson Air Crane Inc.; Rotorcraft Development Corporation; and Tamarack Helicopters, Inc., Model TH–1F helicopters;

• Bell Textron Inc.; Overseas Aircraft Support, Inc. (type certificate previously held by JTBAM, Inc.); and Rotorcraft Development Corporation Model TH–1L helicopters;

• Richards Heavylift Helo, Inc., Model UH–1A helicopters;

• International Helicopters, Inc.; Overseas Aircraft Support, Inc.; Red Tail Flying Services, LLC; Richards Heavylift Helo, Inc.; Rotorcraft Development Corporation; Southwest Florida Aviation International, Inc. (helicopters with an SW204 or SW204HP designation are Southwest Florida Aviation International, Inc., Model UH–1B helicopters); and WSH, LLC (type certificate previously held by San Joaquin Helicopters), Model UH–1B helicopters;

• Bell Textron Inc.; Overseas Aircraft Support, Inc.; Rotorcraft Development Corporation; Smith Helicopters; and West Coast Fabrications Model UH–1E helicopters;

• AST, Inc.; California Department of Forestry; Robinson Air Crane, Inc.; Rotorcraft Development Corporation; and Tamarack Helicopters, Inc., Model UH–1F helicopters;

• Arrow Falcon Exporters Inc.; Global Helicopter Technology, Inc.; Hagglund Helicopters, LLC; JJASPP Engineering Services, LLC; Northwest Rotorcraft, LLC; Overseas Aircraft Support, Inc.; Richards Heavylift Helo, Inc.; Rotorcraft Development Corporation; Southwest Florida Aviation International, Inc. (helicopters with an SW205 designation are Southwest Florida Aviation International, Inc., Model UH–1H helicopters); and Tamarack Helicopters, Inc., Model UH–1H helicopters;

• Bell Textron Inc.; Overseas Aircraft Support, Inc.; and Rotorcraft Development Corporation Model UH–1L helicopters; and

• Robinson Air Crane, Inc.; and Rotorcraft Development Corporation Model UH–1P helicopters.

Therefore, the FAA issued Emergency AD 2021–15–52 to address the unsafe condition on these helicopters. Emergency AD 2021–15–52 requires removing the affected pins from service and prohibits installing those pins on any helicopter. The FAA sent the emergency AD to all known U.S. owners and operators of these helicopters.

FAA's Determination

The FAA is issuing this AD because the agency evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of these same type designs.

Related Service Information

The FAA reviewed Bell Alert Service Bulletin (ASB) UH–1H–21–21 and Bell ASB UH–1H–II–21–31. Each ASB is dated July 7, 2021 and specifies removing all P/N 204–012–104–005 pins with an S/N prefix ''FNFS'' before next flight. These ASBs also specify that, although the investigation is still in progress, removing these pins from service is required. These ASBs state that these pins may not have been manufactured in accordance with the engineering design requirements and may therefore shear as a result of this nonconformance.

AD Requirements

This AD requires removing pins P/N 204–012–104–005 with an S/N prefix ''FNFS'' before further flight. This AD also prohibits installing those pins on any helicopter as of the effective date of this AD.

Interim Action

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

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for ''good cause,'' finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that required the immediate adoption of Emergency AD 2021–15–52, issued on July 8, 2021, to all known U.S. owners and operators of these helicopters. The FAA found that the risk to the flying public justified waiving notice and comment prior to adoption of this rule because the required corrective actions must be completed before further flight. These conditions still exist, therefore, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b)(3)(B).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forego notice and comment.

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2021–0605; Project Identifier AD–2021–00805–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

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

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 AD 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 AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5786; email *david.wilson@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 529 helicopters of U.S. Registry. Labor rates are estimated at $85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Replacing up to four pins takes about 20 work-hours and parts cost about $1,756 for four pins for an estimated cost of up to $3,456 per helicopter.

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, I certify that this AD:

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

(2) Will not affect intrastate aviation in Alaska.

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 adding the following new airworthiness directive:

2021–15–52 Various Restricted Category Helicopters: Amendment 39–21664; Docket No. FAA–2021–0605; Project Identifier AD–2021–00805–R.

(a) Effective Date

This airworthiness directive (AD) is effective without actual notice on August 13, 2021. Emergency AD 2021–15–52, issued on July 8, 2021, which contained the requirements of this amendment, was effective with actual notice.

(b) Affected ADs

None.

(c) Applicability

This AD applies to various restricted category helicopters originally manufactured by Bell Textron Inc. (Bell), certificated in any category, with an outboard main rotor hub strap pin (pin) part number 204–012–104–005 with a serial number prefix ''FNFS'' installed. These helicopters include but are not limited to:

(1) Rotorcraft Development Corporation Model HH–1K helicopters;

(2) Robinson Air Crane Inc.; Rotorcraft Development Corporation; and Tamarack Helicopters, Inc., Model TH–1F helicopters;

(3) Bell; Overseas Aircraft Support, Inc. (type certificate previously held by JTBAM, Inc.); and Rotorcraft Development Corporation Model TH–1L helicopters;

(4) Richards Heavylift Helo, Inc., Model UH–1A helicopters;

(5) International Helicopters, Inc.; Overseas Aircraft Support, Inc.; Red Tail Flying Services, LLC; Richards Heavylift Helo, Inc.; Rotorcraft Development Corporation; Southwest Florida Aviation International, Inc.,; and WSH, LLC (type certificate previously held by San Joaquin Helicopters), Model UH–1B helicopters;

Note 1 to paragraph (c)(5): Helicopters with an SW204 or SW204HP designation are Southwest Florida Aviation International, Inc., Model UH–1B helicopters.

(6) Bell; Overseas Aircraft Support, Inc.; Rotorcraft Development Corporation; Smith Helicopters; and West Coast Fabrications Model UH–1E helicopters;

(7) AST, Inc.; California Department of Forestry; Robinson Air Crane, Inc.; Rotorcraft Development Corporation; and Tamarack Helicopters, Inc., Model UH–1F helicopters;

(8) Arrow Falcon Exporters Inc.; Global Helicopter Technology, Inc.; Hagglund Helicopters, LLC; JJASPP Engineering Services, LLC; Northwest Rotorcraft, LLC; Overseas Aircraft Support, Inc.; Richards Heavylift Helo, Inc.; Rotorcraft Development Corporation; Southwest Florida Aviation International, Inc.; and Tamarack Helicopters, Inc., Model UH–1H helicopters;

Note 2 to paragraph (c)(8): Helicopters with an SW205 designation are Southwest Florida Aviation International, Inc. Model UH–1H helicopters.

(9) Bell; Overseas Aircraft Support, Inc.; and Rotorcraft Development Corporation Model UH–1L helicopters; and

(10) Robinson Air Crane, Inc.; and Rotorcraft Development Corporation Model UH–1P helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code: 6200, Main Rotor System.

(e) Unsafe Condition

This AD was prompted by a fatal accident in which a pin sheared off during flight, which resulted in the main rotor blade and the main rotor head detaching from the helicopter. The FAA is issuing this AD to address this unsafe condition and prevent loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) Before further flight, remove from service any pin that is identified in the introductory text of paragraph (c) of this AD.

(2) As of the effective date of this AD, do not install any pin that is identified in the introductory text of paragraph (c) of this AD on any helicopter.

(h) Special Flight Permits

Special flight permits are prohibited.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, DSCO 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 DSCO Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: *9-ASW-190-COS@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.

(j) Related Information

(1) For more information about this AD, contact David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5786; email *david.wilson@faa.gov.*

(2) The subject of this AD is addressed in Transport Canada Emergency AD CF–2021–23, dated July 5, 2021 and FAA Emergency AD 2021–15–51, dated July 6, 2021. You may view those ADs at *https://www.regulations.gov* in Docket No. FAA–2021–0605.

Issued on July 21, 2021.

Gaetano A. Sciortino,

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

[FR Doc. 2021–16222 Filed 7–27–21; 11:15 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2020–0544; Airspace Docket No. 19–AAL–93]

RIN 2120–AA66

Removal of Air Traffic Service (ATS) Route V–482; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes one Alaskan VHF Omnidirectional Range (VOR) Federal airway V–482 in the state of Alaska. The removal is required due to tree encroachment on the Johnstone Point VOR/Distance Measuring Equipment (DME) that renders the airway unusable.

DATES: Effective date 0901 UTC, October 7, 2021. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2020–0544 in the **Federal Register** (85 FR 37033; June 19, 2020), removing VOR Federal airway V–482 in the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Alaskan VOR Federal airways are published in paragraph 6010(b) of FAA Order 7400.11E dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Alaskan VOR Federal airway listed in this document will be subsequently removed from this Order.

Availability and Summary of Documents for Incorporation by Reference

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

The Rule

This action amends 14 CFR part 71 by removing Alaskan VOR Federal airway V–482.

V–482: V–482 currently extends between Johnstone Point, AK to Gulkana, AK. This action removes the entire route.

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

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action of revoking VOR Federal airway V–482 in Alaska qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, with categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to cause any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 6010(b) Alaskan VOR Federal Airways.

* * * * *

V–482 [Remove]

* * * * *

Issued in Washington, DC, on July 22, 2021.

George Gonzalez,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021–16024 Filed 7–28–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2020–0567; Airspace Docket No. 20–AAL–15]

RIN 2120–AA66

Amendment to Federal Airways Amber 15 (A–15), V–444, J–502, J–511, and Extension of Canadian Area Navigation Routes Q–902 and Q–811; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published by the FAA in the **Federal Register** on July 15, 2021. This action amends Federal airways, A–15, V–444, J–502, and J–511 in Alaska. It also establishes an extension of two Canadian Area Navigation Q routes, Q–811, and Q–902. The modifications are necessary due to the decommissioning of the Burwash Non-Directional Beacon (NDB) in Yukon Territory, Canada, which provides navigation guidance for portions of the affected routes. The Burwash NDB was decommissioned effective March 26, 2020 due to ongoing maintenance problems and logistic issues.

DATES: Effective date 0901 UTC, October 7, 2021. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

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

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

SUPPLEMENTARY INFORMATION:

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2020–0567 in the **Federal Register** (85 FR 38799; June 29, 2020), a supplemental NPRM (85 FR 60108; September 24, 2020) and a final rule (86 FR 37235; July 15, 2021), amending Federal airways V–15, V–444, jet routes J–502, and J–511, and establishing an extension of two Canadian Area Navigation Q routes, Q–811, and Q–902. The modifications are necessary due to the decommissioning of the Burwash Non-Directional Beacon (NDB) in Yukon Territory, Canada, which provides navigation guidance for portions of the affected routes. Subsequent to the publication, it was determined that exclusionary language, ''excluding the airspace within Canada'' was included in The Rule section, but was not included in the legal descriptions for Q–902, and Q–811. This rule corrects that error by including ''excluding the airspace within Canada'' below the line containing IGSOM, CA in the Q–811 legal description and below the line containing KOTZEBUE, AK (OTZ) in the Q–902 legal description. This is an editorial change only and does not alter the alignment of the route as shown on aeronautical charts, and does not affect the use of the route by aircraft.

Canadian Area Navigation Routes are published in paragraph 2007 of FAA Order 7400.11E dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Canadian Area Navigation Routes listed in this document will be subsequently published in the Order.

Availability and Summary of Documents for Incorporation by Reference

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

Correction to Final Rule

The description of Canadian Area Navigation Routes Q–811 and Q–902, as published on page 37237, in the **Federal Register** (86 FR 37235; July 15, 2021), FR Doc. 2021–14978, is corrected as follows:

§ 71.1 [Corrected]

1. On page 37237, Table Q–811 DILLINGHAM, AK TO IGSOM [NEW]'' is corrected by adding the following entry to the end of the table: ''Excluding the airspace within Canada.''

2. On the same page, Table Q–902 SEATTLE, WA TO KOTZEBUE, AK [NEW]'' is corrected by adding the following entry to the end of the table: ''Excluding the airspace within Canada.''

Issued in Washington, DC, on July 23, 2021.

George Gonzalez,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021–16020 Filed 7–28–21; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–HQ–OAR–2019–0611; FRL–7505–03–OAR]

RIN 2060–AU54

Implementation of the Revoked 1997 8-Hour Ozone National Ambient Air Quality Standards; Areas That Attained by the Attainment Date

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is codifying its findings that nine areas in four states attained the revoked 1997 8-hour ozone National Ambient Air Quality Standards (herein referred to as the revoked 1997 ozone NAAQS) by the applicable attainment dates. This rule finalizes EPA's proposed determination that the following areas timely attained the standards: The Buffalo-Niagara Falls area, and the Jefferson County, Poughkeepsie and Jamestown areas in the State of New York; the Shoreline Sheboygan County and Inland Sheboygan County areas in Wisconsin; the Denver-Boulder-Greeley-Ft. Collins-Loveland area in Colorado and the San Francisco Bay and Ventura County areas in California.

DATES: This final rule is effective August 30, 2021.

ADDRESSES: The EPA established Docket ID No. EPA–HQ–OAR–2019–0611 for this action. All documents in the docket are listed in the *http://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in the docket or in hard copy at the EPA Docket Center Reading Room, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID–19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. For further information on EPA Docket Center services and the current status, please visit us online at *https://www.epa.gov/dockets.* The hours of operation at the EPA Docket Center Reading Room are 8:30 a.m.–4:30 p.m., Monday–Friday. The telephone number for the EPA Docket Center is (202) 566–1744.

FOR FURTHER INFORMATION CONTACT: For further general information on this final rule, contact Ms. Virginia Raps, Air Quality Policy Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Mail Code: C539–01, Research Triangle Park, NC 27711, telephone (919) 541–4383;

fax number: (919) 541–5315; email address: *raps.virginia@epa.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background
II. Response to Comments
III. Final Action
IV. Environmental Justice Considerations
V. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
B. Paperwork Reduction Act (PRA)
C. Regulatory Flexibility Act (RFA)
D. Unfunded Mandates Reform Act (UMRA)
E. Executive Order 13132: Federalism
F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use
I. National Technology Transfer and Advancement Act (NTTAA)
J. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
K. Congressional Review Act (CRA)
L. Judicial Review

I. Background

In February 2019, the EPA sent letters to the state air agencies of New York, Wisconsin, Colorado and California affirming that a total of nine areas within these states attained the revoked 1997 ozone NAAQS by the applicable attainment dates. On October 9, 2020,[1] the EPA concurrently published a proposal and a direct final rule to codify the findings effective on January 7, 2021. Because an adverse comment was received prior to the end of the comment period, a notice to withdraw the direct final rule was published in the **Federal Register** and became effective on December 9, 2020. Consequently, the EPA is now acting on the proposal by publishing this final rule. Entities potentially affected directly by this final action include the public seeking information on the air quality status of the areas codified by this final rule, and state air agencies with jurisdiction over areas found to have attained by the attainment date. Further, these areas are, therefore, not subject to anti-backsliding consequences for failure to timely attain the standards.

II. Response to Comments

The EPA received an anonymous comment on the proposal suggesting that the attainment year 2007–2009 design value (DV) for Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado, (herein referred to as the Denver area) was incorrect. Instead of 0.078 parts per million (ppm), as given in Table 1 of the direct final rule and in the supporting letter to the Colorado Department of Public Health and Environment (CDPHE) from Region 8 dated February 8, 2019, the commenter suggested the DV for that time period was actually 0.082 ppm, citing the data provided on the EPA website at *https://www.epa.gov/air-trends/air-quality-design-values.* The EPA investigated the information in the comment letter and found that the EPA incorrectly assigned the Denver area an attainment year DV of 0.078 ppm where, according to monitoring data for 2007–2009, the correct DV for the Denver area was 0.082 ppm. As a result of its investigation, the EPA Region 8 office issued a letter dated November 13, 2020, correcting the 2007–2009 DV for the Denver area and notifying Mr. Garry Kaufman, Director, CDPHE, of the correction to the DV with the assurance that the correction will be formalized through a final rule published in the **Federal Register**. The correction changing the 2007–2009 DV for the Denver area from 0.078 ppm to 0.082 ppm is made in Table 1 in this final rule. The EPA notes that the revoked 1997 ozone NAAQS, effective on September 16, 1997 [62 FR 38855, July 18, 1997], was established at 0.08 ppm, which means that an area's attaining DV may in effect be as high as 0.084 ppm using the standard rounding convention to three decimal places.[2] Therefore, the correct 2007–2009 DV of 0.082 ppm shows that the Denver area timely attained the revoked 1997 ozone NAAQS.

The proposal received three other comments. One was complimentary to the EPA's proposal suggesting it was a good idea to show the states' success in attaining the revoked 1997 ozone NAAQS. The remaining two comments were beyond the scope of this action.

III. Final Action

On October 9, 2020, the EPA issued a proposal to codify in 40 CFR part 52 its findings that nine areas factually attained the revoked 1997 ozone NAAQS by the applicable attainment dates. This rule provides the EPA's response to comments on the proposal and finalizes the action as proposed.

The areas that attained the revoked 1997 8-hour ozone NAAQS by the attainment date and the associated DV information are summarized in Table 1.[3]

TABLE 1—AREAS THAT ATTAINED THE REVOKED 1997 8-HOUR OZONE NAAQS BY THE ATTAINMENT DATE

EPA region	State	Area name	Applicable attainment date	Attainment year design value (DV)	
				Level	DV years
2	New York	Buffalo-Niagara Falls, NY	June 15, 2010	0.076	2007–2009
		Jamestown, NY	June 15, 2010	0.079	2007–2009
		Jefferson County, NY	June 15, 2010	0.074	2007–2009
		Poughkeepsie, NY	June 15, 2010	0.078	2007–2009
5	Wisconsin [A]	Shoreline Sheboygan County, WI	June 15, 2010	0.079	2007–2009
		Inland Sheboygan County, WI.			
8	Colorado	Denver-Boulder-Greeley-Ft. Collins-Loveland, CO	November 20, 2010	0.082	2007–2009
9	California	San Francisco Bay Area, CA	June 15, 2007	0.080	2004–2006

[1] *See* ''Updates to 40 CFR part 52 for Areas that Attained by the Attainment Date,'' proposal [85 FR 64089, October 9, 2020] and direct final rule [85 FR 64046, October 9, 2020].

[2] *See* ''National Ambient Air Quality Standards for Ozone'' [73 FR 16435, 16437, Mar. 27, 2008], section I.C. Available on the U.S. GPO website at *https://www.govinfo.gov/content/pkg/FR-2008-03-27/pdf/E8-5645.pdf.*

[3] The Denver-Boulder-Greeley-Ft. Collins-Loveland, CO, area is identified as Denver Metro/North Front Range, CO, (DMNFR) in 40 CFR part 81 for the 2015 8-hour ozone NAAQS [77 FR 28424, 28426, May 14, 2012]. *See also,* ''Air Quality Designations and Classifications for the *[1997]* 8-Hour Ozone NAAQS; Early Action Compact Areas With Deferred Effective Dates'' [69 FR 23858, Apr. 30, 2004]. Available on the U.S. GPO website at *https://www.govinfo.gov/content/pkg/FR-2004-04-30/pdf/04-9152.pdf.*

TABLE 1—AREAS THAT ATTAINED THE REVOKED 1997 8-HOUR OZONE NAAQS BY THE ATTAINMENT DATE—Continued

EPA region	State	Area name	Applicable attainment date	Attainment year design value (DV)	
				Level	DV years
		Ventura County, CA	June 15, 2013	0.081	2010–2012

[A] On April 30, 2004 [69 FR 23858] and May 21, 2012 [77 FR 30088], EPA designated the entirety of Sheboygan County, WI, as nonattainment for the 1997 ozone NAAQS and 2008 ozone NAAQS, respectively. The EPA's February 8, 2019, letter to the Wisconsin Department of Natural Resources, finding that the area attained the revoked 1997 ozone NAAQS by the attainment date, applied the finding to the original full-county Sheboygan County, WI, area. On July 15, 2019, the EPA revised the original designation by splitting the Sheboygan County, WI, area for the revoked 1997 ozone NAAQS and the 2008 ozone NAAQS area into the separate Inland Sheboygan County, WI, and Shoreline Sheboygan County, WI, areas [84 FR 33699, Jul. 15, 2019]. This change is reflected in 40 CFR 81.350 under ''Wisconsin.'' On April 26, 2020 [85 FR 23274] and May 12, 2020 [85 FR 28550], EPA proposed to redesignate the Inland Sheboygan, WI, area and Shoreline Sheboygan, WI, areas, respectively, to attainment of the 2008 ozone NAAQS. In those proposed rulemakings, EPA correctly indicated that redesignation for the more stringent 2008 ozone NAAQS would satisfy the obligation to adopt anti-backsliding requirements under the 1997 ozone NAAQS as codified at 40 CFR 51.1105(a)(1) and 40 CFR 51.1100(o). In the preamble to EPA's July 10, 2020, final redesignation of the Inland Sheboygan, WI, area [85 FR 41400], EPA incorrectly stated that the revoked 1997 ozone NAAQS was not at issue in the redesignation, and upon EPA's concurrent final redesignation of the Shoreline Sheboygan, WI, area [85 FR 41405], EPA failed to comment on any applicability to the revoked 1997 ozone NAAQS. In fact, as specified in EPA's March 6, 2015 ''SIP Requirements Rule'' for the 2008 ozone NAAQS [80 FR 12264], approval of a request for redesignation to attainment for the 2008 ozone NAAQS signifies that the state has satisfied its obligations to adopt anti-backsliding requirements for the revoked 1997 ozone NAAQS. *South Coast Air Quality Management District* v. *EPA,* 882 F.3d 1138, 1151–52 (D.C. Cir. 2018).

IV. Environmental Justice Considerations

This final rule requires no environmental justice considerations.

V. Statutory and Executive Order Reviews

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

This action is not a significant regulatory action and, therefore, was not submitted to the Office of Management and Budget for review.

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531–1538.[4] The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have tribal implications as specified in Executive Order 13175. This action will neither impose substantial direct compliance costs on federally recognized tribal governments, nor preempt tribal law. Thus, Executive Order 13175 does not apply to this action.

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

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

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

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

I. National Technology Transfer Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

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

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 [59 FR 7629, Feb. 16, 1994]. The documentation for this decision is contained in Section IV of this document titled, ''Environmental Justice Considerations.''

K. Congressional Review Act (CRA)

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

L. Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of final actions that are locally and regionally applicable may be filed only in the United States Court of Appeals for the appropriate circuit by September 27, 2021. However, the statute also provides

[4] U.S.C. is United States Code.

that notwithstanding that general rule, ''a petition for review of any action . . . may be filed only in the United States Court of Appeals for the District of Columbia if such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.'' Because this final action makes findings regarding the attainment status of areas across the country, in multiple EPA regions and within the jurisdictions over multiple U.S. Circuit Courts of Appeal, the Administrator finds that this action has nationwide scope and effect. Therefore, in accordance with CAA section 307(b)(1), petitions for review of this final action may be filed only in the United States Court of Appeals for the District of Columbia Circuit. Under CAA section 307(b)(2), the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings for enforcement.

List of Subjects In 40 CFR Part 52

Environmental protection, Administrative practice and procedure, Air pollution control, Designations and classifications, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements and Volatile organic compounds.

Michael S. Regan,
Administrator.

For the reasons stated in the preamble, part 52, title 40, chapter 1 of the Code of Federal Regulations are amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.282 is amended by adding paragraph (l) to read as follows:

§ 52.282 Control strategy and regulations: Ozone.

* * * * *

(l) *Determination of attainment by the attainment date.* Effective August 30, 2021. On February 21, 2019, the EPA determined that San Francisco Bay Area, CA, attained the revoked 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS) by the applicable attainment date of June 15, 2007. The determination was based upon complete quality-assured and certified data for the 3 calendar years 2004–2006. Further, the EPA determined that the Ventura County, CA, area attained the standards for the revoked 1997 8-hour NAAQS by the applicable attainment date of June 15, 2013. The determination was based upon complete quality-assured and certified data for the 3 calendar years 2010–2012.

Subpart G—Colorado

■ 3. Section 52.350 is amended by adding paragraph (d) to read as follows:

§ 52.350 Control strategy: Ozone.

* * * * *

(d) Determination of attainment by the attainment date for the revoked 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS). Effective August 30, 2021. On November 13, 2020, the EPA determined that Denver-Boulder-Greeley-Ft. Collins-Loveland, CO, attained the revoked 1997 8-hour ozone NAAQS by the applicable attainment date of November 20, 2010. The determination was based upon complete quality-assured and certified data for the three calendar years 2007–2009.

Subpart HH—New York

■ 4. Section 52.1683 is amended by adding paragraph (s) to read as follows:

§ 52.1683 Control strategy: Ozone.

* * * * *

(s) Determination of attainment by the attainment date. Effective August 30, 2021. On February 4, 2019, the EPA determined that certain areas in New York attained the revoked 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS) by the applicable attainment date of June 15, 2010. The determination was based upon complete quality-assured and certified data for the 3 calendar years 2007–2009 for the following areas:

(1) Buffalo-Niagara Falls, NY (consisting of Erie and Niagara Counties).

(2) Jamestown, NY (consisting of Chautauqua County).

(3) Jefferson County, NY (consisting of Jefferson County).

(4) Poughkeepsie, NY (consisting of Dutchess, Orange and Putnam Counties).

Subpart YY—Wisconsin

■ 5. Section 52.2585 is amended by adding paragraph (oo) to read as follows:

§ 52.2585 Control strategy: Ozone.

* * * * *

(oo) Determination of attainment by the attainment date. Effective August 30, 2021. Effective August 30, 2021. On February 8, 2019, the EPA determined the Sheboygan County, WI, area attained the revoked 1997 8-hour ozone NAAQS by the attainment date of June 15, 2010. On July 15, 2019, the EPA revised the designation for the Sheboygan County, WI, area for the revoked 1997 8-hour ozone NAAQS and the 2008 8-hour ozone NAAQS, by splitting the original full-county area into the separate Inland Sheboygan County, WI, and Shoreline Sheboygan County, WI, areas. On July 10, 2020, EPA redesignated both the Inland Sheboygan County, WI, nonattainment area [85 FR 41400] and the Shoreline Sheboygan County, WI, nonattainment area [85 FR 41405] to attainment for the 2008 8-hour ozone NAAQS. Therefore, under 40 CFR 51.1105(b)(1), the areas are no longer subject to the anti-backsliding obligations for the revoked 1997 ozone NAAQS under 40 CFR 51.1105(a)(1).

[FR Doc. 2021–15106 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 150623546–6395–02; RTID 0648–XB228]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2021 Closure for Spiny Lobster in the U.S. Caribbean Off Puerto Rico

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

ACTION: Temporary rule; closures.

SUMMARY: NMFS implements an accountability measure (AM) for spiny lobster in the U.S. Caribbean exclusive economic zone (EEZ) around Puerto Rico. NMFS has determined that the annual catch limit (ACL) for spiny lobster in Puerto Rico was exceeded based on average landings during the 2017 through 2019 fishing years. Therefore, NMFS reduces the length of the 2021 fishing season for spiny lobster in the EEZ around Puerto Rico by the amount necessary to ensure that landings do not exceed the ACL in 2021. This AM is necessary to protect the spiny lobster resource in the EEZ around Puerto Rico.

DATES: This temporary rule is effective from 12:01 a.m., local time, on August 22, 2021, through September 30, 2021.

FOR FURTHER INFORMATION CONTACT: Sarah Stephenson, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *sarah.stephenson@noaa.gov.*

SUPPLEMENTARY INFORMATION: The spiny lobster fishery of the U.S. Caribbean is managed under the Fishery Management Plan for Spiny Lobster of Puerto Rico and the U.S. Virgin Islands (USVI) (Spiny Lobster FMP). The Spiny Lobster FMP was prepared by the Caribbean Fishery Management Council (Council) and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

On June 26, 2020, NMFS published in the **Federal Register** a notice of availability for three island-based FMPs and requested public comment (85 FR 38350). On September 21, 2020, the Secretary of Commerce approved the three island-based FMPs under section 304(a)(3) of the Magnuson-Stevens Act. The three island-based FMPs replace the four U.S. Caribbean-wide FMPs, including the Spiny Lobster FMP. However, NMFS is still developing regulations to implement management measures for the three island-based FMPs. Therefore, this temporary rule implements the AM based on the Spiny Lobster FMP under regulations located at 50 CFR 622.12(a)(3).

The final rule implementing the 2011 Caribbean ACL Amendment, which included Amendment 5 to the Spiny Lobster FMP, among others, established an ACL and AM for spiny lobster in each island management area in the U.S. Caribbean (76 FR 82414, December 30, 2011). For Puerto Rico, the ACL for spiny lobster is 327,920 lb (148,742 kg), round weight. In accordance with regulations at 50 CFR 622.12(a)(3), if NMFS estimates landings have exceeded the spiny lobster ACL, based on an evaluation of a moving multi-year average of landings, NMFS will reduce the length of the fishing season for spiny lobster by the amount necessary to ensure landings do not exceed the ACL. If NMFS determines the ACL was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch, NMFS will not reduce the length of the fishing season.

Based on the most recent available landings data from the 2017–2019 fishing years, NMFS has determined that the spiny lobster ACL for Puerto Rico was exceeded. In addition, NMFS determined that the ACL was exceeded because of increased catch and not as a result of enhanced data collection and monitoring efforts.

This temporary rule implements an AM for spiny lobster to reduce the length of the 2021 fishing season to ensure that landings do not exceed the spiny lobster ACL in the 2021 fishing year. Therefore, the spiny lobster fishery in the EEZ around Puerto Rico is closed from 12:01 a.m., local time, on August 22, 2021, through September 30, 2021. The EEZ around Puerto Rico consists of those waters seaward of the 9-nmi (16.7-km) boundary around the Commonwealth of Puerto Rico.

During the closure period for spiny lobster announced in this temporary rule, both the commercial and recreational sectors are closed. Spiny lobster in or from the EEZ around Puerto Rico may not be harvested, possessed, purchased, or sold, and the bag and possession limits are zero.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.12(a)(3), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rules implementing the ACL and the associated AM have already been subject to notice and public comment, and all that remains is to notify the public of the closure. Such procedures are also contrary to the public interest because of the need to immediately implement the closure to protect the spiny lobster stock around Puerto Rico. The ACL has been exceeded based on an evaluation of available landings from the 2017–2019 fishing years. Prior notice and opportunity for public comment would require time and could result in additional harvest that could negatively affect NMFS' ability to control harvest this fishing year within the established ACL.

For the aforementioned reasons, there is good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: July 26, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021–16170 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 210210–0018]

RTID 0648–XB141

Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2021 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories

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

ACTION: Temporary rule; reapportionment.

SUMMARY: NMFS is reapportioning the seasonal apportionments of the 2021 Pacific halibut prohibited species catch (PSC) limits for the trawl deep-water and shallow-water species fishery categories in the Gulf of Alaska. This action is necessary to account for the actual halibut PSC use by the trawl deep-water and shallow-water species fishery categories from May 15, 2021 through June 30, 2021. This action is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), July 27, 2021 through 2400 hours, A.l.t., December 31, 2021.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the Gulf of Alaska (GOA) exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The final 2021 and 2022 harvest specifications for groundfish in the GOA (86 FR 10184, February 19, 2021) apportions the 2021 Pacific halibut PSC

limit for trawl gear in the GOA to two trawl fishery categories: A deep-water species fishery and a shallow-water species fishery. The halibut PSC limit for these two trawl fishery categories is further apportioned by season, including four seasonal apportionments to the shallow-water species fishery and four seasonal apportionments to the deep-water species fishery. The two fishery categories also are apportioned a combined, fifth seasonal halibut PSC limit. Unused seasonal apportionments are added to the next season apportionment during a fishing year.

Regulations at § 679.21(d)(4)(iii)(D) require NMFS to combine management of the available trawl halibut PSC limits in the second season (April 1 through July 1) deep-water and shallow-water species fishery categories for use in either fishery from May 15 through June 30 of each year. Furthermore, NMFS is required to reapportion the halibut PSC limit between the deep-water and shallow-water species fisheries after June 30 to account for actual halibut PSC use by each fishery category during May 15 through June 30. As of July 23, 2021, NMFS has determined that the trawl deep-water and shallow-water fisheries used 74 metric tons (mt) and 4 mt of halibut PSC, respectively, from May 15 through June 30. Accordingly, pursuant to § 679.21(d)(4)(iii)(A) and § 679.21(d)(4)(iii)(D), the Regional Administrator is reapportioning the combined first and second seasonal apportionments (860 mt) of halibut PSC limit between the trawl deep-water and shallow-water fishery categories to account for the actual PSC use (149 mt) in each fishery from January 1, 2021 through June 30, 2021. Therefore, Table 15 of the final 2021 and 2022 harvest specifications for groundfish in the GOA (86 FR 10184, February 19, 2021) is revised consistent with this adjustment.

TABLE 15—FINAL 2021 AND 2022 APPORTIONMENT OF PACIFIC HALIBUT PSC TRAWL LIMITS BETWEEN THE TRAWL GEAR DEEP-WATER SPECIES FISHERY AND THE SHALLOW-WATER SPECIES FISHERY CATEGORIES

[Values are in metric tons]

Season	Shallow-water	Deep-water [1]	Total
January 20–April 1	71	0	71
April 1–July 1	5	73	78
Subtotal, combined first and second season limit (January 20–July 1)	76	73	149
July 1–August 1	159	1,014	1,173
August 1–October 1	53	75	128
Subtotal January 20–October 1	288	1,162	1,450
October 1–December 31 [2]	.....	.....	256
Total	.....	.....	1,706

[1] Vessels participating in cooperatives in the Central GOA Rockfish Program will receive 191 mt of the third season (July 1 through September 1) deep-water species fishery halibut PSC apportionment.

[2] There is no apportionment between trawl shallow-water and deep-water species fishery categories during the fifth season (October 1 through December 31).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would allow for harvests that exceed the originally specified apportionment of the halibut PSC limits to the deep-water and shallow-water fishery categories. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of July 23, 2021.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

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

Dated: July 26, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021–16183 Filed 7–26–21; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 86, No. 143

Thursday, July 29, 2021

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0591; Airspace Docket No. 21–AWP–15]

RIN 2120–AA66

Proposed Revocation of Class E Airspace; Creech Air Force Base Airport, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to revoke the Class E airspace extending upward from 700 feet above the surface at Creech Air Force Base (AFB) Airport, Indian Springs, NV. This action also proposes several administrative updates to the Class D legal description. This action would ensure the safety and management of operations at the airport.

DATES: Comments must be received on or before September 13, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590; telephone: 1–800–647–5527, or (202) 366–9826. You must identify FAA Docket No. FAA–2021–0591; Airspace Docket No. 21–AWP–15, at the beginning of your comments. You may also submit comments through the internet at *https://www.regulations.gov.*

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

FOR FURTHER INFORMATION CONTACT: Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–3695.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would revoke the Class E airspace at Creech AFB Airport, Indian Springs, NV. The revocation is appropriate because no instrument flight rules (IFR) procedures are published for the airport.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Persons wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2021–0591; Airspace Docket No. 21–AWP–15''. The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at *https://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *https://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198.

Availability and Summary of Documents for Incorporation by Reference

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by revoking the Class E airspace extending upward from 700 feet above the surface at Creech AFB Airport, Indian Springs, NV. This type of Class E airspace is designed to contain IFR aircraft transitioning to/from the terminal and en route

environments. However, the Class E airspace is not required because there are no IFR procedures published for Creech AFB Airport.

This action also proposes two administrative updates to the Class D legal description. The second line of the text header should be updated from ''Indian Springs Air Force Auxiliary Field, NV'' to ''Creech AFB Airport, NV'', to match the FAA database. Additionally, the third line of the text header should be updated from ''(lat. 36°35′14″ N, long. 115°40′24″ W)'' to ''(lat. 36°35′11″ N, long. 115°40′39″ W)'', to match the FAA database.

Class D and Class E5 airspace designations are published in paragraphs 5000, and 6005, respectively, of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

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

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AWP NV D Indian Springs, NV [Amended]

Creech AFB Airport, NV
(Lat. 36°35′11″ N, long. 115°40′39″ W)

That airspace extending upward from the surface to and including 5,700 feet MSL within a 5-mile radius of the airport, excluding Restricted Area R–4806W. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AWP NV E5 Indian Springs, NV [Revoked]

Indian Springs Air Force Auxiliary Field, NV
(Lat. 36°35′14″ N, long. 115°40′24″ W)

Issued in Des Moines, Washington, on July 23, 2021.

Maria A. Aviles,

Acting Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2021–16119 Filed 7–28–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 166 and 167

[Docket No. USCG–2021–0345]

Port Access Route Study: The Pacific Coast From Washington to California

AGENCY: Coast Guard, DHS.

ACTION: Notification of study; request for comments.

SUMMARY: The Coast Guard is conducting a Port Access Route Study (PARS) to evaluate safe access routes for the movement of vessel traffic proceeding to or from ports or places along the western seaboard of the United States and to determine whether a Shipping Safety Fairway (''Fairway'') and/or routing measures should be established, adjusted or modified. The PARS will evaluate the continued applicability of, and the need for modifications to, current vessel routing measures. The data gathered during this Pacific Coast PARS (PACPARS) may result in the establishment of one or more new vessel routing measures, modification of existing routing measures, or disestablishment of existing routing measures off the Pacific Coast between Washington and California. To assist us in conducting the PACPARS, we invite your responses to questions in the **SUPPLEMENTARY INFORMATION** section. The recommendations of the study may consider future rulemaking action or potential international agreements.

DATES: Comments and related material must be received on or before January 25, 2022.

ADDRESSES: You may submit comments identified by docket number USCG–2021–0345 using the Federal eRulemaking Portal *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTAL INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of study, call or email LCDR Sara Conrad, Coast Guard Pacific Area (PAC–54), U.S. Coast Guard; telephone (510) 437–3813, email *Sara.E.Conrad@uscg.mil* or Mr. Tyrone Conner, Eleventh Coast Guard District (dpw), U.S. Coast Guard; telephone (510) 437–2968, email *Tyrone.L.Conner@uscg.mil* or Mr. John Moriarty, Thirteenth Coast Guard District (dpw), U.S. Coast Guard; telephone (206) 220–7274, email *John.F.Moriarty@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
U.S.C. United States Code
PAC Pacific Area Command
PARS Port Access Route Study
PACPARS Pacific Coast Port Access Route Study
EEZ Exclusive Economic Zone

RNA Regulated Navigation Areas
TSS Traffic Separation Scheme

II. Background, Purpose, and Legal Basis

A. Requirement for PARS: Under the Ports and Waterways Safety Act, (PWSA) (46 U.S.C. 70003(c)(1)), the Commandant of the Coast Guard shall designate necessary fairways [1] and traffic separations schemes (TSSs) to provide safe access routes for vessels proceeding to and from United States ports. The designation of fairways and TSSs recognizes the paramount right of navigation over all other uses in the designated areas.

The PWSA requires the Coast Guard to conduct a PARS, i.e. a study of potential traffic density and the need for safe access routes for vessels, before establishing or adjusting fairways or TSSs. Through the study process, we must coordinate with Federal, State, and foreign state agencies (as appropriate) and consider the views of maritime community representatives, environmental groups, and other interested stakeholders. A primary purpose of this coordination is, to the extent practicable, to reconcile the need for safe access routes with other reasonable waterway uses such as construction and operation of renewable energy facilities and other uses of the Pacific Ocean in the study area.

B. Previous Port Access Route Studies: The approaches to San Francisco, CA, were last studied in 2009, and the final results were published in the **Federal Register** on June 20, 2011 (76 FR 35805). The study was conducted to evaluate the continued applicability of and the potential need for modifications to the vessel routing to help reduce the risk of marine casualties and increase the efficiency of vessel traffic in the study area. The PARS for the Strait of Juan de Fuca, Haro Strait, Boundary Pass, Rosario Strait, the Strait of Georgia, and adjacent waters was completed in November 2000, published in the **Federal Register** on January 22, 2001 (66 FR 6514). The study was conducted to evaluate the need for modifications to current vessel routing and traffic management measures due to increase in maritime activities. The PARS for the approaches to Los Angeles-Long Beach and in the Santa Barbara Channel was last completed in June 2011, and the final results were published in the **Federal Register** in November 2011 (76 FR 67395). The study was conducted to evaluate the continued applicability of and the potential need for modifications to the traffic separation schemes. However, there has never been a PARS conducted for the entire pacific coast of the United States designed to analyze all vessel traffic proceeding to and from all the ports and transiting through the United States EEZ.

C. Need for a New Port Access Route Study: Given the current forecasted development of aquaculture farms, offshore renewable energy, commercial space ports/re-entry sites, expansion of marine sanctuaries, development of ports supporting Panamax vessels, potential LNG ports and additional increasing commercial traffic, the Coast Guard has determined that a PACPARS needs to be conducted. This PARS will focus on the coastwise shipping routes and near coastal users of the Pacific Ocean between the coastal ports, and the approaches to coastal ports within the EEZ. This PACPARS will help the Coast Guard determine what impact, if any, the siting, construction and operation of new developments may have on existing near coastal users of the Pacific Ocean, and the potential impact of shipping to other maritime users. To ensure safety of navigation, the Coast Guard will determine the impacts of rerouting traffic, funneling traffic, and placement of structures that may obstruct navigation. Some of the impacts may include increased vessel traffic density, more restricted offshore vessel routing, fixed navigation obstructions, underwater cable hazards, and economic impacts. Analyzing the various impacts will require a thorough understanding of the interrelationships of shipping, other commercial and recreational uses, and port operations.

The goal of the PACPARS is to enhance navigational safety by examining existing shipping routes and waterway uses, and, to the extent practicable, reconciling the paramount right of navigation within designated port access routes with other waterway uses such as the development of aquaculture farms, offshore renewable energy, commercial space ports/re-entry sites, marine sanctuaries, ports supporting Panamax vessels, potential LNG ports and additional commercial vessel traffic.

III. Information Requested

Timelines, Study Area, Focus, and Process: Coast Guard Pacific Area Command will conduct a PACPARS and should take several years to complete. The study area will encompass all vessel traffic patterns approaching and departing major ports along the west coast to include all current Traffic Separation Schemes and vessel maneuvering along the Pacific Coast from Washington to California and all federal navigable waters out to the EEZ. The PACPARS will focus on vessel traffic and navigation mitigation techniques to improve and support safe navigation transits within the major Pacific Coast Ports and the United States EEZ.

As part of this study, we will analyze current and historical vessel traffic, fishing vessel information, agency and stakeholder experience in vessel traffic management, navigation, ship handling, and effects of weather. We encourage you to participate in the study process by submitting comments in response to this document.

We will publish the results of the PARS in the **Federal Register**. It is possible that the study may validate existing vessel routing measures and conclude that no changes are necessary. It is also possible that the study may recommend one or more changes to enhance navigational safety and the efficiency of vessel traffic. The recommendations may lead to future rulemakings or appropriate international agreements.

Possible Scope of the Recommendations: We are attempting to determine the scope of any safety concerns associated with vessel transits in the study area. The information gathered during the study should help us identify concerns and mitigating solutions. Considerations might include: (1) Maintain the current vessel routing measures; (2) modify the existing traffic separation schemes; (3) create one or more precautionary areas; (4) create one or more inshore traffic zones; (5) establish area(s) to be avoided; (6) create deep-draft routes; (7) establish Regulated Navigation Areas (RNA) with specific vessel operating requirements to ensure safe navigation near shallow water; (8) identify any other appropriate ships' routing measures; (9) use this study for future decisions on routing measures or other maritime traffic considerations and; (10) use this study to inform other agencies concerning the impacts of their future endeavors.

Questions: To help us conduct the PARS, we request information that will help answer the following questions, although comments on other issues addressed in this document are also welcome. In responding to a question, please explain your reasons for each answer and follow the instructions under ''Public Participation and Request for Comments'' above.

[1] Fairway or shipping safety fairway is a lane or corridor in which no artificial island or fixed structure, whether temporary or permanent, will be permitted. Temporary underwater obstacles may be permitted under certain conditions described for specific areas. Aids to navigation approved by the Coast Guard may be established in a fairway. See 33 CFR 166.105(a).

(1) What navigational hazards do vessels operating in the study area face? Please describe.

(2) Are there strains on the current vessel routing systems, such as increasing traffic density associated with future growth? Please describe.

(3) Are modifications to existing vessel routing measures needed to address hazards and improve traffic efficiency in the study area? If so, please describe.

(4) What costs and benefits are associated with the measures listed as potential study considerations? What measures do you think are most cost-effective?

(5) What impacts, both positive and negative, would changes to existing routing measures or new routing measures have on the study area?

(6) Where do you transit? Where are your transit routes? What criteria are used in determining your transit routes?

(7) Do you currently experience competing uses for the same waterway areas or transit routes? If so, please describe.

(8) Do you anticipate, or are you aware of, future competing uses for the same waterway areas or transit routes? These could include potential offshore energy projects, potential offshore aquaculture projects, or otherwise.

(9) Are there other environmental, cultural, tribal, marine mammal or other impacts which should be considered during this Port Access Route Study?

IV. Public Participation and Request for Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. If you submit comments, please include the docket number for this notification of study and provide a reason for each suggestion or recommendation.

We accept anonymous comments. All comments received will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS's eRulemaking System of Records (85 FR 14226, March 11, 2020).

Documents mentioned in this notification of study as being available in the docket, and all public comments, will be in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions.

Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

This document is published under the authority of 46 U.S.C. 70003(c)(1).

Dated: July 21, 2021.

Michael F. McAllister,

Vice Admiral, U.S. Coast Guard, Commander, Pacific Area.

[FR Doc. 2021–15923 Filed 7–28–21; 8:45 am]

BILLING CODE 9110–04–P

LIBRARY OF CONGRESS

Copyright Royalty Board

37 CFR Part 385

[Docket No. 21–CRB–0001–PR (2023–2027)]

Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords IV)

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: Because of technical issues with the electronic filing system, the Copyright Royalty Judges are reopening the comment period in connection with a proposed partial settlement and proposed regulations that set certain rates and terms applicable during the period beginning January 1, 2023, and ending December 31, 2027, for the section 115 statutory license for making and distributing phonorecords of nondramatic musical works for an additional 15 days.

DATES: The comment period for the proposed rule published June 25, 2021, at 86 FR 33601, is reopened. Comments and objections, if any, are due no later than August 10, 2021.

ADDRESSES: You may send comments, identified by docket number 21–CRB–0001–PR (2023–2027), online through eCRB at *https://app.crb.gov.*

Instructions: To send your comment through eCRB, if you don't have a user account, you will first need to register for an account and wait for your registration to be approved. Approval of user accounts is only available during business hours. Once you have an approved account, you can only sign in and file your comment after setting up multi-factor authentication, which can be done at any time of day. All comments must include the Copyright Royalty Board name and the docket number for this proposed rule. All properly filed comments will appear without change in eCRB at *https://app.crb.gov,* including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to eCRB at *https://app.crb.gov* and perform a case search for docket 21–CRB–0001–PR (2023–2027).

FOR FURTHER INFORMATION CONTACT: Anita Blaine, CRB Program Specialist, at 202–707–7658 or *crb@loc.gov.*

SUPPLEMENTARY INFORMATION: On June 25, 2021, The Copyright Royalty Judges published for comment proposed regulations (arising from a partial settlement) that set rates and terms applicable during the period beginning January 1, 2023, and ending December 31, 2027, for the section 115 statutory license for making and distributing phonorecords of nondramatic musical works. Comments were due by July 26, 2021. 86 FR 33601 (June 25, 2021). Some filers experienced technical difficulties filing their comments in eCRB. The CRB is aware of the problem and is working on a solution. The Judges therefore extend the deadline for filing comments to August 10, 2021.

Jesse M. Feder,

Chief Copyright Royalty Judge.

[FR Doc. 2021–16276 Filed 7–27–21; 4:15 pm]

BILLING CODE 1410–72–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2021–0381; FRL–8782–01–R1]

Air Plan Approval; Maine; Chapter 100 Definitions and Chapter 113 Growth Offset Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Maine. This revision amends the definition of ''Ozone Transport Region'' in the State's Chapter 100 Definitions Regulation and revises language in the State's Chapter 113 Growth Offset Regulation regarding applicability of Nonattainment New Source Review in areas that, at a future date, may not be within the Ozone Transport Region. This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before August 30, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2021–0381 at *https://www.regulations.gov,* or via email to *creilson.john@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* Publicly available docket materials are available at *https://www.regulations.gov* or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that, if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays and facility closures due to COVID–19.

FOR FURTHER INFORMATION CONTACT: John Creilson, Air Quality Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05–2), Boston, MA 02109, tel. (617) 918–1688, email *creilson.john@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

Table of Contents

I. Background
II. Summary and Evaluation of State Submittal
a. Chapter 100
b. Chapter 113
III. Description of Codification Issues in Maine's SIP
IV. Proposed Action
V. Incorporation by Reference
VI. Statutory and Executive Order Reviews

I. Background

On February 10 and 24, 2021, the Maine Department of Environmental Protection (ME DEP) submitted two revisions to its State Implementation Plan (SIP) consisting of an amendment to the existing Code of Maine Rules (C.M.R.) Chapter 113 Growth Offset Regulation (Chapter 113) and C.M.R. Chapter 100 Definitions Regulation (Chapter 100), respectively, both of which were previously approved into the Maine SIP.

Pursuant to section 184 of the CAA, the State of Maine is included within the Ozone Transport Region (OTR). On February 24, 2020, the State of Maine submitted a petition to the EPA under section 176A of the CAA to remove certain portions of the State from the OTR. On May 3, 2021, EPA published in the **Federal Register** a proposal to grant Maine's request. *See* 86 FR 23309. Following Maine's original February 24, 2020 CAA section 176A request, EPA notified ME DEP that amending the definition of ''Ozone Transport Region'' in the Department's Chapter 100 Definitions Regulation was also necessary to facilitate processing of the Department's petition because the current SIP-approved definition includes language referring to the entire state of Maine as being within the OTR. The State submitted a revision to its existing SIP-approved OTR definition on February 24, 2021. Maine submitted on March 23, 2021 a clarification letter, instructing EPA to retain all existing language in the SIP-approved version of Chapter 100, except that the existing definition of ''Ozone Transport Region'' should be removed and be replaced by the updated definition of ''Ozone Transport Region.''

Additionally, as a result of Maine's OTR opt-out request, language in Chapter 113 of the approved SIP was required to be updated. The State submitted a revision to the existing SIP-approved Chapter 113 sections 1 and 2 on February 10, 2021. ME DEP's March 23, 2021 clarification letter similarly instructs EPA to retain all existing language already in the SIP-approved version of Chapter 113, except for the updated language included in the State's SIP submittal.

II. Summary and Evaluation of State Submittal

a. Chapter 100

The proposed change amends the definition of the ''Ozone Transport Region'' in the Chapter 100 Definitions Regulation by changing the last sentence from ''. . . For the State of Maine, the Ozone Transport Region includes all of the counties in the State'' to ''. . . For the State of Maine, the Ozone Transport Region includes all of Maine except for those portions of the State specifically removed from the OTR pursuant to CAA 176A.''

EPA has reviewed Maine's February 24, 2021, submittal of a revision to Chapter 100 Definitions Regulation and determined that it represents an approvable revision to the version previously approved into the Maine SIP. The revised definition does not relieve the State of OTR obligations until the CAA 176A petition is approved by EPA. In the event EPA does not finalize its proposed approval of Maine's CAA 176A request, no change to Maine's status as being within the OTR will result from this SIP revision.

b. Chapter 113

The proposed Chapter 113 changes are as follows: (1) Replace the previous section 1, Applicability, of the approved SIP, and (2) add new language codified as 3(E)(1)(c)(ii) in Maine's Chapter 113 after 2(C)(3)(b) of Chapter 113 currently approved into the SIP. The updated section 1 is revised as follows: ''The following types of stationary sources that seek to locate or expand within the geographical bounds of a nonattainment area, would have a significant impact in a nonattainment area, or seek to locate or expand within the Ozone Transport Region (concerning ozone precursor pollutants only) must obtain offset credits as provided for in this Chapter.'' The amended section continues by discussing the four types of stationary sources impacted. Section 2 was updated by adding the following to the end of section 2(C)(3)(b): ''Locating In an Ozone Attainment Area in the OTR: For a new major source or major modification subject to this Chapter locating in an ozone attainment area in the OTR, the source from which the offset credits are being obtained must be located in the OTR and may be located within another ozone attainment area or within an ozone nonattainment area if approved by the Department and EPA. Sources locating in an ozone attainment area within the OTR must obtain VOC offset credits at a ratio of 1.15 to 1. A new major source or major modification subject to this Chapter locating in an

ozone attainment area that does not have a NO_X waiver under section 182(f) of the Clean Air Act must obtain NO_X offset credits at a ratio of 1.15 to 1.''

EPA has reviewed Maine's February 10, 2021, submittal of a revision to Chapter 113 Growth Offset Regulation and determined that it represents an approvable revision to the version previously approved into the Maine SIP. The revisions clarify that offsets must be obtained from within the OTR, which is significant in the event EPA approves Maine's CAA section 176A request. Furthermore, the new language reinforces the notion that offsets being obtained from another ozone attainment or nonattainment area in the OTR require approval by EPA and ME DEP. The CAA and Maine's existing SIP-approved Chapter 113 contain provisions that require a demonstration of contribution when offsets are allocated from areas outside that of the area where the new major source or major modification will be located. *See* CAA § 173(c)(1)(a) and (b) and Maine SIP, Chapter 113(3)(a). The addition of this new language clarifies the approval process needed in these instances. Lastly, the revised text clarifies how NO_X offset requirements should be applied in areas where a CAA section 182(f) NO_X waiver is not approved.[1]

III. Description of Codification Issues in Maine's SIP

The State of Maine's regulations in Chapter 113 have been amended in the past under state law after they were originally approved into the SIP. Not all of those state law amendments were submitted to EPA as formal SIP revisions. Those ''state-only'' amendments resulted in new text being added, existing text being rearranged, and, in some cases, changes to how Maine regulations are codified. Due to such ''state-only'' amendments to Chapter 113, there are instances where the state regulation being submitted for approval into the SIP at this time does not mesh precisely within the existing codification structure of the Maine SIP. As a matter of substantive legal requirements, however, the regulations approved into the Maine SIP, including those we are approving today, are harmonious, clear, and enforceable.

Below, we describe exactly how each definition and provision we are approving into Maine's SIP through this document will be incorporated into the SIP.

Section 1 of Chapter 113 will be replaced with a new Section 1(A)(1). This change is straightforward and does not present any codification issues.

In addition, to the change to Section 1, new provisions codified in state law as Section 3(E)(1)(c)(ii) will be added to the SIP and will be placed after already existing SIP provisions in section 2(C)(3)(b). The fact that this codification does not numerically follow a consistent pattern does not affect the substantive validity or enforceability of the newly incorporated provisions. As noted above, this codification issue arises as a result of changes to state law that were never submitted to EPA as SIP revisions.

Finally, the definition of Ozone Transport Region in Chapter 100 is being amended to reflect Maine's petition to the EPA Administrator relating to the State's interest in partially removing certain areas of the State from the Ozone Transport Region. Due to prior changes to Chapter 100 (Definitions) that were not approved into the SIP, the new definition of Ozone Transport Region will be codified as definition number 111. The prior definition of Ozone Transport Region in the SIP was codified as definition 104. Definition 104 will be removed from the SIP and the new definition of Ozone Transport Region will be added to the SIP as definition 111. We note that the current SIP has a definition of ''Part 70 license'' that is numbered 111. The new definition of Ozone Transport Region will be added to the SIP with the same number (111) as the definition of ''Part 70 license.'' The fact that there will be two definitions in the SIP identified as definition 111 will not affect the substantive effect or the enforceability of either term.

IV. Proposed Action

EPA is proposing to approve the revision to Chapter 113 and the revision to Chapter 100 submitted by Maine on February 10 and 24, 2021, respectively. These SIP revisions satisfy the requirements of section 110(l) of the Clean Air Act because the plan revisions will not interfere with any applicable requirement concerning attainment or reasonable further progress or any other requirement of the Clean Air Act. EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed rule by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

V. Incorporation by Reference

In this rule, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference revisions to Maine's Chapter 100 Definitions Regulation, as effective on February 9, 2021, and Chapter 113 Growth Offset Regulation, as effective on January 14, 2019. The EPA has made, and will continue to make, these documents generally available through *https://www.regulations.gov* and at the EPA Region 1 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or

[1] Maine DEP has not sought a NO_X waiver for the 2015 ozone National Ambient Air Quality Standard (NAAQS), however, EPA has approved NO_X waivers under CAA section 182(f) previous ozone NAAQS. See 60 FR 66748 (December 26, 1995), 71 FR 5791 (February 3, 2006), and 79 FR 43945 (June 29, 2014). Nonetheless, without an approved NO_X waiver for the 2015 ozone NAAQS, all areas in Maine and within the OTR require NO_X offsets when subject to those requirements.

safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

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

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

• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

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

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 22, 2021.

Deborah Szaro,

Acting Regional Administrator, EPA Region 1.

[FR Doc. 2021–16116 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2020–0524; FRL–8762–01–R4]

Air Plan Approval; South Carolina; 2018 General Assembly New Source Review Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of South Carolina, through the South Carolina Department of Health and Environmental Control (SCDHEC or Department), on April 24, 2020. The SIP revisions update the State's Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) regulations. Specifically, the SIP revisions add and update several definitions for consistency with the Federal regulations, update public participation requirements for PSD, clarify the applicability of ''source impact analysis'' for PSD, add an emissions offset banking provision for NNSR, and make administrative updates, such as typographical corrections and renumbering. Finally, the changes incorporate language that addresses the public notice rule provisions for NNSR, which removes the mandatory requirements to provide public notice in a newspaper and instead allows for electronic notice (''e-notice'') as an alternate noticing option for the State. EPA is proposing to approve these revisions pursuant to the Clean Air Act (CAA or Act) and implementing Federal regulations.

DATES: Comments must be received on or before August 30, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2020–0524 at *www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include a discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Andres Febres, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–8966. Mr. Febres can also be reached via electronic mail at *febres-martinez.andres@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What is EPA proposing?

On April 24, 2020, SDHEC submitted SIP revisions to EPA for approval that include changes to South Carolina's major source New Source Review (NSR) permitting regulations to make them more closely align with Federal requirements for PSD and NNSR permitting; correct typographical errors; and update internal references, including renumbering throughout both regulations. Specifically, these changes update South Carolina Regulation 61–62.5, Standard No. 7—*Prevention of Significant Deterioration* and Standard No. 7.1—*Nonattainment New Source Review.*[1] In addition to the changes above, the SIP revisions include an update to the public noticing procedures for South Carolina's NNSR regulations. The public notice requirement updates address the Federal rule entitled ''Revisions to Public Notice Provisions in Clean Air Act Permitting Programs,'' (also referred to as the e-Notice Rule) that was finalized in 2016. *See* 81 FR 71613 (October 18, 2016).[2]

With certain exceptions described in Section III below, EPA is proposing to approve the changes submitted by South Carolina on April 24, 2020, which modify the State's PSD and NNSR programs, as meeting the requirements of the Federal NSR program and being consistent with the CAA.

II. Background

This proposed action seeks to revise South Carolina's PSD and NNSR regulations in the federally-approved SIP. Many of these changes are administrative in nature, including updating internal references and correcting typographical errors, but they do include the adoption of several definitions currently in the Federal NSR regulations, update public participation requirements for PSD, clarify the applicability of ''source impact

---

[1] On April 24, 2020, SDHEC also submitted to EPA SIP revisions to Regulations 61–62.1, Section I—*Definitions;* 61–62.1, Section II—*Permit Requirements;* 61–62.1, Section III—*Emission Inventory and Emissions Statement;* 61–62.1, Section IV—*Source Tests;* 61–62.1, Section V—*Credible Emissions;* 61–62.5, Standard No. 2—*Ambient Air Quality Standards;* and 61–62.5, Standard 5.2—*Control of Oxides of Nitrogen* (NO_X). EPA will address these SIP revisions in separate actions.

[2] EPA previously approved e-notice provisions for South Carolina's PSD program. *See* 83 FR 64285 (December 14, 2018). Although the e-notice provisions in the State's NNSR program are being proposed for incorporation into the SIP for the first time, the April 24, 2020, SIP revisions also include updates to the already SIP-approved e-notice provisions in South Carolina's SIP-approved PSD program.

analysis'' for PSD, and add an emissions offset banking provision for NNSR, which will be discussed in further detail in Section III below. Additionally, the April 24, 2020, SIP revisions also adopt e-notice provisions into the State's NNSR regulations.

On October 5, 2016, EPA finalized the revised public notice rule provisions for the Federal NSR, Title V, and the Outer Continental Shelf permitting programs of the CAA. *See* 81 FR 71613 (October 18, 2016). The new provisions removed the mandatory requirement to provide public notice of a draft air permit through publication in a local newspaper. Instead, these provisions allow for an internet-based ''e-notice'' option for permitting authorities implementing their own SIP-approved permitting programs and EPA-approved Title V programs. However, permitting authorities are not required to adopt e-notice. Nothing in the final rule prevents a permitting authority from continuing to use newspaper notification and/or from supplementing an e-notice with newspaper notifications and/or additional means of notification. When e-notice is provided, EPA's rule requires electronic access (e-access) to the draft permit. Generally, state and local agencies intend to post the draft permits and public notices in a designated location on their agency websites, which is accessible to anyone in the general public. For the noticing of draft permits issued by permitting authorities with EPA-approved programs, the rule simply requires the permitting authority to use ''a consistent noticing method'' for all permit notices under the specific permitting program.

E-notice is already being practiced by many permitting authorities, including South Carolina in their PSD program, because it enables them to communicate permitting and other affected actions to the public more quickly and efficiently while lowering costs by eliminating or minimizing newspaper publications. A full description of the Federal e-notice provisions is available in EPA's October 18, 2016 final rulemaking notice. *See* 81 FR 71613.

III. Analysis of State's Submittal

As mentioned above, the April 24, 2020, SIP revisions include changes to South Carolina's PSD and NNSR regulations. Many of these changes are administrative in nature, including updating internal references, correcting typographical errors, and renumbering paragraphs. However, the SIP revisions do include several changes intended to make South Carolina's major source NSR regulations more closely align with the Federal major source NSR regulations, including the adoption of several definitions, and updating of other definitions, that are currently in the Federal NSR regulations. Included below in Sections III.A. and III.B. are more details on the key updates proposed for adoption into the South Carolina SIP.

A. Regulation 61–62.5, Standard No. 7—Prevention of Significant Deterioration

The April 24, 2020, SIP revisions include the following key changes within the State's current SIP-approved PSD regulations in order to more closely align with the Federal PSD regulations: (1) Updating the definition of ''Building, structure, facility or installation;'' (2) Deleting the mention of fugitive emissions from the definition of ''Major modification'' and ''Net emissions increase;'' (3) Adding a definition for ''Pollution prevention;'' (4) Updating the ''Exceptions'' section to clarify the applicability of the ''Source Impact Analysis'' section of the PSD regulations in regards to the 2015 8-hour ozone national ambient air quality standards (NAAQS); (5) Updating the definition of ''Monitoring, recordkeeping and reporting;'' and (6) Updating the public participation requirements for PSD, including those for plantwide applicability limits (PALs) permits under PSD. More details are included below.

Under Section (B), *Definitions,* the definition of ''Building, structure, facility or installation'' was updated by renumbering the paragraph from (b)(9) to (B)(9)(a) and adding paragraph (B)(9)(b) to expand the definition and give more details on the applicability for onshore activities related to Oil and Gas Extraction. These changes more closely align the rule with the Federal PSD regulation at 40 CFR 51.166(b)(6)(ii), and EPA is proposing to approve them into the South Carolina SIP.

Originally found in paragraphs (b)(30)(v) and (b)(34)(iii)(d), South Carolina's PSD regulations contained a description of fugitive emissions under the definitions of ''Major modification'' and ''Net emissions increase.'' In the April 24, 2020, SIP revisions, these two paragraphs are renumbered to (B)(30)(e) and (B)(34)(c)(ii), respectively, and the text is removed and replaced with ''[Reserved]''. The Federal PSD regulation, specifically at 40 CFR 51.166(b)(2)(v) and (b)(3)(iii)(*d*), contains the language regarding fugitive emissions that South Carolina seeks to remove from its SIP; however, this language in the Federal rules has been stayed indefinitely.[3] EPA never acted on the language found in South Carolina's former paragraphs (b)(30)(v) and (b)(34)(iii)(d), because the State withdrew its request to adopt it into the SIP through a December 20, 2016, withdrawal letter.[4] Because the language was never approved into the SIP and the language in the Federal PSD regulations is currently stayed, EPA is proposing to add paragraphs (B)(30)(e) and (B)(34)(c)(ii) to the South Carolina SIP as submitted in the April 24, 2020, submittal with the ''[Reserved]'' note in them.

Also, under the *Definitions* section, under paragraph (B)(36), the State originally had a ''[Reserved]'' note. In the April 24, 2020, SIP revisions, the State deletes the note and adding a definition of ''Pollution prevention'' in its place. This definition mirrors that of the Federal PSD regulation, found at 40 CFR 51.166(b)(38), and EPA is proposing to approve it into the South Carolina SIP.

Under Section (I), *Exemptions,* the State added new paragraphs at (I)(11)(a) and (b), which are meant to clarify the applicability of Section (K), *Source impact analysis.* The new paragraphs were added to clarify which permit applications must comply with Section (K) with respect to the 2015 8-hour ozone NAAQS. Specifically, these new paragraphs explain that if a permit application was determined by the State to be complete on or before October 1, 2015, the ozone NAAQS with respect to which the requirements of Section (K) apply is the ozone NAAQS in effect on the date the permit application was determined to be complete and not the 2015 ozone NAAQS. These new paragraphs also explain that if the State had published a public notice with a preliminary determination regarding the application before December 28, 2015, the ozone NAAQS with respect to which the requirements of (K) apply is the ozone NAAQS in effect at the time of first publication of the public notice of a preliminary determination on the permit application or public notice of the draft permit and not the 2015 ozone

[3] Effective September 30, 2009 (74 FR 50115), EPA established a three-month stay of what is commonly known as the Fugitive Emissions Rule. The stay was later extended for an additional three months, effective December 31, 2009 (74 FR 65692). In order to allow for more time for the reconsideration and for public comment on any potential revisions to the Fugitive Emissions Rule, EPA established a longer 18-month stay that became effective on March 31, 2010 (75 FR 16012). Finally, on March 30, 2011, EPA stayed indefinitely portions of the Fugitive Emissions Rule.

[4] The December 20, 2016, withdrawal letter can be found in the docket for this proposed rulemaking.

NAAQS. The final rule promulgating the 2015 8-hour ozone NAAQS was signed by the EPA Administrator on October 1, 2015, and became effective on December 28, 2015. *See* 80 FR 65292 (October 26, 2015). Given these dates, South Carolina's October 1, 2015, and December 28, 2015, deadlines in paragraphs (I)(a) and (I)(b), respectively, would be appropriate cutoff dates for the applicability of Section (K) in regard to the 2015 ozone NAAQS. Additionally, these changes more closely align the rule with the Federal PSD regulation at 40 CFR 51.166(i)(11)(i) and (ii). EPA is therefore proposing to approve these changes into the South Carolina SIP.

Under Section (R), *Source obligations,* South Carolina updated the definition of ''Monitoring, recordkeeping and reporting'' found in paragraph (R)(6) by adding paragraphs (R)(6)(c), and (R)(6)(g)(i) and (ii). Paragraph (R)(6)(c) adds an additional requirements for emissions units that are existing electric utility steam generating units, and Paragraph (R)(6)(g) adds the definition of ''reasonable possibility'' as that term is used in Paragraph (R)(6). These changes match the Federal PSD regulations at 40 CFR 51.166(r)(6)(ii) and (r)(6)(vi), respectively, and EPA is proposing to approve these changes into the South Carolina SIP.

Finally, under Section (Q), *Public Participation,* South Carolina updates the e-notice provisions for PSD. Originally found in paragraph (q)(2)(ii), the public notice requirements are renumbered to (Q)(2)(c) and reworded for clarity and consistency with the Federal e-notice rule. The updates identify website publication on a public website selected by the Department as the consistent noticing method for draft permits subject to public notice under its PSD program. The updates note that other methods, such as newspapers, may be used in addition to website publication. South Carolina also includes a cross reference to the new e-notice provisions of Section (Q) under the State's PALs provisions for PSD to maintain the consistent e-noticing method of public participation throughout its PSD regulations. The updated language can be found under Section (AA) of Standard No. 7, in paragraph (AA)(5). EPA is proposing to approve these changes into the South Carolina SIP because they are consistent with EPA's e-notice rule.

All other changes to Standard No. 7 included in the April 24, 2020, SIP revisions are administrative in nature and are being proposed for approval into the South Carolina SIP.[5]

B. Regulation 61–62.5, Standard No. 7.1—Nonattainment New Source Review

The April 24, 2020, SIP revisions include the following key changes within the State's current SIP-approved NNSR regulations to more closely align with the Federal NNSR regulations: (1) Adding multiple definitions included in the Federal NNSR regulations; (2) Updating and renumbering existing definitions in South Carolina's SIP; (3) Adopting language regarding interpollutant trading and banking; and (4) Updating the ''Public participation'' requirements for NNSR, including those for PALs permits under NNSR.

Under Section (A), *Applicability,* South Carolina renumbered former paragraph (e) to paragraph (A)(10). Although most of paragraph (A)(10) is appropriate for incorporation into the South Carolina SIP and matches the current Federal rule, former paragraph (e) had a portion of the definition for ''Chemical process plants,'' previously found at paragraph (e)(T), that was never approved in the SIP. In particular, the language contained after ''Chemical process plant,'' now renumbered to paragraph (A)(10)(t), which states that ''The term chemical processing plants shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140,'' is not currently in the SIP and cannot be incorporated due to issues with the 2007 Federal Ethanol Rule.[6] Due to the ongoing review of the 2007 Ethanol Rule in regards to the Federal NNSR regulations, South Carolina withdrew its request for EPA to approve the phrase ''The term chemical processing plants shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140'' in the renumbered paragraph (A)(10) through a letter dated June 21, 2021.[7] [8]

Under Section (B), *Definitions,* the State adds several definitions that are part of the Federal NNSR regulations. The new definitions include: Allowable emissions; Begin actual construction; Building, structure, facility, or installation; Temporary clean coal technology demonstration project; Clean coal technology; Clean coal technology demonstration project; Commence; Construction; Continuous emissions monitoring system; Continuous emissions rate monitoring system; Continuous parameter monitoring system; Electric utility steam generating unit; Emissions unit; Federal Land Manager; Federally enforceable; Fugitive emissions; Necessary preconstruction approvals or permits; Pollution prevention; Potential to emit; Predictive emissions monitoring system; Project; Replacement unit; Resource recovery facility; Reviewing authority; Secondary emissions; and Stationary source. Except for the definition for ''Resource recovery facility,'' the new definitions all match those in the Federal NNSR regulation found at 40 CFR 51.165, and EPA is proposing to approve them into the South Carolina SIP.[9]

[5] A description of each of these changes to Standard No. 7 begins on page 354/500 of the April 24, 2020, submittal PDF. The submittal can be found in the docket for this proposed rulemaking.

[6] On May 1, 2007, EPA published in the **Federal Register** the 2007 Ethanol Rule (72 FR 24060), which amended EPA's PSD and NNSR regulations to exclude ethanol manufacturing facilities that produce ethanol by natural fermentation processes from the ''chemical process plants'' category under the regulatory definition of ''major stationary source.'' Shortly thereafter, EPA received a petition for reconsideration of the 2007 Ethanol Rule provisions from Natural Resources Defense Council (NRDC), which petition EPA initially denied on March 27, 2008. *See* 73 FR 24174 (March 27, 2008). In 2009, EPA received a second petition for reconsideration from NRDC, and NRDC also filed a petition for judicial review in the U.S. Court of Appeals for the District of Columbia Circuit challenging EPA's 2008 denial of its first petition for reconsideration. The court granted a joint motion to hold the case in abeyance, and the case has remained in abeyance. On October 21, 2019, EPA partially granted and partially denied the second petition for reconsideration. *See* 84 FR 59743 (November 6, 2019). Specifically, EPA granted the request for reconsideration with regard to the claim that the 2007 Ethanol Rule did not appropriately address the CAA section 193 anti-backsliding requirements for nonattainment areas. Concurrently, EPA denied the remainder of the requests for reconsideration. This means that states are now able to adopt the Ethanol Rule provisions for their PSD programs, but are generally not choosing to do the same for their NNSR programs at this time.

[7] The June 21, 2021, withdrawal letter can be found in the docket for this proposed rulemaking.

[8] Former paragraph (c)(7)(C)(xx) contains the same ethanol exclusion language as (A)(10)(t). South Carolina renumbered this paragraph to (B)(22)(c)(xx). The June 21, 2021, withdrawal letter also withdraws South Carolina's request for EPA to incorporate the ethanol exclusion language at (B)(22)(c)(xx) into the South Carolina SIP.

[9] At the time of submission, the definitions for ''Replacement unit'' and ''Secondary emissions'' in South Carolina's April 24, 2020, SIP revisions matched the then-current Federal NNSR regulations. On June 22, 2021, the EPA Administrator signed a final rule amending several NSR regulations, including the definitions for ''Replacement unit'' and ''Secondary emissions.'' This final rule is available at *https://www.epa.gov/nsr/final-error-corrections-rule.* Although the definitions of these two terms in South Carolina's submittal do not exactly match the revised Federal definitions, EPA is proposing to approve them into the South Carolina SIP given the nature of the revisions to these Federal definitions. However, if South Carolina wishes to have matching definitions, it may submit a SIP revision in the future to adopt the revised definitions into its SIP.

The new definition for ''Resource recovery facility,'' found in paragraph (B)(34) of South Carolina's Standard No. 7.1 in the SIP revision, does not match the Federal NNSR regulations because the Federal rules do not contain a definition for this kind of facility. However, the new definition merely clarifies what constitutes a resource recovery facility and does not create a new exemption or limitation on the applicability of the State's NNSR regulations. Therefore, EPA is proposing to approve the definition into the South Carolina SIP.

Also, under Section (B), South Carolina's April 24, 2020, SIP revisions update and replace two lists, converting them into a table format. Specifically, the changes involve paragraph (B)(22)(a), formerly found in paragraph (c)(7)(A), and paragraph (B)(37), formerly found in paragraph (c)(14).

Former paragraph (c)(7)(A), which contained the definition of ''Major stationary source,'' used to include a list of emissions thresholds for sources in certain nonattainment areas under paragraphs (c)(7)(A)(i)(a) through (d). These thresholds are now recodified in the table found in paragraph (B)(22)(a)(i) and are expanded for clarity. The threshold values and list of pollutants are unchanged from the SIP-approved version of the rule. Although the revision does not add ammonia as a precursor to fine particulate matter ($PM_{2.5}$),[10] EPA does not believe that this will have any negative impact on the attainment or maintenance of the $PM_{2.5}$ NAAQS in the State. This is due to the fact that South Carolina does not currently have any $PM_{2.5}$ nonattainment areas, and thus, the $PM_{2.5}$ thresholds in this NNSR rule are not currently applicable. In the event of an area being designated nonattainment for $PM_{2.5}$ in the future, the State would be required to submit, among other things, a revised NNSR SIP revision that identifies ammonia as a $PM_{2.5}$ precursor. For these reasons, EPA believes that the recodified table in paragraph (B)(22)(a)(i) is appropriate for approval into the South Carolina SIP.

Former paragraph (c)(14) contained a definition of ''Significant'' and included a list of emission rates at or above which a net emissions increase or the potential to emit from a source would be considered significant. South Carolina renumbered the definition as paragraph (B)(37) and created a table containing the significant emissions rates. The rates in the new table generally match the rates in former paragraph (c)(14), except for the rates for carbon monoxide (CO) and ozone, which are expanded to include more stringent rates. For CO, South Carolina's April 24, 2020, SIP revisions maintain the old emissions rate, now only applicable in marginal and moderate nonattainment areas, but add a more stringent emissions rate for serious nonattainment areas. Similarly, for ozone, South Carolina maintains the old emissions rate, now applicable only for marginal and moderate nonattainment areas, but adds more stringent rates for serious and severe nonattainment areas, as well as for extreme nonattainment areas. Given that these changes are more stringent than the current SIP-approved rule, EPA believes that they are appropriate for incorporation into the South Carolina SIP.

Under Section (C), which incorporates parts of former paragraph (d)—*Permit requirements,* South Carolina's April 24, 2020, SIP revisions add additional conditions regarding emissions offsets and alternative site analysis that need to be met in order to grant a permit; adds exemptions for ''Temporary emission source'' and ''Secondary emissions;'' and clarifies the requirements of the State's NNSR regulations, in regards to major sources and major modifications of PM_{10}.

As part of the changes to Section (C), South Carolina includes two new paragraphs, (C)(1)(d) and (e). Paragraph (C)(1)(d) adds as a condition for a permit approval, for the source to obtain a positive net air quality benefit in the affected area, as determined by 40 CFR part 51, Appendix S. Paragraph (C)(1)(e) adds a condition for the source to carry out an alternative sites analysis in order to demonstrate that benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

Under new paragraphs (C)(2) and (C)(3), South Carolina adds new exemptions for ''Temporary emissions source[s]'' and ''Secondary emissions.'' The exemption for ''Temporary emissions source'' does not exempt temporary sources, defined by the State as plants or facilities that will be relocated outside the nonattainment area after a short period of time, from obtaining a permit. This change exempts these types of sources from meeting the requirements of paragraphs (C)(1)(c) and (C)(1)(d), which require that the source obtain emissions reductions from other sources to offset the increase in emissions. The exemption for ''Secondary emissions'' states that if a source is subject to the NNSR regulation due to direct emissions from the source, the applicable conditions in paragraph (C)(1) must also be met for secondary emissions; however, secondary emissions may be exempt from paragraphs (C)(1)(a) (lowest achievable emissions rate) and (C)(1)(b) (compliance certification). EPA is proposing to approve the addition of paragraphs (C)(2) and (C)(3) because they are consistent with the exemptions in Appendix S of 40 CFR part 51 and still require preconstruction review for temporary sources and sources subject to NNSR regulation due to direct emissions.[11]

Finally, the changes to Section (C) include a clarification paragraph in regards to particulate matter (PM_{10}). In particular, paragraph (C)(4) explains that the requirements of the State's NNSR regulations, in regards to major sources and major modifications of PM_{10}, would also apply to major sources and major modifications of PM_{10} precursors.

Under new Section (D), *Offset standards,* South Carolina incorporates several paragraphs that were previously parts of former paragraph (d) of the State's NNSR regulations. The SIP revisions also adds new paragraphs throughout this section for consistency with the Federal offset provisions found at 40 CFR 51.165(a)(3). New paragraphs (D)(4), (5), (7), and (8) are consistent with federal requirements found in 40 CFR 51.165(a)(3)(ii)(C), (G), and (J), all relating to the baseline for determining credit for emissions reductions.

In the April 24, 2020, SIP revisions, South Carolina adds new Sections (H) through (K) to the State's NNSR regulations. Sections (J) and (K) only contain a ''[Reserved]'' note, to leave space for future updates. Sections (H) and (I) include South Carolina's adoption of language related to interpollutant offsetting and banking of emission offsets, respectively. The language generally aligns with that of the Federal regulations at 40 CFR 51.165(a)(3) and (11), as well as Appendix S to Part 51, but does not constitute a valid banking and trading program because it is missing some of the key elements that are required to ensure that these offsets are traded and banked correctly and utilizing permanent, quantifiable, and enforceable reductions.

[10] The Federal NNSR definition of ''Major stationary source'' sets a 70 tpy major source threshold for the $PM_{2.5}$ precursors (Sulfur dioxide, Nitrogen oxides, Volatile Organic Compounds, and Ammonia) in any serious $PM_{2.5}$ nonattainment area. *See* 40 CFR 51.165(a)(1)(iv)(A)(*1*)(*viii*) and (a)(1)(xxxvii)(C)(*2*).

[11] South Carolina's SIP prohibits the issuance of any permit to construct or modify a source if emissions interfere with attainment or maintenance of any state or federal standard. *See* Regulation 61–62.1, Section II, Paragraph A.4.

Additionally, Section (H), *Interpollutant offsetting,* contains vacated language from the December 6, 2018, rule ''Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements'' (2018 Implementation Rule).[12] The Federal interpollutant offsetting provisions found at 40 CFR 51.165(a)(11), as well as Appendix S to Part 51 (at paragraph IV.G.5), were vacated by the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) through a January 29, 2021, court decision. *See Sierra Club* v. *EPA,* 985 F.3d 1055 (D.C. Cir. 2021). Accordingly, on June 22, 2021, the EPA Administrator signed a final rule that, among other changes, removes the language allowing interprecursor trading for ozone and restoring the language in the NNSR regulations to the form it was in after the EPA's 2008 $PM_{2.5}$ implementation rule.[13] As a result, South Carolina withdrew its request that EPA incorporate Section (H) into the SIP through a withdrawal letter dated April 20, 2021.[14]

For the reasons discussed above, EPA is not proposing to incorporate Section (H) into the South Carolina SIP, and is proposing to incorporate only the addition of Section (I), *Banking of emissions offsets,* with the caveat that this does not create an offset banking and trading program in the State's SIP. In order for South Carolina to have an offsets banking and trading program in the SIP, the State must adopt a full banking and trading rule that covers everything necessary for the program to operate correctly and EPA must incorporate that rule into the SIP.

Finally, under Section (M), *Public participation,* South Carolina adds e-notice provisions for its NNSR program. Originally found in paragraph (d)(7)(iv), the public notice requirements are renumbered to (M)(2)(d) and revised to incorporate EPA's amendments to the Federal public notice requirements discussed in Section II of this rulemaking. Specifically, South Carolina's April 24, 2020, SIP revisions for Standard No. 7.1 identify website publication on a public website identified by the Department as the consistent noticing method for draft permits subject to public notice under its NNSR program. South Carolina's e-notice provisions for NNSR note that other noticing methods, such as newspapers, may be used in addition (but not as a substitute) to website publication. South Carolina also includes a cross-reference to the new e-notice provisions of Section (M) under the State's PALs provisions for NNSR to maintain the consistent e-noticing method of public participation throughout its NNSR regulations. The updated language can be found under Section (N) of Standard No. 7.1, in paragraph (N)(5). EPA believes that the April 24, 2020, SIP revisions meet all the requirements of the revised Federal e-notice provisions in regards to the State's NNSR regulations, and EPA is proposing to incorporate these changes into South Carolina's SIP.

All other changes for Standard No. 7.1 included in the April 24, 2020, SIP revisions are administrative in nature.[15] Except for the parts of subparagraphs (A)(10)(t) and (B)(22)(c)(xx) noted above, as they relate to the Ethanol Rule Provisions of the Federal NNSR regulations, and Section (H), as it relates to the Interpollutant Offsetting, all other changes to Standard No. 7.1 submitted through South Carolina's April 24, 2020 SIP revisions are being proposed for incorporation into the State's implementation plan.

IV. Incorporation by Reference

In this document, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference South Carolina's Regulation 61–62.5, Standards No. 7—*Prevention of Significant Deterioration,* and Standard No. 7.1—*Nonattainment New Source Review,* both state effective on April 24, 2020, with the exception of paragraph (H), and a portion of paragraphs (A)(10)(t), and (B)(22)(c)(xx), from Regulation 61–62.5, Standard No. 7.1, as discussed above. EPA has made and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 4 office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Proposed Action

As described above, EPA is proposing to approve, with some exceptions, the changes to the South Carolina Regulation 61–62.5, Standards No. 7—*Prevention of Significant Deterioration,* and Standard No. 7.1—*Nonattainment New Source Review.* These changes were submitted by South Carolina on April 24, 2020.

VI. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those

[12] *See* 83 FR 62998.

[13] The final rule is available at *https://www.epa.gov/nsr/final-error-corrections-rule.*

[14] The April 20, 2021, withdrawal letter can be found in the docket for this proposed rulemaking.

[15] A description of each of these changes to Standard No. 7.1 begins on page 357/500 of the April 24, 2020, submittal PDF. The submittal can be found in the docket for this proposed rulemaking.

imposed by state law, this SIP approval for the State of South Carolina does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Therefore, this action will not impose substantial direct costs on Tribal governments or preempt Tribal law. The Catawba Indian Nation (CIN) Reservation is located within the boundary of York County, South Carolina. Pursuant to the Catawba Indian Claims Settlement Act, S.C. Code Ann. 27–16–120 (Settlement Act), ''all state and local environmental laws and regulations apply to the [Catawba Indian Nation] and Reservation and are fully enforceable by all relevant state and local agencies and authorities.'' The CIN also retains authority to impose regulations applying higher environmental standards to the Reservation than those imposed by state law or local governing bodies, in accordance with the Settlement Act.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: July 15, 2021.

John Blevins,

Acting Regional Administrator, Region 4.

[FR Doc. 2021–15536 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 4

[PS Docket No. 15–80; Report No. 3179; FRS 39529]

Petition for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for Reconsideration.

SUMMARY: A Petition for Reconsideration (Petition) has been filed in the Commission's rulemaking proceeding by Ian P. Culver, on behalf of California Public Utilities Commission.

DATES: Oppositions to the Petition must be filed on or before August 13, 2021. Replies to an opposition must be filed on or before August 23, 2021.

ADDRESSES: Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Saswat Misra, Attorney-Advisor, Cybersecurity & Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418–0944 or via email at *Saswat.Misra@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, Report No. 3179, released July 19, 2021. The full text of the Petition can be accessed online via the Commission's Electronic Comment Filing System at: *http://apps.fcc.gov/ecfs/.* The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. 801(a)(1)(A), because no rules are being adopted by the Commission.

Subject: In the Matter of Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications, published at 86 FR 22796, April 29, 2021, in PS Docket No. 15–80. This document is being published pursuant to 47 CFR 1.429(e). *See also* 47 CFR 1.4(b)(1) and 1.429(f), (g).

Number of Petitions Filed: 1.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2021–16126 Filed 7–28–21; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 86, No. 143
Thursday, July 29, 2021

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

National Agricultural Library

Agricultural Research Service

Notice of Intent To Renew a Currently Approved Information Collection

AGENCY: National Agricultural Library, Agricultural Research Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13) and Office of Management and Budget (OMB) regulations at 5 CFR part 1320 (60 FR 44978, August 29, 1995), this notice announces the intention of the Agricultural Research Service (ARS) to request an extension of a currently approved information collection, Information Collection for Document Delivery Services at the National Agricultural Library (NAL), which expires February 28, 2022.

DATES: Comments must be submitted on or before September 27, 2021.

ADDRESSES: Send comments to: USDA, ARS–NAL, Digitization and Access Branch, 10301 Baltimore Avenue, Room 305–D, Beltsville, MD 20705–2351.

FOR FURTHER INFORMATION CONTACT: Kay Derr, Librarian, telephone: 301–504-5879; email: *kay.derr@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Information Collection for Document Delivery Services.

OMB Number: 0518–0027.

Expiration Date of Approval: February 28, 2022.

Type of Request: To extend a currently approved information collection process.

Abstract: In its role as both a preeminent agricultural research library and a national library of the United States, NAL, which is part of ARS, provides loans and copies of materials from its collections to libraries and other institutions and organizations. NAL follows applicable copyright laws and interlibrary loan guidelines, standards, codes, and practices when providing loans and copies and charges a fee, if applicable, for this service. To request a loan or copy, institutions must provide a formal request to NAL using either NAL's web-based online request system or an interlibrary loan request system such as the Online Computer Library Center or the National Library of Medicine's Docline. Information in these requests includes the name, mailing address, email address, and telephone number of the party requesting the material. The requestor must also provide a statement acknowledging copyright compliance, bibliographic information for the material they are requesting, and the maximum dollar amount they are willing to pay for the material. The collected information is used to deliver the material to the requestor, monitor the return of loaned material to NAL, and identify and locate the requested material in NAL collections.

Estimate of Burden: Average 1.00 minute per response.

Description of Respondents: Respondents to the collection of information are libraries, institutions, or organizations that request interlibrary loans or copies of material in the NAL collections. Each respondent must furnish the information for each loan or copying request.

Estimated Number of Respondents: 196.

Frequency of Responses: Average nine per respondent.

Estimated Total Annual Burden on Respondents: 30 hours.

Comments: Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have a practical use; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who respond, such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques. Comments may be sent to Kay Derr at the address listed above within 60 days of the date of publication. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Simon Y. Liu,

Acting Administrator, ARS.

[FR Doc. 2021–16139 Filed 7–28–21; 8:45 am]

BILLING CODE 3410–03–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

July 26, 2021.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding these information collections are best assured of having their full effect if received by August 30, 2021. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs

potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service (NASS)

Title: Agricultural Labor Survey—Substantive Change.

OMB Control Number: 0535–0109.

Summary of Collection: General authority for these data collection activities is granted under U.S. Code Title 7, Section 2204 which specifies that ''The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . .''. The primary objective of the National Agricultural Statistics Service (NASS) is to provide data users with timely and reliable agricultural production and economic statistics, as well as environmental and specialty agricultural related statistics. To accomplish this objective, NASS relies on the use of diverse surveys that show changes within the farming industry over time.

This is a request to make a substantive change to the currently approved Agricultural Labor docket. In this substantive change, NASS will reduce the sample size and reduce the number of questions being asked. Previously, NASS conducted the Agricultural Labor Survey under a cooperative agreement with the U.S. Department of Labor (DOL). Recently, the DOL cut off funding of the Labor survey, warranting this reduction in sample size and cut in the number of questions asked. NASS will publish the results of the survey, but the publication will resemble the publication that was published on Nov. 15, 2018. The questions that will be removed from the questionnaire are those referencing base wages, base hours worked, overtime wages, overtime hours worked, and bonus wages. NASS will still collect gross wages and total hours worked.

Need and Use of the Information: Agricultural labor statistics are an integral part of the primary function of the National Agricultural Statistics Service (NASS), which is the collection, processing, and dissemination of current State, regional, and national agricultural statistics. Wage rate estimates have been published since 1866 and U.S. farm employment estimates have been published since 1910.

Description of Respondents: Farms and Ranches.

Number of Respondents: 18,050.

Frequency of Responses: Reporting: Varies.

Total Burden Hours: 20,168.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2021–16180 Filed 7–28–21; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Food Distribution Program: Value of Donated Foods From July 1, 2021 Through June 30, 2022

AGENCY: Food and Nutrition Service, Agriculture (USDA).

ACTION: Notice.

SUMMARY: This notice announces the national average value of donated foods or, where applicable, cash in lieu of donated foods, to be provided in school year 2022 (July 1, 2021 through June 30, 2022) for each lunch served by schools participating in the National School Lunch Program (NSLP), and for each lunch and supper served by institutions participating in the Child and Adult Care Food Program (CACFP).

DATES: Effective date: July 1, 2021.

FOR FURTHER INFORMATION CONTACT: Erica Antonson, Branch Chief, Policy Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 1320 Braddock Place, Alexandria, VA 22314, or telephone (703) 305–2680.

SUPPLEMENTARY INFORMATION: These programs are located in the Assistance Listings under Nos. 10.555 and 10.558 and are subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V, and final rule related notice published at 48 FR 29114, June 24, 1983.)

This notice imposes no new reporting or recordkeeping provisions that are subject to Office of Management and Budget review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of that Act. This notice was reviewed by the Office of Management and Budget under Executive Order 12866. Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not a major rule, as defined by 5 U.S.C. 804(2).

National Average Minimum Value of Donated Foods for the Period July 1, 2021 Through June 30, 2022

This notice implements mandatory provisions of sections 6(c) and 17(h)(1)(B) of the Richard B. Russell National School Lunch Act (the Act) (42 U.S.C. 1755(c) and 1766(h)(1)(B)). Section 6(c)(1)(A) of the Act establishes the national average value of donated food assistance to be given to States for each lunch served in the NSLP at 11.00 cents per meal. Pursuant to section 6(c)(1)(B), this amount is subject to annual adjustments on July 1 of each year to reflect changes in a three-month average value of the Producer Price Index for Foods Used in Schools and Institutions for March, April, and May each year (Price Index). Section 17(h)(1)(B) of the Act provides that the same value of donated foods (or cash in lieu of donated foods) for school lunches shall also be established for lunches and suppers served in the CACFP. Notice is hereby given that the national average minimum value of donated foods, or cash in lieu thereof, per lunch under the NSLP (7 CFR part 210) and per lunch and supper under the CACFP (7 CFR part 226) shall be 26.00 cents for the period July 1, 2021 through June 30, 2022.

The Price Index is computed using five major food components in the Bureau of Labor Statistics Producer Price Index (cereal and bakery products; meats, poultry, and fish; dairy; processed fruits and vegetables; and fats and oils). Each component is weighted using the relative weight as determined by the Bureau of Labor Statistics. The value of food assistance is adjusted each July 1 by the annual percentage change in a three-month average value of the Price Index for March, April, and May each year. The three-month average of the Price Index increased by 6.47 percent from 213.45 for March, April, and May of 2020, as previously published in the **Federal Register**, to 227.26 for the same three months in 2021. When computed on the basis of unrounded data and rounded to the nearest one-quarter cent, the resulting national average for the period July 1, 2021 through June 30, 2022 will be 26.00 cents per meal. This is an increase of one-and-a-half cents from the school year 2021 (July 1, 2020 through June 30, 2021) rate.

Authority: Sections 6(c)(1)(A) and (B), 6(e)(1), and 17(h)(1)(B) of the Richard B. Russell National School Lunch Act (42

U.S.C. 1755(c)(1)(A) and (B) and (e)(1), and 1766(h)(1)(B)).

Cynthia Long,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 2021–16107 Filed 7–28–21; 8:45 am]

BILLING CODE 3410–30–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the New York Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the New York Advisory Committee (Committee) will hold a meeting via WebEx on Friday, August 20, 2021; from 1:00–2:15 p.m. ET, for the purpose of discussing the Committee's project on potential racial discrimination in eviction policies and enforcement in New York.

DATES: The meeting will be held on Friday, August 20, 2021; from 1:00 p.m.–2:15 p.m. ET.

• *To join by web conference please click the link below; password is USCCR: https://civilrights.webex.com/civilrights/j.php?MTID=m71c12750a2fb6067793695c7b73b7044.*

• *To join by phone only, dial:* 1–800–360–9505; Access Code: 199 963 9326.

FOR FURTHER INFORMATION CONTACT: Mallory Trachtenberg, DFO, at *mtrachtenberg@usccr.gov* or 202–809–9618.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference operator will ask callers to identify themselves, the organizations they are affiliated with (if any), and an email address prior to placing callers into the conference call. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number. To request additional accommodations, please email *mtrachtenberg@usccr.gov* at least 7 days prior to the meeting for which accommodations are requested.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Mallory Trachtenberg at *mtrachtenberg@usccr.gov* in the Regional Programs Unit Office/Advisory Committee Management Unit. Persons who desire additional information may contact the Regional Programs Unit at 202–809–9618.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available at *www.facadatase.gov* under the Commission on Civil Rights, New York Advisory Committee. Persons interested in the work of this Committee are also directed to the Commission's website, *www.usccr.gov;* persons may also contact the Regional Programs Unit office at the above email or phone number.

Agenda

I. Welcome and Roll Call
II. Announcements and Updates
III. Approval of Minutes
IV. Discussion: Committee's Project on Eviction Policy and Enforcement in New York
V. Public Comment
VI. Review Next Steps
VII. Adjournment

Dated: July 26, 2021.

David Mussatt.

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021–16184 Filed 7–28–21; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Mississippi Advisory Committee (Committee) will hold a meeting via web conference on Monday, August 16, 2021 at 2:00 p.m. Central Time. The purpose of the meeting is to review and take a final vote on the Committee's report on qualified immunity.

DATES: The meeting will be held on Monday, August 16, 2021 from 2:00 p.m.–3:00 p.m. Central Time.

Online Registration (audio/visual): https://bit.ly/3hXFaRd.

Telephone Access (audio only): 800 360 9505; Access Code: 199 212 1876.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or (202) 618–4158.

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individuals who are deaf, deafblind and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to submit written comments; the comments must be received by the regional office within 30 days following the meeting. Written comments may be emailed to Corrine Sanders at *csanders@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Mississippi Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email address.

Agenda

I. Welcome & Roll Call
II. SAC Discussion to Review the Final Report
III. Public Comment
IV. Adjournment

Dated: July 26, 2021.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021–16185 Filed 7–28–21; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on May 7, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Commerce.

Title: Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units.

OMB Control Number: 0607–0094.

Form Number(s): C–404.

Type of Request: Regular submission, Request for an Extension, without Change, of a Currently Approved Collection.

Number of Respondents: 20,000 respondents providing a total of 114,743 responses per year.

Average Hours per Response: 9.22 minutes.

Burden Hours: 17,625.

Needs and Uses: The Census Bureau conducts the Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units, otherwise known as the Building Permits Survey (BPS) to collect data on new residential buildings from state and local permit-issuing offices. The key estimates from the survey are the numbers of new housing units authorized by building permits; data are also collected on the valuation of the housing units. Form C–404 specifically collects information on changes to the geographic coverage of the permit-issuing place, the number and valuation of new residential housing units authorized by building permits, and additional information on residential permits valued at $2 million or more, including, but not limited to, site address and type of building.

The Census Bureau produces statistics used to monitor activity in the large and dynamic construction industry. Given the importance of this industry, several of the statistical series have been designated by the Office of Management and Budget as Principal Economic Indicators. Two such indicators are directly dependent on the key estimates from the BPS. For New Residential Construction (which includes Housing Units Authorized by Building Permits, Housing Starts, and Housing Completions), form C–404 is used to collect the estimate for Housing Units Authorized by Building Permits. For New Residential Construction and Sales, the number of housing units authorized by building permits is a key component utilized in the estimation of housing units started, completed, and sold.

These statistics help state, local, and federal governments, as well as private industry, analyze this important sector of the economy. The building permit series are available monthly based on a sample of building permit offices, and annually based on the entire universe of permit offices. Published data from the survey can be found on the Census Bureau's website at *www.census.gov/permits.*

Beginning January 2022, the U.S. Census Bureau is proposing to change the methodology for the tabulation of monthly Building Permit Survey. The methodology will change from a representative sample to a cutoff sample based on recent permit activity by jurisdiction.

Affected Public: State, Local, or Tribal government.

Frequency: There are roughly 20,000 permit issuing jurisdictions in the United States. Slightly less than one-half of those permit offices are requested to report monthly. The remaining offices are surveyed annually.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13, United States Code, Sections 131 and 182.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0607–0094.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–16150 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Spatial, Address, and Imagery Data Program

AGENCY: Census Bureau, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the proposed extension of the Spatial, Address, and Imagery Data (SAID) Program, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before September 27, 2021.

ADDRESSES: Interested persons are invited to submit written comments by email to *robin.a.pennington@census.gov.* Please reference Spatial, Address, and Imagery Data Program in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2021–0016, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* All comments received are part of the public record. No comments will be posted to *http://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example,

name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Matthew A. Zimolzak, Geography Division, Census Bureau, 301–763–9419, *matthew.a.zimolzak@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Spatial, Address, and Imagery Data (SAID) Program is one of many voluntary geographic partnership programs that collects data to update the U.S. Census Bureau's geographic database of addresses, streets, boundaries, and imagery, known as the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) System. The Census Bureau uses the MAF/TIGER System to link demographic data from surveys and the decennial census to locations and areas, such as cities, American Indian reservations and trust lands, census tracts, and counties. In order to properly tabulate census and survey response data by the correct geographic area, the Census Bureau requires current and accurate addresses and boundaries.

The SAID Program provides the Census Bureau with a continuous method to obtain current, accurate, and complete address, street centerline, and imagery data from tribal, state, and local government partners. The purpose of the SAID Program is to help maintain the Census Bureau's geographic framework for data collection, tabulation, and dissemination between decennial censuses and to support ongoing programs such as the American Community Survey and the Population Estimates Program. Over the past eight (8) years, the SAID Program, originally titled the Geographic Support System (GSS) Partnership Program, has enabled the Census Bureau to update addresses and street centerlines across the country, with participation covering nearly 89% of the housing units in the nation. Moving forward, the SAID Program will continue to focus on acquiring addresses, street centerlines, and imagery in areas targeted for housing unit growth or change.

II. Method of Collection

Each year, the SAID Program invitees are determined by several different evaluation factors, including address growth, address change, comparison with other Census Bureau statistics, past SAID or GSS Partnership Program participation status, and other factors. The Census Bureau contacts potential participants by telephone and email to request addresses, street centerlines, and imagery data that are no more than two years old, along with supporting metadata. In some cases, the Census Bureau will request entire datasets, while in other cases the Census Bureau may request only changes since a previous submission. The Census Bureau attempts to contact each invitee no less than three times before contact is rescheduled for a later cycle. The Census Bureau provides the participants who agree to provide data with information needed to create a Secure Web Incoming Module (SWIM) account, used for secure data transfers to the Census Bureau. Participants then submit their data in a single submission through the SWIM at their convenience. If a participant submits files with incomplete metadata, the Census Bureau will contact the participant requesting the additional metadata information. The Census Bureau will only process the files with appropriate metadata.

The data collected in the SAID Program may be used to define geographic boundaries, including census blocks, and to place households and group quarters in a specific census block. The SAID Program follows the process below:

1. The Census Bureau invites participants, including tribal, state, and local governments; federal agencies; and other authoritative organizations each fiscal year.
2. Participants are asked to provide a current address list with associated location points and attributes, street centerline, and/or imagery data for their jurisdiction that is no more than two years old.
3. Participants upload the requested data files using the SWIM, per Census Bureau procedures.
4. The Census Bureau validates then updates the MAF/TIGER System with the address and street centerline data provided by the participants and uses the provided imagery for quality control and change detection.
5. The Census Bureau uses the updated addresses and streets to support Census Bureau field operations, survey response collection, and data tabulation.

III. Data

OMB Control Number: 0607–1008.
Form Number(s): None.
Type of Review: Regular submission.
Affected Public: Tribal, state, county and local governments and other organizations.
Estimated Number of Respondents: 1,500.

- Census Bureau Contact with Local Governments: 1,000.
- Census Bureau Acquisition of Local Geographic Data and Content Clarification: 500.

Estimated Time per Response: 2.5 hours.

- Census Bureau Contact with Local Governments: 1 hour.
- Census Bureau Acquisition of Local Geographic Data and Content Clarification: 1.5 hours.

Estimated Total Annual Burden Hours: 2,500.

- Census Bureau Contact with Local Governments: 1,000.
- Census Bureau Acquisition of Local Geographic Data and Content Clarification: 1,500.

Estimated Total Annual Cost to Public: $0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)
Respondent's Obligation: Voluntary.
Legal Authority: Title 13 U.S.C. 16, 141, and 193.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your

comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–16156 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Management and Organizational Practices Survey (MOPS) 2021

AGENCY: Census Bureau, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the proposed reinstatement, with change, of the Management and Organizational Practices Survey, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before September 27, 2021.

ADDRESSES: Interested persons are invited to submit written comments by email to *Thomas.J.Smith@census.gov.* Please reference Management and Organizational Practices Survey (MOPS) 2021 in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2021–0018, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* All comments received are part of the public record. No comments will be posted to *http://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Marlo Thornton, Assistant Division Chief, Economy-Wide Statistics Division, at *marlo.n.thornton@census.gov* or 301–763–7170.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau plans to conduct the Management and Organizational Practices Survey (MOPS) for survey year 2021; the survey was previously conducted for survey years 2010 and 2015. The survey will be conducted as a joint project by the Census Bureau, the University of Chicago Booth School of Business, Stanford School of Humanities and Sciences, and the Stanford Institute for Human-Centered Artificial Intelligence. The MOPS will utilize the Annual Survey of Manufactures (ASM) mail-out sample and will collect information on management and organizational practices at the establishment level. The Census Bureau has conducted the ASM since 1949 to provide key measures of manufacturing activity during intercensal periods. In years that we conduct the Economic Census, years ending in ''2'' and ''7'', we do not mail the ASM but collect the data as part of the Economic Census covering the Manufacturing Sector. The ASM is an integral part of the Federal Government's statistical program, furnishing up-to date estimates of employment and payroll, hours and wages of production workers, value added by manufacture, cost of materials, value of shipments, inventories, and expenditures for both plant and equipment and structures. The data obtained from the MOPS will allow the Census Bureau to estimate a firm's stock of management and organizational assets, specifically the use of decentralized decision rights and establishment performance data such as production targets in decision-making. These data will provide information on investments in management and organizational practices, which will lead to a better understanding of the benefits from these investments when measured in terms of firm productivity or firm market value. This survey on management and organizational practices will provide information on the dimensions of organizational capital for this sector not currently available elsewhere. This clearance request will be for the survey year 2021. The Census Bureau plans to make the following changes to the 2015 MOPS content for the 2021 survey:

- Add a new purchased services module on the establishment's use of its own employees, contractors, temporary staff, or leased workers for select business expenses.
- Update the data and decision-making module by removing five of the six questions, maintaining a question asking who decides what data to collect for continuity, and adding nine questions focused on the frontier uses of data to inform artificial intelligence.
- Add three questions to the background characteristics module on the establishment's use of an external Certified Public Accountant.
- Simplify questions on the location of decision-making in multi-location firms in the organization module by combining them into a single table and removing write-in responses.
- Remove four forecasting questions in the uncertainty module.
- Remove two questions related to the establishment's background characteristics.
- Remove all questions about a five-year recall period.

II. Method of Collection

The 2021 MOPS will be mailed separately from the 2021 ASM and will utilize an entirely electronic collection. Unlike the ASM that mails to the headquarters of companies with multiple locations, the MOPS will be mailed directly to the individual establishments. Initial contact with respondents will be a mailed letter directing them to report online. Respondents will report electronically through the Census Bureau's Centurion online reporting system. The sample for the 2021 MOPS will consist of the approximately 50,000 establishments in the 2021 ASM mail-out sample. The mail-out sample for the ASM is redesigned at 5-year intervals beginning the second survey year after the Economic Census. For the 2019 ASM, a new probability sample was selected from a frame of approximately 100,000 manufacturing establishments in the 2017 Economic Census that had paid employees, were located in the United States, and were associated with multi-

location companies or were large single-establishment companies. On an annual basis, the mail-out sample is supplemented with large, newly active single-establishment companies identified from a list provided by the Internal Revenue Service and new manufacturing establishments of multi-location companies identified from the Census Bureau's Company Organization Survey.

III. Data

OMB Control Number: 0607–0963.

Electronic Path ID: MP–10002.

Type of Review: Regular submission, Request for a Reinstatement, with Change, of a Previously Approved Collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 50,000.

Estimated Time per Response: 45 minutes.

Estimated Total Annual Burden Hours: 37,500.

Estimated Total Annual Cost to Public: $0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Mandatory.

Legal Authority: Title 13, United States Code, Sections 131 and 182; Sections 224 and 225 make reporting for this survey mandatory.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–16151 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–881]

Certain Cold-Rolled Steel Flat Products From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2018–2019

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

SUMMARY: The Department of Commerce (Commerce) determines that certain cold-rolled steel flat products (cold-rolled steel) from the Republic of Korea were not sold in the United States at prices below normal value during the period of review (POR), September 1, 2018, through August 31, 2019.

DATES: Applicable July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Michael J. Heaney, George McMahon, or Marc Castillo, 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) 482–4475, (202) 482–1167, or (202) 482–5019, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 25, 2021, Commerce published the *Preliminary Results* of this administrative review.[1] We invited interested parties to comment on the *Preliminary Results.* Between February 24, and March 5, 2021, Commerce received timely filed case briefs and rebuttal briefs from United States Steel Corporation (U.S. Steel), additional domestic parties,[2] Hyundai Steel Company (Hyundai), and POSCO/POSCO International Corporation (POSCO).[3] On May 14, 2021, we extended the deadline for issuing the final results until July 23, 2021.[4]

For a complete description of the events that followed the *Preliminary Results, see* the Issues and Decision Memorandum, dated concurrently with these final results and hereby adopted by this notice.[5] 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 *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/index.html.*

This review covers three producers and exporters of the subject merchandise. Based on an analysis of the comments received, we made certain changes to the margin calculations. The weighted-average dumping margins are listed in the ''Final Results of the Review'' section of this notice. Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

---

[1] *See Certain Cold Rolled Steel Flat Products from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2018–2019,* 86 FR 6871 (January 25, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] Additional domestic parties include ArcelorMittal USA LLC, AK Steel Corporation, and Cleveland-Cliffs Steel LLC (collectively, domestic producers).

[3] *See* POSCO's Letter, ''Cold Rolled Steel Flat Products from the Republic of Korea: POSCO's Case Brief,'' dated February 24, 2021; *see also* Hyundai's Letter, ''Cold Rolled Steel Flat Products from the Republic of Korea: Hyundai Steel's Case Brief,'' dated February 24, 2021; U.S. Steel's Letter, ''Certain Cold-Rolled Steel Flat Products From the Republic of Korea: Case Brief of United States Steel Corporation,'' dated February 24, 2021; POSCO's Letter, ''Cold Rolled Steel Flat Products From the Republic of Korea: POSCO's Rebuttal Brief,'' dated March 5, 2021; Hyundai's Letter, ''Cold Rolled Steel Flat Products From the Republic of Korea: Hyundai Steel's Rebuttal Brief,'' dated March 5, 2021; US Steel's and Domestic Producers' Letter, ''Cold-Rolled Steel Flat Products From South Korea: Rebuttal Brief of United States Steel Corporation,'' dated March 5, 2021; and U.S. Steel and Domestic Producers' Letter, ''Cold Rolled Steel Flat Products from Korea: Petitioners' Rebuttal Brief Concerning POSCO,'' dated March 5, 2021.

[4] *See* Memorandum, ''Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated May 14, 2021.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the 2018–2019 Administrative Review of the Antidumping Duty Order on Certain Cold-Rolled Steel Flat Products from the Republic of Korea,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Scope of the Order

The product covered by the *Order*[6] is cold-rolled steel from the Republic of Korea. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

All arguments raised in the case and rebuttal briefs are listed in the appendix to this notice and addressed in the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we made certain changes to the margin calculations for Hyundai Steel Company (Hyundai) and POSCO/POSCO International Corporation (POSCO). For a discussion of these changes, see the ''Margin Calculations'' section of the Issues and Decision Memorandum.[7]

Rate for Non-Examined Company

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.'' Section 735(c)(5)(B) of the Act also provides that, where all rates for individually examined companies are zero, *de minimis,* or based entirely on facts available, Commerce may use ''any reasonable method'' for assigning the rate to all other respondents. The SAA states that one such reasonable method is to weight-average the rates that are zero, *de minimis,* and based entirely on facts available.[8]

For these final results, we calculated weighted-average dumping margins for Hyundai and POSCO that are zero percent, and we have assigned this zero percent rate to the company not individually examined in this review (*i.e.,* KG Dongbu Steel Co., Ltd) pursuant to section 735(c)(5)(B) of the Act.[9]

Final Results of Review

Commerce determines that the following weighted-average dumping margins exist for the period September 1, 2018, through August 31, 2019:

Producers/exporters	Weighted-average dumping margin (percent)
Hyundai Steel Company	0.00
POSCO/POSCO International Corporation[10]	0.00
KG Dongbu Steel Co., Ltd[11]	0.00

Disclosure

Commerce intends to disclose the calculations performed for these final results within five days of the date of publication of this notice in the **Federal Register**, 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)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Pursuant to 19 CFR 351.212(b)(1), where the respondent did not report entered value, we calculated the entered value in order to calculate the assessment rate. Where the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. In accordance with Commerce's practice, for entries of subject merchandise during the POR for which the reviewed companies did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate if there is no company-specific rate for the intermediate company(ies) involved in the transaction.[12]

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.[13] Consistent with its recent notice,[14] 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 final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for each specific company listed above will be zero; (2) for previously investigated companies

[6] *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*).

[7] *See* Issues and Decision Memorandum; *see also* Memorandum, ''Final Determination Calculations for Hyundai,'' dated concurrently with this notice; and Memorandum, ''Final Determination Calculations for POSCO/PIC,'' dated concurrently with this notice.

[8] *See* Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. 103–316, vol. 1 (1994) at 873 (1994) (SAA).

[9] *See Albemarle Corp.* v. *United States,* 821 F.3d 1345 (Fed. Cir. 2016).

[10] Commerce has collapsed POSCO and POSCO International Corporation (PIC), treating these companies as a single entity. Commerce also finds that PIC is the successor-in-interest to POSCO Daewoo Corporation (PDW), and, as a consequence, is part of the collapsed POSCO single entity. *See* Memorandum, ''Cold-Rolled Steel Flat Products from the Republic of Korea: POSCO and POSCO International Corporation Affiliation and Collapsing Memorandum,'' dated January 15, 2021 at 9–10.

[11] Commerce determined that KG Dongbu Steel Co., Ltd. (KG Dongbu Steel) is the successor-in-interest to Dongbu Steel Co., Ltd. (Dongbu Steel) and Dongbu Incheon Steel Co., Ltd. (Dongbu Incheon) for purposes of determining antidumping duty (AD) cash deposits and liabilities pursuant to the AD orders on certain cold-rolled steel and certain corrosion resistant steel products from Korea. *See Certain Cold-Rolled Steel Flat Products and Certain Corrosion-Resistant Steel Products from the Republic of Korea: Preliminary Results of Antidumping Duty and Countervailing Duty Changed Circumstance Reviews,* 86 FR 287 (January 5, 2021), unchanged in *Certain Cold-Rolled Steel Flat Products and Certain Corrosion-Resistant Steel Products from the Republic of Korea: Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews,* 86 FR 10922 (February 23, 2021).

[12] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

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

[14] *See Notice of Discontinuation Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings,* 86 FR 3995 (January 15, 2021).

not participating in this review, the cash deposit will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 20.33 percent,[15] the all-others rate established in the LTFV investigation. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. 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 Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), 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 the terms of an APO is a sanctionable violation.

Notification to Interested Parties

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

Dated: July 23, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

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. Rate for Non-Examined Company
VI. Discussion of the Issues
Comment 1–A: Lawfulness of Commerce's Interpretation of the Particular Market Situation (PMS) Provision
Comment 1–B: Evidence of a PMS
Comment 1–C: Quantification of PMS Adjustment
Comment 2: Constructed Export Price (CEP) Offset for POSCO
Comment 3: Correction of Calculation Errors
Comment 4: Whether Hyundai's Cost Accounting Merits Adverse Facts Available (AFA)
Comment 5: Assignment of an Assessment Rate to a Certain U.S. Affiliate
VII. Recommendation

[15] *See Order.*

[FR Doc. 2021–16172 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket Number: [210726–0151]]

Artificial Intelligence Risk Management Framework

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

ACTION: Request for information.

SUMMARY: The National Institute of Standards and Technology (NIST) is developing a framework that can be used to improve the management of risks to individuals, organizations, and society associated with artificial intelligence (AI). The NIST Artificial Intelligence Risk Management Framework (AI RMF or Framework) is intended for voluntary use and to improve the ability to incorporate trustworthiness considerations into the design, development, and use, and evaluation of AI products, services, and systems. This notice requests information to help inform, refine, and guide the development of the AI RMF. The Framework will be developed through a consensus-driven, open, and collaborative process that will include public workshops and other opportunities for stakeholders to provide input.

DATES: Comments in response to this notice must be received by 5:00 p.m. Eastern time on August 19, 2021. Written comments in response to the RFI should be submitted according to the instructions in the **ADDRESSES** and **SUPPLEMENTARY INFORMATION** sections below. Submissions received after that date may not be considered.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Electronic submission:* Submit electronic public comments via the Federal e-Rulemaking Portal.

1. Go to *www.regulations.gov* and enter NIST–2021–0004 in the search field,
2. Click the ''Comment Now!'' icon, complete the required fields, and
3. Enter or attach your comments.

- *Email:* Comments in electronic form may also be sent to *AIframework@nist.gov* in any of the following formats: HTML; ASCII; Word; RTF; or PDF.

Please submit comments only and include your name, organization's name (if any), and cite ''AI Risk Management Framework'' in all correspondence.

FOR FURTHER INFORMATION CONTACT: For questions about this RFI contact: Mark Przybocki (*mark.przybocki@nist.gov*), U.S. National Institute of Standards and Technology, MS 20899, 100 Bureau Drive, Gaithersburg, MD 20899, telephone (301) 975–3347, email *AIframework@nist.gov.*

Direct media inquiries to NIST's Office of Public Affairs at (301) 975–2762. Users of telecommunication devices for the deaf, or a text telephone, may call the Federal Relay Service, toll free at 1–800–877–8339.

Accessible Format: On request to the contact person listed above, NIST will make the RFI available in alternate formats, such as Braille or large print, upon request by persons with disabilities.

SUPPLEMENTARY INFORMATION:

Genesis for Development of the AI Risk Management Framework

Artificial intelligence (AI) is rapidly transforming our world.

Surges in AI capabilities have led to a wide range of innovations. These new AI-enabled systems are benefitting many parts of society and economy from commerce and healthcare to transportation and cybersecurity. At the same time, new AI-based technologies, products, and services bring technical and societal challenges and risks, including ensuring that AI comports with ethical values. While there is no objective standard for ethical values, as they are grounded in the norms and legal expectations of specific societies or cultures, it is widely agreed that AI must be designed, developed, used, and evaluated in a trustworthy and responsible manner to foster public confidence and trust. Trust is established by ensuring that AI systems are cognizant of and are built to align with core values in society, and in ways

which minimize harms to individuals, groups, communities, and societies at large.

Defining trustworthiness in meaningful, actionable, and testable ways remains a work in progress. Inside and outside the United States there are diverse views about what that entails, including who is responsible for instilling trustworthiness during the stages of design, development,use, and evaluation. There also are different ideas about how to assure conformity with principles and characteristics of AI trustworthiness.

NIST is among the institutions addressing these issues. NIST aims to cultivate the public's trust in the design, development, use, and evaluation of AI technologies and systems in ways that enhance economic security, and improve quality of life. NIST focuses on improving measurement science, standards, technology, and related tools, including evaluation and data. NIST is developing forward-thinking approaches that support innovation and confidence in AI systems. The agency's work on an AI RMF is consistent with recommendations by the National Security Commission on Artificial Intelligence [1] and the Plan for Federal Engagement in Developing AI Technical Standards and Related Tools.[2]

Congress has directed NIST to collaborate with the private and public sectors to develop a voluntary AI RMF.[3] The Framework is intended to help designers, developers, users and evaluators of AI systems better manage risks across the AI lifecycle. For purposes of this RFI, ''managing'' means: Identifying, assessing, responding to, and communicating AI risks. ''Responding'' to AI risks means: Avoiding, mitigating, sharing, transferring, or accepting risk. ''Communicating'' AI risk means: Disclosing and negotiating risk and sharing with connected systems and actors in the domain of design, deployment and use. ''Design, development, use, and evaluation'' of AI systems includes procurement, monitoring, or sustainment of AI components and systems.

The Framework aims to foster the development of innovative approaches to address characteristics of trustworthiness including accuracy, explainability and interpretability, reliability, privacy, robustness, safety, security (resilience), and mitigation of unintended and/or harmful bias, as well as of harmful uses. The Framework should consider and encompass principles such as transparency, fairness, and accountability during design, deployment, use, and evaluation of AI technologies and systems. With broad and complex uses of AI, the Framework should consider risks from unintentional, unanticipated, or harmful outcomes that arise from intended uses, secondary uses, and misuses of the AI. These characteristics and principles are generally considered as contributing to the trustworthiness of AI technologies and systems, products, and services. NIST is interested in whether stakeholders define or use other characteristics and principles.

Among other purposes, the AI RMF is intended to be a tool that would complement and assist with broader aspects of enterprise risk management which could affect individuals, groups, organizations, or society.

AI RMF Development and Attributes

NIST is soliciting input from all interested stakeholders, seeking to understand how individuals, groups and organizations involved with designing, developing, using, or evaluating AI systems might be better able to address the full scope of AI risk and how a framework for managing AI risks might be constructed. Stakeholders include but are not limited to industry, civil society groups, academic institutions, federal agencies, state, local, territorial, tribal, and foreign governments, standards developing organizations and researchers.

NIST intends the Framework to provide a prioritized, flexible, risk-based, outcome-focused, and cost-effective approach that is useful to the community of AI designers, developers, users, evaluators, and other decision makers and is likely to be widely adopted. The Framework's development process will involve several iterations to encourage robust and continuing engagement and collaboration with interested stakeholders. This will include open, public workshops, along with other forms of outreach and feedback. This RFI is an important part of that process.

NIST believes that the AI RMF should have the following attributes:

1. Be consensus-driven and developed and regularly updated through an open, transparent process. All stakeholders should have the opportunity to contribute to the Framework's development. NIST has a long track record of successfully and collaboratively working with a range of stakeholders to develop standards and guidelines. NIST will model its approach on the open, transparent, and collaborative approaches used to develop the Framework for Improving Critical Infrastructure Cybersecurity (''Cybersecurity Framework'') [4] as well as the Privacy Framework: A Tool for Improving Privacy through Enterprise Risk Management (''Privacy Framework'').[5]

2. Provide common definitions. The Framework should provide definitions and characterizations for aspects of AI risk and trustworthiness that are common and relevant across all sectors. The Framework should establish common AI risk taxonomy, terminology, and agreed-upon definitions, including that of trust and trustworthiness.

3. Use plain language that is understandable by a broad audience, including senior executives and those who are not AI professionals, while still of sufficient technical depth to be useful to practitioners across many domains.

4. Be adaptable to many different organizations, AI technologies, lifecycle phases, sectors, and uses. The Framework should be scalable to organizations of all sizes, public or private, in any sector, and operating within or across domestic borders. It should be platform- and technology-agnostic and customizable. It should meet the needs of AI designers, developers, users, and evaluators alike.

5. Be risk-based, outcome-focused, voluntary, and non-prescriptive. The Framework should focus on the value of trustworthiness and related needs, capabilities, and outcomes. It should provide a catalog of outcomes and approaches to be used voluntarily, rather than a set of one-size-fits-all requirements, in order to: Foster innovation in design, development, use and evaluation of trustworthy and responsible AI systems; inform education and workforce development; and promote research on and adoption of effective solutions. The Framework should assist those designing, developing, using, and evaluating AI to

[1] National Security Commission on Artificial Intelligence, Final Report, *https://www.nscai.gov/wp-content/uploads/2021/03/Full-Report-Digital-1.pdf.*

[2] Plan for Federal Engagement in Developing AI Technical Standards and Related Tools, *https://www.nist.gov/system/files/documents/2019/08/10/ai_standards_fedengagement_plan_9aug2019.pdf.*

[3] H. Rept. 116–455—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2021, CRPT–116hrpt455.pdf (*congress.gov*), and Section 5301 of the National Artificial Intelligence Initiative Act of 2020 (Pub. L. 116–283), *https://www.congress.gov/116/bills/hr6395/BILLS-116hr6395enr.pdf.*

[4] Framework for Improving Critical Infrastructure Cybersecurity (''Cybersecurity Framework''), *https://www.nist.gov/cyberframework.*

[5] Privacy Framework: A Tool for Improving Privacy through Enterprise Risk Management (''Privacy Framework''), *https://www.nist.gov/privacy-framework/privacy-framework.*

better manage AI risks for their intended use cases or scenarios.

6. Be readily usable as part of any enterprise's broader risk management strategy and processes.

7. Be consistent, to the extent possible, with other approaches to managing AI risk. The Framework should, when possible, take advantage of and provide greater awareness of existing standards, guidelines, best practices, methodologies, and tools for managing AI risks whether presented as frameworks or in other formats. It should be law- and regulation-agnostic to support organizations' ability to operate under applicable domestic and international legal or regulatory regimes.

8. Be a living document. The Framework should be capable of being readily updated as technology, understanding, and approaches to AI trustworthiness and uses of AI change and as stakeholders learn from implementing AI risk management. NIST expects there may be aspects of AI trustworthiness that are not sufficiently developed for inclusion in the initial Framework.

As noted below, NIST solicits comments on these and potentially other desired attributes of an AI RMF, as well as on high-priority gaps in organizations' ability to manage AI risks.

Goals of This Request for Information (RFI)

This RFI invites stakeholders to submit ideas, based on their experience as well as their research, to assist in prioritizing elements and development of the AI RMF. Stakeholders include but are not limited to industry, civil society groups, academic institutions, federal agencies, state, local, territorial, tribal, and foreign governments, standards developing organizations and researchers. The Framework is intended to address AI risk management related to individuals, groups or organizations involved in the design, development, use, and evaluation of AI systems.

The goals of the Framework development process, generally, and this RFI, specifically, are to:

1. Identify and better understand common challenges in the design, development, use, and evaluation of AI systems that might be addressed through a voluntary Framework;

2. gain a greater awareness about the extent to which organizations are identifying, assessing, prioritizing, responding to, and communicating AI risk or have incorporated AI risk management standards, guidelines, and best practices, into their policies and practices; and

3. specify high-priority gaps for which guidelines, best practices, and new or revised standards are needed and could be addressed by the AI RMF—or which would require further understanding, research, and development.

Details About Responses to This Request for Information

When addressing the topics below, respondents may describe the practices of their organization or organizations with which they are familiar. They also may provide information about the type, size, and location of those organization(s) if they desire. Providing such information is optional and will not affect NIST's full consideration of the comment. Respondents are encouraged to provide generalized information based on research and potential practices as well as on current approaches and activities.

Comments containing references, studies, research, and other empirical data that are not widely published (*e.g.,* available on the internet) should include copies of the referenced materials. All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. NIST reserves the right to publish relevant comments publicly, unedited and in their entirety. All relevant comments received by the deadline will be made publicly available at *https://www.nist.gov/itl/ai-risk-management-framework* and at *regulations.gov*. Respondents are strongly encouraged to use the template available at: *https://www.nist.gov/itl/ai-risk-management-framework.*

Personally identifiable information (PII), such as street addresses, phone numbers, account numbers or Social Security numbers, or names of other individuals, should not be included. NIST asks commenters to avoid including PII as NIST has no plans to redact PII from comments. Do not submit confidential business information, or otherwise sensitive or protected information. Comments that contain profanity, vulgarity, threats, or other inappropriate language or content will not be considered. NIST requests that commenters, to the best of their ability, only submit attachments that are accessible to people who rely upon assistive technology. A good resource for document accessibility can be found at: *section508.gov/create/documents.*

Specific Requests for Information

The following statements are not intended to limit the topics that may be addressed. Responses may include any topic believed to have implications for the development of an AI RMF, regardless of whether the topic is included in this document. All relevant responses that comply with the requirements listed in the **DATES** and **ADDRESSES** sections of this RFI and set forth below will be considered.

NIST is requesting information related to the following topics:

1. The greatest challenges in improving how AI actors manage AI-related risks—where ''manage'' means identify, assess, prioritize, respond to, or communicate those risks;

2. How organizations currently define and manage characteristics of AI trustworthiness and whether there are important characteristics which should be considered in the Framework besides: Accuracy, explainability and interpretability, reliability, privacy, robustness, safety, security (resilience), and mitigation of harmful bias, or harmful outcomes from misuse of the AI;

3. How organizations currently define and manage principles of AI trustworthiness and whether there are important principles which should be considered in the Framework besides: Transparency, fairness, and accountability;

4. The extent to which AI risks are incorporated into different organizations' overarching enterprise risk management—including, but not limited to, the management of risks related to cybersecurity, privacy, and safety;

5. Standards, frameworks, models, methodologies, tools, guidelines and best practices, and principles to identify, assess, prioritize, mitigate, or communicate AI risk and whether any currently meet the minimum attributes described above;

6. How current regulatory or regulatory reporting requirements (*e.g.,* local, state, national, international) relate to the use of AI standards, frameworks, models, methodologies, tools, guidelines and best practices, and principles;

7. AI risk management standards, frameworks, models, methodologies, tools, guidelines and best practices, principles, and practices which NIST should consider to ensure that the AI RMF aligns with and supports other efforts;

8. How organizations take into account benefits and issues related to inclusiveness in AI design, development, use and evaluation—and how AI design and development may be carried out in a way that reduces or manages the risk of potential negative impact on individuals, groups, and society.

9. The appropriateness of the attributes NIST has developed for the AI Risk Management Framework. (See above, ''AI RMF Development and Attributes'');

10. Effective ways to structure the Framework to achieve the desired goals, including, but not limited to, integrating AI risk management processes with organizational processes for developing products and services for better outcomes in terms of trustworthiness and management of AI risks. Respondents are asked to identify any current models which would be effective. These could include—but are not limited to—the NIST Cybersecurity Framework or Privacy Framework, which focus on outcomes, functions, categories and subcategories and also offer options for developing profiles reflecting current and desired approaches as well as tiers to describe degree of framework implementation; and

11. How the Framework could be developed to advance the recruitment, hiring, development, and retention of a knowledgeable and skilled workforce necessary to perform AI-related functions within organizations.

12. The extent to which the Framework should include governance issues, including but not limited to make up of design and development teams, monitoring and evaluation, and grievance and redress.

Authority: 15 U.S.C. 272(b), (c), & (e); 15 U.S.C. 278g–3.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2021–16176 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Establishment of a Laboratory Accreditation Program for Laboratories Performing System Integration Testing and Operational/User Acceptance Testing on Federal Warfare Systems Under the National Voluntary Laboratory Accreditation Program

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice.

SUMMARY: Under the National Voluntary Laboratory Accreditation Program (NVLAP) the National Institute of Standards and Technology (NIST) announces the establishment of a laboratory accreditation program and the availability of applications for accreditation of laboratories that perform System Integration Testing (SIT) and Operational/User Acceptance Testing (O/UAT) on Federal Warfare Systems.

ADDRESSES: Laboratories may obtain NIST Handbook 150, *NVLAP Procedures and General Requirements,* NIST Handbook 150–872, *Federal Warfare System(s),* and an application for this program by visiting the NVLAP website at *https://www.nist.gov/nvlap* or by sending a request to NVLAP by mail at NIST/NVLAP, 100 Bureau Drive, Stop 2140, Gaithersburg, MD 20899–2140 or by email at *nvlap@nist.gov.* All applications for accreditation must be submitted to *nvlap@nist.gov*.

FOR FURTHER INFORMATION CONTACT: Brad Moore, Program Manager, NIST/NVLAP, 100 Bureau Drive, Stop 2140, Gaithersburg, MD 20899–2140, Phone: (301) 975–5740 or email: *bradley.moore@nist.gov*.

Information regarding NVLAP and the accreditation process can be obtained from *https://www.nist.gov/nvlap*.

SUPPLEMENTARY INFORMATION: In response to the need for an improved capability to protype and experiment prior to generating requirements, the U–2 Federal Laboratory was established in accordance with 15 U.S.C. 3710 and 10 U.S.C. § 2500. The U–2 Federal Laboratory's mission is to ''[f]ast-field advanced technologies at a speed relevant to the warfighter,'' in accordance with House Report 115–676 (2018) [1] and the Congressionally-mandated 2018 National Defense Strategy. This is accomplished through vertical integration with one laboratory to effect ''[c]onfluence of Warfighter, Developer, and Acquirer.'' [2]

On May 7, 2019, the U–2 Federal Laboratory formally requested in writing the Chief of NVLAP consider the establishment of a proposed new Laboratory Accreditation Program (LAP) entitled, ''Federal Warfare System(s) LAP,'' in accordance with NIST Handbook 150 Para 2.1.3. In compliance with NVLAP procedures (15 CFR part 285), NVLAP held a public workshop on November 19, 2019 to solicit further comments on the establishment of a Federal Warfare System(s) LAP and on the technical requirements to be associated with the LAP.

Determination

Under the framework of the Federal Warfare Systems Laboratory, advanced technologies can be developed or integrated to determine technical feasibility (''Is it possible?''). Embedded developers then hand the technology to the end-user (''Warfighter'') to determine operational utility (''Is it useful?''). This process continuously cycles between development and operations. The desired outcome is achieved when the technology has evolved to a high-Technology Readiness Level (TRL), Warfighter-useful solution. At this point, the technology generally transitions into the Joint Capabilities Integration and Development System and Defense Acquisition System (DoD Directive 5000.01 and DoD Instruction 5000.02) as a vetted, mature requirement. In this way, the acquisitions process is meaningfully compressed, and cost offsets realized, by (a) front-loading development with the end-user and (b) abating the problems of scope, understanding, and volatility associated with the requirement development process. Importantly, establishment of this LAP affords a means to standardize the traceability, competence, impartiality, and operational consistency of Federal Laboratories supporting warfare systems within the Department of Defense, as well as a means to meet a 2018 National Defense Strategy mandate that, ''prototyping and experimentation should be used prior to defining requirements.'' [3]

The U.S. Air Force Air Combat Command (ACC) Office of the Chief Scientist is considering a command-wide plan for adoption of the Federal Warfare System Laboratory construct. Interest in this concept has also been expressed by senior military leaders.

Based on careful analysis of comments received during the public workshop and a review of the Secretary of Defense's strategies, instructions, and mandates, the Chief of NVLAP has determined that the establishment of a LAP for laboratories conducting SIT and O/UAT on Federal Warfare Systems best meets government needs.

This notice is issued in accordance with NVLAP procedures and general requirements, found in 15 CFR part 285.

NVLAP provides an unbiased, third-party evaluation and recognition of competence. NVLAP accreditation signifies that a laboratory has

[1] U.S., House, Committee on Armed Services, *National Defense Authorization Act for Fiscal Year 2019* (H. Rpt. 115–676). Washington: Government Printing Office, 2018.

[2] MAJOR Tierney, Raymond G., *The Federal Warfare Systems Laboratory Executive Summary,* Available at: *https://www.nist.gov/system/files/documents/2021/05/27/FWS%20LAB_2021%20White%20Paper_v17.2021APR19.pdf.* Accessed: 7/13/2021.

[3] *Excerpt from the 2018 National Defense Strategy.*

demonstrated that it operates in accordance with NVLAP management and technical requirements pertaining to quality systems, personnel, accommodation and environment, test and calibration methods, equipment, measurement traceability, sampling, handling of test and calibration items, and test and calibration reports.

NVLAP accreditation does not imply any guarantee (certification) of laboratory performance or test/calibration data. NVLAP accreditation is a finding of laboratory competence.

Technical Requirements for the Accreditation Process: NVLAP assessments are conducted in accordance with the National Voluntary Laboratory Accreditation Program regulations, which are found at 15 CFR part 285. NVLAP accreditation is in full conformance with relevant standards of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC), including ISO/IEC 17025, *General requirements for the competence of testing and calibration laboratories.*

Accreditation is granted to a laboratory following successful completion of a process, which includes submission of an application and payment of fees by the laboratory, a review of the laboratory management system documentation, an on-site assessment by technical experts, participation in proficiency testing when available, and resolution of any management system or technical nonconformities identified during any phase of the application process. The accreditation is formalized through issuance of a Certificate of Accreditation and Scope of Accreditation.

General requirements for accreditation are given in NIST Handbook 150, *NVLAP Procedures and General Requirements, https://nvlpubs.nist.gov/nistpubs/hb/2020/NIST.HB.150-2020.pdf.* The specific technical and administrative requirements for the program for accreditation of laboratories performing SIT and O/UAT on Federal Warfare Systems are provided in NIST Handbook 150–872, *Federal Warfare System(s), https://nvlpubs.nist.gov/nistpubs/hb/2021/NIST.HB.150-872-2021.pdf.* Laboratories must meet all NVLAP criteria and requirements in order to become accredited. To be considered for accreditation, the applicant laboratory must provide a completed application to NVLAP, pay all required fees, agree to conditions for accreditation, and be found competent to perform the tests prescribed in the standards.

Application Requirements include: (1) Legal name and full address of the laboratory; (2) Ownership of the laboratory; (3) Authorized Representative's name and contact information; (4) Names, titles, and contact information for laboratory staff nominated to serve as Approved Signatories of test and calibration reports that reference NVLAP accreditation; (5) Organization chart defining relationships that are relevant to performing testing and calibrations covered in the accreditation request; (6) General description of laboratory, including its facilities and scope of operations; and (7) Requested scope and accreditation.

For this program, the laboratory shall provide a copy of its management system documents prior to the on-site assessment. NVLAP will review the management system documentation and discuss any nonconformities with the Authorized Representative before the on-site visit. Laboratories that apply for accreditation will be required to pay NVLAP fees and undergo on-site assessment and shall meet proficiency testing requirements before initial accreditation can be granted.

Paperwork Reduction Act: This action contains a collection-of-information requirement subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995. Collection activities for NVLAP are currently approved by OMB under control number 0693–0003.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the PRA unless it displays a currently valid OMB Control Number.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2021–16179 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Application and Certification Requirements for Distributors of NOAA Electronic Navigational Charts/NOAA Hydrographic Products

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before September 27, 2021.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *Adrienne.thomas@noaa.gov.* Please reference OMB Control Number 0648–0508 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to CAPT Edward J. Van Den Ameele, Chief, Marine Chart Division, 1315 East-West Highway, N/CS 2, Silver Spring, MD 20910, (240) 431–1030, *Edward.J.Vandenameele@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for a revision and extension of a currently approved information collection.

The National Ocean Service (NOS) Office of Coast Survey manages the Certification Requirements for Distributors of NOAA Electronic Navigational Charts (NOAA ENCs®). Electronic Navigational Charts (ENC) are vector data sets that support all types of marine navigation. Originally designed

for large commercial vessels using a sophisticated navigational computer called an Electronic Chart Display and Information System (ECDIS), ENCs are now also being used on simpler electronic chart systems and ''chart plotters'' on many types of ships and by recreational boaters. NOAA ENCs help provide real-time ship positioning, as well as collision and grounding avoidance. NOAA established a certification program for the re-distribution of official NOAA ENCs in 15 CFR part 995 in order to ensure the quality and content of official NOAA ENCs remains intact throughout the redistribution process. The certification allows entities to download, redistribute, repackage, or in some cases reformat, official NOAA ENCs and retain the NOAA ENC's official status.

The recordkeeping and reporting requirements of 15 CFR part 995 form the basis for this collection of information. This information allows the Office of Coast Survey to administer the regulation, and to better understand the marketplace resulting in products to that meet the needs of the customer in a timely and efficient manner.

II. Method of Collection

Responses from the Certified ENC Distributors are all electronic and sent via email. All distributors have an Excel spreadsheet which they submit for each quarter.

III. Data

OMB Control Number: 0648–0508.

Form Number: None.

Type of Review: Regular submission (extension of a currently approved collection).

Affected Public: Not-for-profit institutions; and business or other for-profits organizations.

Estimated Number of Respondents: 3.

Estimated Time per Response: 1 hour to provide a distribution report four times a year.

Estimated Total Annual Burden Hours: 12.

Estimated Total Annual Cost to Public: $0 in recordkeeping/reporting costs.

Respondent's Obligation: Mandatory.

Legal Authority: 15 CFR part 995.21.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–16152 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB276]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice; issuance of 23 scientific research permits.

SUMMARY: Notice is hereby given that NMFS has issued 23 scientific research permits under the Endangered Species Act (ESA) to the individuals and organizations listed in Table 1. The research is intended to increase knowledge of species listed under the ESA and to help guide management and conservation efforts.

ADDRESSES: Permits and related documents are available for review upon written request via email to *nmfs.wcr-apps@noaa.gov* (please include the permit number in the subject line of the email).

FOR FURTHER INFORMATION CONTACT: Rob Clapp, Portland, OR (phone: 503–231–2314), fax: 503–230–5441, email: *Robert.Clapp@noaa.gov*).

SUPPLEMENTARY INFORMATION: Table 1 provides a list of notifications for requests for permits and permit modifications and the submitting applicants that were published in the **Federal Register** on the dates listed. To locate the **Federal Register** notification that announced our receipt of the applications and a complete description of the research, go to *www.federalregister.gov* and search on the permit number.

TABLE 1—ISSUED PERMITS AND PERMIT MODIFICATIONS

Permit No.	RTID	Applicant	Previous **Federal Register** notification	Issuance date
1415–5R	0648–XA873	U.S. Fish and Wildlife Service; 10950 Tyler Road, Red Bluff, CA 96080 (Responsible Party: Matt Brown).	86 FR 9490; February 16, 2021.	June 17, 2021.
1440–3R	0648–XA873	Interagency Ecological Program; 2109 Arch Airport Road, Suite 100, Stockton, CA 95206 (Responsible Party: Stephanie Fong).	86 FR 9490; February 16, 2021.	May 12, 2021.
13675–3R	0648–XA873	Fishery Foundation of California; 8698 Elk Grove BLVD., Suite 3, Elk Grove, CA 95624 (Responsible party: Karen Lynne Burr).	86 FR 9490; February 16, 2021.	May 4, 2021.
15486–3R	0648–XA873	West Fork Environmental, Inc.; 2350 Mottman Rd. SW, Olympia, WA 98501 (Responsible Party: N. Phil Peterson).	86 FR 9490; February 16, 2021.	April 16, 2021.

TABLE 1—ISSUED PERMITS AND PERMIT MODIFICATIONS—Continued

Permit No.	RTID	Applicant	Previous **Federal Register** notification	Issuance date
15549–3R	0648–XA873	Columbia River Inter-Tribal Fish Commission; 700 NE Oregon St., Suite 1200 (Responsible Party: Ryan Branstetter).	86 FR 9490; February 16, 2021.	May 24, 2021.
15611–3R	0648–XA873	Washington Department of Fish and Wildlife (WDFW); 600 Capitol Way N, Olympia, WA 98502 (Responsible Party: Bryce Glaser).	86 FR 9490; February 16, 2021.	May 18, 2021.
16274–2R	0648–XA873	Mendocino Redwood Company; P.O. Box 390, Calpella, CA 95418 (Responsible Party: David Ulrich).	86 FR 9490; February 16, 2021.	May 4, 2021.
17077–3R	0648–XA873	University of California at Davis (UC Davis); One Shields Ave., Davis, CA 95616 (Responsible Party: John Durand).	86 FR 9490; February 16, 2021.	May 12, 2021.
17219–3R	0648–XA873	NMFS's Southwest Fisheries Science Center (SWFSC); 110 McAllister Way, Santa Cruz, CA 95060–5730 (Responsible Party: Steve Lindley).	86 FR 9490; February 16, 2021.	May 4, 2021.
17351–2R	0648–XA873	Green Diamond Resource Company; P.O. Box 68, Korbel, CA 95550 (Responsible Party: Jason Carlson).	86 FR 9490; February 16, 2021.	May 24, 2021.
18696–5M	0648–XA873	Idaho Power; P.O. Box 70, Boise, ID 83707 (Responsible Party: James Chandler).	86 FR 9490; February 16, 2021.	April 1, 2021.
18908–2R	0648–XA873	Skagit Fisheries Enhancement Group (SFEG); P.O. Box 2497, Mount Vernon, WA 98273 (Responsible Party: Alison Studley).	86 FR 9490; February 16, 2021.	May 19, 2021.
19320–2R	0648–XA873	The SWFSC; 110 McAllister Way, Santa Cruz, CA 95060–5730 (Responsible Party: Steve Lindley).	86 FR 9490; February 16, 2021.	March 31, 2021.
19738–2R	0648–XA873	Washington Department of Natural Resources; 919 N Township St., Sedro Woolley, WA 98284 (Responsible Party: Chris Danilson).	86 FR 9490; February 16, 2021.	April 6, 2021.
19741–2R	0648–XA873	Confederated Tribes and Bands of Yakama Nation; 401 Fort Rd., Toppenish, WA 98948 (Responsible Party: Chairman Delano Saluskin).	86 FR 9490; February 16, 2021.	July 1, 2021.
22482–2R	0648–XA873	NMFS's Northwest Fisheries Science Center (NWFSC); 2725 Montlake Blvd. East, Seattle, WA 98112–2097 (Responsible Party: Cathy Laetz).	86 FR 9490; February 16, 2021.	March 31, 2021.
23029–2R	0648–XA873	The NWFSC; 2725 Montlake Blvd. East, Seattle, WA 98112–2097 (Responsible Party: Cathy Laetz).	86 FR 9490; February 16, 2021.	April 5, 2021.
23649–2M	0648–XA873	Mount Hood Environmental; P.O. Box 744, Boring, OR 97009 (Responsible Party: Ian Courter).	86 FR 9490; February 16, 2021.	March 31, 2021.
24151	0648–XA873	U.S. Forest Service—Pacific Northwest Research Station; 3200 SW Jefferson Way, Corvallis, OR 97331 (Responsible Party: Rebecca Flitcroft).	86 FR 9490; February 16, 2021.	March 31, 2021.
24367	0648–XA873	The NWFSC; 2725 Montlake Blvd. East, Seattle, WA 98112–2097 (Responsible Party: Genoa Sullaway).	86 FR 9490; February 16, 2021.	April 5, 2021.
25409	0648–XA873	Oregon State University—Department of Fisheries and Wildlife; 104 Nash Hall, Corvallis, OR 97331 (Responsible Party: Francisco Pickens).	86 FR 9490; February 16, 2021.	March 31, 2021.
25463	0648–XA873	Moss Landing Marine Labs; 7544 Sandholdt Rd., Moss Landing, CA 95039 (Responsible Party: Wes Heim).	86 FR 9490; February 16, 2021.	April 28, 2021.
25466	0648–XA873	TRPA Fish Biologists; 890 L Street, Arcata, CA 95521 (Responsible Party: Tim Salamunovich).	86 FR 9490; February 16, 2021.	May 3, 2021.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR 222–226). NMFS issues permits based on finding that such permits: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Dated: July 26, 2021.

Margaret Miller,

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2021–16171 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB267]

South Atlantic Fishery Management Council; Public Meeting

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

ACTION: Notice of the South Atlantic Fishery Management Council's (Council) joint Advisory Panel (AP) meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting with chairs, vice chairs, and other representatives of their Dolphin Wahoo, Mackerel Cobia, Snapper Grouper, and Spiny Lobster APs to discuss the draft Allocation Decision Tree Blueprint.

DATES: The meeting will be held via webinar on August 17, 2021, from 9 a.m. until 12 p.m.

ADDRESSES:

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

Meeting Address: The meeting will be held via webinar. The webinar is open to members of the public. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available two weeks prior to the meeting at: *http://safmc.net/safmc-meetings/current-advisory-panel-meetings/.*

FOR FURTHER INFORMATION CONTACT: Christina Wiegand, Fishery Social Scientist, SAFMC; phone: (843) 571–4366 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *kim.iverson@safmc.net.*

SUPPLEMENTARY INFORMATION:

The AP members will meet via webinar. The AP members will review the draft Allocation Decision Tree Blueprint, which aims to help the Council incorporate other sources of information, in addition to landings, when making sector allocations. The Blueprint proposes an objective and organized approach to allocations that helps determine salient issues to consider when discussing sector allocations. The AP will provide recommendations for Council consideration as appropriate.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: July 26, 2021.

Tracey L. Thompson,

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

[FR Doc. 2021–16186 Filed 7–28–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2021–SCC–0113]

Agency Information Collection Activities; Comment Request; Consolidated State Performance Report Renewal (Part 1 and Part 2)

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before September 27, 2021.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2021–SCC–0113. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the PRA Coordinator of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 6W208D, Washington, DC 20202–8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Sarah Newman, 202–453–6956.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Consolidated State Performance Report Renewal (Part 1 and Part 2).

OMB Control Number: 1810–0724.

Type of Review: A revision of a currently approved collection.

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

Total Estimated Number of Annual Responses: 14,653.

Total Estimated Number of Annual Burden Hours: 16,481.

Abstract: The Consolidated State Performance Report (CSPR) is the required annual reporting tool for each State, the Bureau of Indian Education, District of Columbia, and Puerto Rico as authorized under Section 8303 of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). The CSPR collects data on programs authorized by: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title IV Part A; Title V, Part A; Title V, Part B, Subparts 1 and 2; and The McKinney-Vento Act. The information in this collection relate to the performance and monitoring activities of the aforementioned

programs under ESSA and the McKinney-Vento Act. These data are needed for reporting on GPRA as well as other reporting requirements under ESSA. This submission is a request to update the currently-approved CSPR collection (OMB 1810–0724) for school years 2020–21 and 2021–22. There are two substantive changes to the collection since it was last approved: (1) Questions were added to CSPR Part I on ARP–HCY and (2) the section on the Migrant Education Program (Title I, Part C) was moved from CSPR Part II to CSPR Part I.

Dated: July 26, 2021.

Kate Mullan,

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

[FR Doc. 2021–16177 Filed 7–28–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2021–SCC–0112]

Agency Information Collection Activities; Comment Request; Federal Family Educational Loan Program—Servicemembers Civil Relief Act (SCRA)

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before September 27, 2021.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2021–SCC–0112. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the PRA Coordinator of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 6W208C, Washington, DC 20202–8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, (202) 377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Federal Family Educational Loan Program—Servicemembers Civil Relief Act (SCRA).

OMB Control Number: 1845–0093.

Type of Review: Extension without change of a currently approved collection.

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

Total Estimated Number of Annual Responses: 16,731.

Total Estimated Number of Annual Burden Hours: 50,115.

Abstract: The Department of Education (the Department) is requesting extension without change of the currently approved OMB information collection 1845–0093, Federal Family Education Loan (FFEL) Program Servicemembers Civil Relief Act (SCRA). Due to the effects of the COVID–19 pandemic and the suspension of the collection of loans, the Department lacks sufficient data to allow for more accurate updates to the usage of these forms. The regulations require the FFEL loan holder to match its database against the Department of Defense (DOD) Defense Manpower Data Center (DMDC) or other official DOD database and automatically apply the interest rate limitation, as appropriate, to borrowers under the SCRA. There has been no change in the statute or in the regulations at 34 CFR 682.208(j).

Dated: July 23, 2021.

Juliana Pearson,

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

[FR Doc. 2021–16128 Filed 7–28–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Service Contract Inventory for Fiscal Year (FY) 2019

AGENCY: Office of Finance and Operations, Department of Education.

ACTION: Notice of availability—FY 2019 service contract inventory.

SUMMARY: Through this notice, the Secretary announces the availability of the Department of Education's service contract inventory for FY 2019 on its website, at *www2.ed.gov/fund/data/report/contracts/servicecontractinventoryappendix/servicecontractinventory.html.* A service contract inventory is a tool for assisting the agency in better understanding how contracted services are being used to support mission and operations and whether the contractors' skills are being utilized in an appropriate manner.

FOR FURTHER INFORMATION CONTACT: Nathan Watters, U.S. Department of Education, Office of Finance and Operations, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 245–6942. Email: *Nathan.Watters@ed.gov.*

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

SUPPLEMENTARY INFORMATION: Section 743 of Division C of the Consolidated Appropriations Act of 2010, Public Law 111–117, requires civilian agencies, other than the Department of Defense,

that are required to submit an inventory in accordance with the Federal Activities Inventory Reform Act of 1998 (Pub. L. 105–270, 31 U.S.C. 501 note) to submit their inventories to the Office of Federal Procurement Policy in the Office of Management and Budget. In addition, section 743 requires these agencies, which include the Department of Education, to (1) make the inventory available to the public, and (2) publish in the **Federal Register** a notice announcing that the inventory is available to the public along with the name, telephone number, and email address of the agency point of contact.

Through this notice, the Department announces the availability of its inventory for FY 2019 on the following website: *www2.ed.gov/fund/data/report/contracts/servicecontractinventoryappendix/servicecontractinventory.html.* The point of contact is provided under **FOR FURTHER INFORMATION CONTACT**.

Accessible Format: On request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document. 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 formats.

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.

Larry Kean,

Deputy Assistant Secretary for Budget Service, Office of Finance and Operations.

[FR Doc. 2021–16204 Filed 7–28–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Basic Energy Sciences Advisory Committee

AGENCY: Office of Science, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Basic Energy Sciences Advisory Committee (BESAC). The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Tuesday, August 24, 2021; 11:00 a.m. to 5:00 p.m.

ADDRESSES: This meeting is open to the public. This meeting will be held digitally via Zoom. Information to participate can be found on the website closer to the meeting date at: *https://science.osti.gov/bes/besac/Meetings.*

FOR FURTHER INFORMATION CONTACT: Kerry Hochberger; Office of Basic Energy Sciences; U.S. Department of Energy; Germantown Building, 1000 Independence Avenue SW, Washington, DC 20585; Telephone: (301) 903–7661 or email: *kerry.hochberger@science.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The purpose of this Board is to make recommendation to DOE–SC with respect to the basic energy sciences research program.

Tentative Agenda:

- Call to Order, Introductions, Review of the Agenda
- News from the Office of Science
- News from the Office of Basic Energy Sciences
- *International Benchmarking Study Report* Presentation
- *Cryo Electron Microscopies Roundtable Report* Presentation
- *Office of Science User Facilities: Lessons from the COVID Era and Visions for the Future Report* Presentation
- Public Comments
- Adjourn

Breaks taken as appropriate.

Public Participation: The meeting is open to the public. A webcast of this meeting will be available. Please check the website below for updates and information on how to view the meeting. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Kerry Hochberger at *kerry.hochberger@science.doe.gov.* You must make your request for an oral statement at least five business days before the meeting. Reasonable provision will be made to include the scheduled oral statements on the agenda. The Chairperson of the Committee will conduct the meeting to facilitate the orderly conduct of business. Public comment will follow the 10-minute rule. Information about the committee can be found at: *https://science.osti.gov/bes/besac.*

Minutes: The minutes of this meeting will be available for public review on the U.S. Department of Energy's Office of Basic Energy Sciences website at: *https://science.osti.gov/bes/besac/Meetings.*

Signed in Washington, DC, on July 23, 2021.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2021–16117 Filed 7–28–21; 8:45 am]

BILLING CODE 6450–01–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: EG21–199–000.
Applicants: Kahana Solar, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Kahana Solar, LLC.
Filed Date: 7/23/21.
Accession Number: 20210723–5070.
Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: EG21–200–000.
Applicants: Arlington Energy Center II, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Arlington Energy Center II, LLC.
Filed Date: 7/23/21.
Accession Number: 20210723–5119.
Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: EG21–201–000.
Applicants: Barbers Point Solar, LLC.
Description: Self-Certification of Exempt Wholesale Generator status of Barbers Point Solar, LLC.
Filed Date: 7/23/21.
Accession Number: 20210723–5121.
Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: EG21–202–000.
Applicants: Paeahu Solar LLC.
Description: Self-Certification of Exempt Wholesate Generator status of Paeahu Solar LLC.
Filed Date: 7/23/21.
Accession Number: 20210723–5122.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: EG21–203–000.

Applicants: Hale Kuawehi Solar LLC.

Description: Self-Certification of Exempt Wholesale Generator status of Hale Kuawehi Solar LLC.

Filed Date: 7/23/21.

Accession Number: 20210723–5125.

Comments Due: 5 p.m. ET 8/13/21.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER11–3377–006; ER11–3376–006; ER11–3378–006.

Applicants: Horseshoe Bend Wind, LLC, North Hurlburt Wind, LLC, South Hurlburt Wind, LLC.

Description: Notice of Non-Material Change in Status of Horseshoe Bend Wind, LLC, et al.

Filed Date: 7/22/21.

Accession Number: 20210722–5239.

Comments Due: 5 p.m. ET 8/12/21.

Docket Numbers: ER21–330–000.

Applicants: Specialty Products US, LLC.

Description: Refund Report of Specialty Products US, LLC, et al.

Filed Date: 7/22/21.

Accession Number: 20210722–5217.

Comments Due: 5 p.m. ET 8/12/21.

Docket Numbers: ER21–486–001.

Applicants: New York Independent System Operator, Inc.

Description: Compliance filing: Effective date notice re: enhancements to TCC credit requirements to be effective 8/6/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5054.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2488–000.

Applicants: NextEra Blythe Solar Energy Center, LLC.

Description: § 205(d) Rate Filing: NextEra Blythe Solar Energy Center, LLC Filing of Amended and Restated SFA to be effective 7/23/2021.

Filed Date: 7/22/21.

Accession Number: 20210722–5208.

Comments Due: 5 p.m. ET 8/12/21.

Docket Numbers: ER21–2489–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: Amended IFA FPLE Green Power SA No. 109 to be effective 9/22/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5067.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2490–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement No.2967; Queue No. V4–054 (amend) to be effective 6/17/2011.

Filed Date: 7/23/21.

Accession Number: 20210723–5076.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2491–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Amendment to Rate Schedule No. 222 to be effective 9/21/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5082.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2492–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Amendment to Rate Schedule No. 214 to be effective 9/21/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5090.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2493–000.

Applicants: Southern California Edison Company.

Description: Tariff Cancellation: Amended LGIA BigBeau Solar, LLC SA No. 212 & Terminate eTariff record of LGIA to be effective 7/24/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5091.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2494–000.

Applicants: Meyersdale Windpower LLC.

Description: § 205(d) Rate Filing: Second and Restated Common Facilities Agreement to be effective 7/26/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5099.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2495–000.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing: 2021–07–23 NAESB Waiver Filing to be effective N/A.

Filed Date: 7/23/21.

Accession Number: 20210723–5142.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2496–000.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing: 2021–07–23 Compliance Filing—NAESB to be effective 10/27/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5145.

Comments Due: 5 p.m. ET 8/13/21.

Docket Numbers: ER21–2497–000.

Applicants: El Paso Electric Company.

Description: § 205(d) Rate Filing: Service Agreement No. 360, LGIA with Solar PV Development NM 29 II to be effective 9/22/2021.

Filed Date: 7/23/21.

Accession Number: 20210723–5172.

Comments Due: 5 p.m. ET 8/13/21.

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 23, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–16166 Filed 7–28–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP15–554–009 and CP15–555–007]

Atlantic Coast Pipeline, LLC, Eastern Gas Transmission and Storage, Inc.; Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Proposed Atlantic Coast Pipeline Restoration Project and Supply Header Restoration Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft supplemental environmental impact statement (EIS) for the Atlantic Coast Pipeline, LLC's (Atlantic) Atlantic Coast Pipeline Restoration Project, and Eastern Gas Transmission and Storage, Inc.'s (EGTS) Supply Header Restoration Project (Restoration Projects), in the above-referenced dockets. Atlantic and EGTS request authorization to implement the Restoration Projects in order to stabilize lands affected by previous construction efforts for the Atlantic Coast Pipeline and Supply Header Project, respectively, and to facilitate cessation of all project-related activities. Implementation of the plans is proposed because Atlantic and EGTS have cancelled their respective projects and do not intend to complete them.

The draft supplemental EIS assesses the potential impacts that would result

from the Restoration Projects, in accordance with the requirements of the National Environmental Policy Act (NEPA).[1] The FERC staff concludes that the proposed actions, with the additional mitigation measures recommended in the supplemental EIS, would continue to avoid or reduce impacts to less than significant levels with the exception of climate change impacts, which FERC staff is unable to determine significance.

The U.S. Department of Agriculture's Forest Service and the U.S. Department of the Interior's Fish and Wildlife Service participated as cooperating agencies in the preparation of the draft supplemental EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis.

The draft supplemental EIS addresses the potential environmental effects of the following activities:

- Atlantic proposes to leave all installed pipeline in place (approximately 31.4 miles of the pipeline right-of-way), restore lands that were cleared and graded (approximately 82.7 miles of the pipeline right-of-way), and leave felled trees in place in areas where trees have not yet been cleared (approximately 25.2 miles of the pipeline right-of-way). For aboveground facilities, Atlantic proposes to restore the sites and manage the disposition of the materials and land through an investment recovery process. Workspace for these activities would occur in West Virginia, Virginia, and North Carolina.
- EGTS proposes to leave all installed pipeline in place (approximately 11.7 miles), leave approximately 0.13 mile of felled trees in place, and complete final restoration of approximately 9 miles of the pipeline right-of-way that EGTS previously cleared and/or graded. EGTS proposes to stabilize all aboveground facility sites and prepare assets for long term preservation. Workspace for these activities would occur in Pennsylvania and West Virginia.

The Commission mailed a copy of the *Notice of Availability* for the draft supplemental EIS to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The draft supplemental EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the Environmental Documents page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). In addition, the final supplemental EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*), click on General Search, and enter the docket number in the ''Docket Number'' field, (*i.e.,* CP15–554 or CP15–555). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The draft EIS is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the draft supplemental EIS may do so. Your comments should focus on the EIS's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. To ensure consideration of your comments on the proposal in the final supplemental EIS, it is important that the Commission receive your comments on or before 5:00 p.m. Eastern Time on September 13, 2021.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Your written comments must reference the Project docket number CP15–554–009 and/or CP15–555–007. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR part 385.214). Motions to intervene are more fully described at *https://www.ferc.gov/ferc-online/ferc-online/how-guides.* Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Questions?

Additional information about the proposals is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview.*

Dated: July 23, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–16164 Filed 7–28–21; 8:45 am]

BILLING CODE 6717–01–P

[1] The construction and operation impacts of the then-proposed Atlantic Coast Pipeline and Supply Header Project were evaluated in a final EIS, which was issued by the Commission on July 21, 2017, in Docket Nos. CP15–554–00, CP15–554–001; and CP15–555–000.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21–473–000]

Columbia Gas Transmission, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on July 16, 2021, Columbia Gas Transmission, LLC (Columbia), 700 Louisiana Street, Suite 1300, Houston, Texas 77002–2700, filed in the above referenced docket a prior notice pursuant to sections 157.205 and 157.213 of the Commission's regulations under the Natural Gas Act (NGA) and its blanket certificate issued in Docket No. CP83–76–000 requesting authorization to construct and operate: (1) Two injection/withdrawal (I/W) wells at its Lucas Storage Field; (2) one I/W well at its Pavonia Storage Field; and (3) related pipeline and appurtenances for each well, all located in Ashland and Richland Counties, Ohio. Columbia states that the new wells are designed to maintain reliability and overall storage field performance. Columbia asserts that there will be no change to either storage field's certificated physical parameters, including total inventory reservoir pressure, reservoir and buffer boundaries, and certificated capacity. Columbia estimates the cost of the project to be approximately $15 million, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

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://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.

Any questions concerning this application should be directed to David A. Alonzo, Manager, Project Authorizations, Columbia Gas Transmission, LLC, 700 Louisiana Street, Suite 1300, Houston, Texas 77002–2700, by phone at (832) 320–5477 or by email at *david_alonzo@tcenergy.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: You can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on September 21, 2021. How to file protests, motions to intervene, and comments is explained below.

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is September 21, 2021. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is September 21, 2021. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before September 21, 2021. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP21–473–000 in your submission. The Commission encourages electronic filing of submissions.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

asked to select the type of filing you are making; first select General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing.''

The Commission's eFiling staff are available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

(2) You can file a paper copy of your submission. Your submission must reference the Project docket number CP21–473–000.

To mail via USPS, use the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To mail via any other courier, use the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Protests and motions to intervene must be served on the applicant either by mail or email (with a link to the document) at: *david_alonzo@tcenergy.com,* 700 Louisiana Street, Suite 1300, Houston, Texas 77002–2700. Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: July 23, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021–16165 Filed 7–28–21; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8756–01–R6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for Sandy Creek Services LLC, Sandy Creek Energy Station, Brazoria County, Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition for objection to Clean Air Act title V operating permit.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an Order dated June 30, 2021, granting a Petition dated January 16, 2018 from the Environmental Integrity Project and Sierra Club. The Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Texas Commission on Environmental Quality (TCEQ) to Sandy Creek Services LLC (Sandy Creek) for its Sandy Creek Energy Station located in McLennan County, Texas.

ADDRESSES: The EPA requests that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final Order, the Petition, and other supporting information. Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office is currently closed to the public to reduce the risk of transmitting COVID–19. Please call or email the contact listed below if you need alternative access to the final Order and Petition, which are available electronically at: *https://www.epa.gov/title-v-operating-permits/title-v-petition-database.*

FOR FURTHER INFORMATION CONTACT: Aimee Wilson, EPA Region 6 Office, Air Permits Section, (214) 665–7596, *wilson.aimee@epa.gov.*

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issue arose after this period.

The EPA received the Petition from the Environmental Integrity Project and Sierra Club dated January 16, 2018, requesting that the EPA object to the issuance of operating permit no. O3336, issued by TCEQ to the Sandy Creek Energy Station in McLennan County, Texas. The Petition claims the proposed permit failed to incorporate certified permits by rule (PBR) registrations as applicable requirements, and fails to include monitoring, recordkeeping, and reporting requirements that assure compliance with incorporated PBRs.

On June 30, 2021, the EPA Administrator issued an Order granting the Petition. The Order explains the basis for EPA's decision.

Dated: July 22, 2021.

David Garcia,

Director, Air and Radiation Division, Region 6.

[FR Doc. 2021–16206 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2008–0719; FRL–8774–01–OW]

Proposed Information Collection Request; Comment Request; National Pollutant Discharge Elimination System Program (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is planning to submit the ''Information Collection Request (ICR) Supporting Statement for The National Pollutant Discharge Elimination System Program (Renewal)'' (EPA ICR No. 0229.25, OMB Control No. 2040–0004) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through March 31, 2022. An Agency may not conduct or sponsor, and a person is not required to, respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before September 27, 2021.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–

OW–2008–0719 online using *www.regulations.gov* (our preferred method), by email to *OW-Docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Joshua Baehr, National Program Branch, Water Permits Division, OWM Mail Code: 4203M, Environmental Protection Agency, 1201 Constitution Ave. NW, Washington, DC 20460; telephone number: (202) 564–2277; email address: *Baehr.Joshua@epa.gov*.

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) 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. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: This consolidated Information Collection Request (ICR) renews the National Pollutant Discharge Elimination System (NPDES) Program ICR. It calculates the information collection burden and costs associated with the NPDES program, identifies the types of activities regulated under the NPDES program, describes the roles and responsibilities of state governments and the Agency, and presents the program areas that address the various types of regulated activities. This ICR renewal (Office of Management and Budget (OMB) control no. 2040–0004, EPA ICR no. 0229.24, expiration date 03/31/2022) consolidates the information collection burden and costs associated with activities previously reported in 18 of the NPDES program or NPDES-related ICRs. This renewal documents the addition of the burden and costs for the four existing NPDES ICRs listed below. Once this renewal ICR is approved, the following ICRs will be discontinued (each originally would have been effective for three years).

- Public Notification Requirements for Combined Sewer Overflows (CSOs) in the Great Lakes Basin (OMB control no. 2040–0293, EPA ICR 2562.03, expiration date 04/30/2024)
- Effluent Limitation Guidelines and Standards for the Dental Category (OMB control no. 2040–0287, EPA ICR no. 2514.03, expiration 03/31/2024)
- 2020 National Pollutant Discharge Elimination System Multi-Sector General Permit (MSGP) for Industrial Stormwater Discharges (OMB control no. 2040–0300, EPA ICR no. 2612.02, expiration 03/31/2024)
- NPDES Electronic Reporting Rule—Phase 2 Extension (OMB Control No.: 2020–0037, EPA ICR No. 2617.02, expiration 12/31/2023)

The Clean Water Act (CWA) provides that NPDES permits are required for the discharge of pollutants to waters of the United States. The CWA requires EPA to develop and implement the NPDES permit program. CWA section 402(b) allows states to acquire authority to administer the NPDES program, enabling them to issue NPDES permits for discharges within the state. At present, 47 states and the U.S. Virgin Islands are authorized to administer the NPDES permit program. In states that do not have authority for these programs, the Agency administers the program and issues NPDES permits. Because some permit applications are processed by states and some by EPA, this ICR calculates government burden and cost for both authorized states and EPA. See Appendix F.1 for a copy of the authorizing regulation.

Form Numbers: EPA Form l3510–1; EPA Form 3510–2A; EPA Form 3510–2B; EPA Form 3510–2C; EPA Form 3510–2D; EPA Form 3510–2E; EPA Form 3510–2F; EPA Form 3510–2S.

Respondents/affected entities: Any point source discharger of pollutants, including but not limited to publicly owned and privately owned treatment works (POTWs and PrOTWs), industrial dischargers to POTWs and PrOTWs, industrial and commercial dischargers to water of the United States, sewage sludge management and disposal operations, large vessels, dischargers of stormwater, construction sites, municipalities, pesticide applicators, local and state governments.

Respondent's obligation to respond: Sections 301, 302, 304, 306, 307, 308, 316(b), 401, 402, 403, 405, and 510 of the CWA; the 1987 Water Quality Act (WQA) revisions to CWA section 402(p); 40 CFR parts 122, 123, 124, and 125 (and parts 501 and 503 for Biosolids); and the Great Lakes Critical Programs Act (CPA).

Estimated number of respondents: 829,419 (total). (Includes 637 States/Tribes/Territories.)

Frequency of response: The frequency of response varies depending on the specific response activity and can range from ongoing and monthly to once every five years.

Total estimated burden: 31,147,981 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $1,732,564,878 (per year), includes $22,999,181 annualized capital or operation and maintenance costs (O&M).

Changes in Estimates: The current OMB-approved burden for the existing NPDES ICR (OMB control no. 2040–0004, EPA ICR no. 0229.24) is 28,221,350 hours. The current combined OMB-approved burden for the existing NPDES ICR and the four ICRs being consolidated into this ICR is 28,661,318 hours. The combined burden requested in this ICR renewal is 31,147,981 hours. Overall, the burden requested in this ICR is 2,486,663 hours (9 percent) more than the combined previously approved burdens of the component ICRs. The majority of this burden hour increase occurred as a result of an increase in EPA's estimates of permittee respondents. The increases in EPA's estimates of the number of permittee respondents is largely attributed to improvements in the current NPDES Integrated Compliance Information

System (ICIS–NPDES) database, implementation of the Electronic Reporting Rule Phase 1, and refined estimates. Other significant changes in estimates of burden hours are the result of the following adjustments:

- This ICR eliminates the initial permit application and compliance activities for existing Cooling Water Intake Structure (CWIS) facilities as these activities have been completed by all existing CWIS facilities, resulting in a decrease in estimated burden hours for CWIS facilities.
- The collection burden associated with compliance with and administration of small vessels general permit (sVGP) has been removed. Eliminating the sVGP also decreased the number of vessel respondents significantly.
- The estimated number of respondents in some of the categories (shown in Appendix D of the ICR Supporting Statement) both increased and decreased per the current NPDES Integrated Compliance Information System (ICIS–NPDES) database and based on refined EPA estimates.
- This ICR accounts for adjustments to inflation to September 2021 dollars that updated the presumed capital and O&M cost burden.
- The burden associated with Electronic Reporting Rule Phase I implementation activities has been removed. This includes the burden associated with Discharge Monitoring Report (DMR) mailing by permittees, and all state and federal DMR processing previously included in the ICR.

Dated: July 22, 2021.

Andrew D. Sawyers,

Director, Office of Wastewater Management.

[FR Doc. 2021–16154 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2021–0444; FRL–8780–01–OGC]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *State of New York, et al.* v. *Regan et al.,* No. 21 Civ. 252 (ALC) (S.D.N.Y.). On January 12, 2021, the States of New York, Connecticut, Delaware, Massachusetts, and New Jersey, and the City of New York (Plaintiffs) filed a complaint in the United States District Court for the Southern District of New York. Plaintiffs alleged that the Environmental Protection Agency (EPA or the Agency) failed to perform certain non-discretionary duties in accordance with the Act to take final action to approve or disapprove, in whole or in part, certain 2015 ozone national ambient air quality standards (NAAQS) infrastructure state implementation plan (SIP) submissions addressing the good neighbor provision from the States of Indiana, Kentucky, Michigan, Ohio, Texas, and West Virginia. The proposed consent decree would establish deadlines for EPA to act on these six SIP submissions.

DATES: Written comments on the proposed consent decree must be received by *August 30, 2021.*

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2021–0444, online at *https://www.regulations.gov* (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to *https://www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the ''Additional Information about Commenting on the Proposed Consent Decree'' heading under the **SUPPLEMENTARY INFORMATION** section of this document. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID–19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via *https://www.regulations.gov,* as there may be a delay in processing mail and faxes. Hand-deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at *https://www.epa.gov/dockets.*

EPA continues to carefully and continuously monitor information from the CDC, local area health departments, and our federal partners so that we can respond rapidly as conditions change regarding COVID–19.

FOR FURTHER INFORMATION CONTACT: Rosemary E. Hambright, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone (202) 564–8829; email address *hambright.rosemary.e@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2021–0444) contains a copy of the proposed consent decree.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through *https://www.regulations.gov.* You may use *https://www.regulations.gov* to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select ''search.''

II. Additional Information About the Proposed Consent Decree

The proposed consent decree would establish deadlines for EPA to take action pursuant to CAA section 110(k) on certain SIP submissions addressing the requirements of CAA section 110(a)(2)(D)(i)(I), 42 U.S.C. 7410(a)(2)(D)(i)(I) (the good neighbor provision), to resolve a lawsuit filed by the States of New York, Connecticut, Delaware, Massachusetts, and New Jersey, and the City of New York. Pursuant to CAA section 110(k), 42 U.S.C. 7410(k), SIP submission are deemed complete by operation of law 6 months after receipt by EPA. EPA must approve or disapprove, in whole or in a part, SIP submissions within 12 months of being deemed complete.

The proposed consent decree would require the EPA, pursuant to CAA sections 110(k)(2)–(4), 42 U.S.C. 7410(k)(2)–(4), to take final action to approve or disapprove, in whole or in part, the portion of six 2015 ozone NAAQS infrastructure SIP submissions addressing the good neighbor provision from the States of Indiana, Kentucky, Michigan, Ohio, Texas, and West Virginia. EPA received the good neighbor SIP submissions at issue on the following dates: Indiana on November 2, 2018, Kentucky on January 9, 2019, Michigan on March 8, 2019,

Ohio on September 28, 2018, Texas on September 12, 2018, and West Virginia on February 4, 2019.

Under the terms of the proposed consent decree, no later than April 30, 2022, EPA shall sign a final rule to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, the 2015 ozone NAAQS good neighbor SIP submissions from Indiana, Kentucky, Michigan, Ohio, Texas, and West Virginia. However, under the proposed consent decree, if, by February 28, 2022, EPA signs a proposal of full or partial disapproval of any of the six good neighbor SIP submissions and signs a proposal for a federal implementation plan to implement any such fully or partially disapproved SIP submission, EPA shall have until December 15, 2022, to sign a final action to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part, each such good neighbor SIP submission.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2021–0444, via *https://www.regulations.gov.* Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the *https://www.regulations.gov* website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an ''anonymous access'' system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

Gautam Srinivasan,

Associate General Counsel.

[FR Doc. 2021–16155 Filed 7–28–21; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 16–271; DA 21–858; FRS 39694]

Wireless Telecommunications Bureau Seeks Comment on Drive Test Parameters and Model for Alaska Plan Participants

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: In the document, the Wireless Telecommunications Bureau (Bureau) of the Federal Communications Commission (Commission) proposes drive test parameters and a drive test model required of two Alaska Plan mobile-provider participants: General Communication Inc. (GCI) and Copper Valley Wireless. The Bureau seeks comment on these proposals and on any alternatives that it should consider.

DATES: Comments are due on or before August 12, 2021. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this document, you should advise the contact listed in the following as soon as possible.

ADDRESSES: Interested parties may file comments on or before the date indicated above and must reference WC Docket No. 16–271. Comments may be filed using the Commission's Electronic Filing System (ECFS) or by filing paper copies.

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *http://apps.fcc.gov/ecfs/.*
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health

and safety of individuals, and to mitigate the transmission of COVID–19.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice).

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Matthew Warner of the Wireless Telecommunications Bureau, Competition & Infrastructure Policy Division, *Matthew.Warner@fcc.gov,* (202) 418–2419.

SUPPLEMENTARY INFORMATION: This is a summary of the Bureau's Alaska Plan Drive Test Public Notice, adopted on July 19, 2021, and released on July 19, 2021. The full text of this document is available for public inspection on the Commission's website at: *https://www.fcc.gov/document/wtb-seeks-comment-alaska-plan-drive-testing-and-model.*

I. Public Notice

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) seeks comment on proposed drive test parameters and a model for the drive tests required of certain mobile providers participating in the Alaska Plan.

The Commission adopted the Alaska Plan Order in 2016 to address both fixed and mobile voice and broadband service in high-cost areas of the state of Alaska. Eight mobile providers chose to participate in the Alaska Plan and submitted performance plans in which they committed to specific deployment obligations and performance requirements sufficient to demonstrate that Alaska Plan support would be used in the public interest. In the performance plans, providers committed to cover a specified number of people by five-year (December 31, 2021) and 10-year (December 31, 2026) milestones at a specified minimum speed, broken down by each level of wireless service offered (2G/Voice, 3G, and 4G LTE) and each type of middle mile facility used in connection with the deployed mobile technology. Each participant must certify that it has met the reporting milestones, including minimum download and upload speeds set forth in its approved performance plans.

In addition, participants that receive more than $5 million annually in Alaska Plan support must supplement these certifications with ''data received or used from drive tests analyzing network coverage for mobile service covering the population for which support was received and showing mobile transmissions to and from the . . . network meeting or exceeding the minimum expected download and upload speeds delineated in the approved performance plan[s].'' The Alaska Plan Order specifies that participants may demonstrate coverage of an area with a ''statistically significant number of tests in the vicinity of residences being covered.'' The Alaska Plan Order further specifies that, as with Tribal Mobility Fund Phase I, these drive tests may be conducted by means other than in automobiles on roads due to the unique terrain and lack of road networks in remote areas of Alaska. In the Alaska Plan Order, the Commission delegated to the Bureau the authority to ''effectuate plan implementation and administration,'' including by ''requir[ing] additional information . . . from individual participants that it deems necessary to establish clear standards for determining whether or not they meet their five- and 10-year commitments.'' Drive test results confirming qualifying participants' performance commitments for the five-year milestone are due by March 1, 2022.

Two participants meet the trigger for the drive test requirement: GCI and Copper Valley Wireless. Consistent with the Alaska Plan Order's delegation of authority, we propose drive test parameters and a drive test model to ensure that GCI's and Copper Valley Wireless's drive tests allow the Commission to determine whether the carriers met their five-year commitments. Appendix A lists the data that we propose to require the carriers to collect during the drive tests and the format in which we propose it be reported. The parameters listed in Appendix A are consistent with requirements the Commission has established for mobile speed test data collected in other contexts, and we anticipate that these categories of data will allow the Bureau to evaluate whether GCI and Copper Valley Wireless have met their deployment benchmarks. Appendix B sets forth a drive test model that would help to ensure that the two carriers conduct a ''statistically significant number of tests in the vicinity of residences being covered.'' This proposal uses stratified random sampling to provide the carriers with locations to test within a grid system of their reported coverage areas. A confidence interval would be constructed around the drive test results to verify that a provider's commitments have been met or determine the percentage by which the carrier's coverage has failed to meet its commitment.

We seek comment on these proposals and on any alternatives that we should consider. Given that this Public Notice only affects two Alaska Plan participants, both of whom have been informed of this action and have indicated a desire to begin testing as soon as possible to maximize their ability to conduct drive testing during less adverse weather conditions, we find that a 14-day comment period will allow sufficient opportunity for public input and accordingly waive the default reply comment period.

II. Appendix A: Mobile Speed Test Data Specification

A. Overview

The Alaska Plan requires certain plan participants to conduct and report speed tests of their networks, as described in this PN and appendices. Appendix A describes the data to be collected and the format in which it is to be reported.

B. Sample Data

BILLING CODE 6712–01–P

```
{
  "submission_type": "Alaska Plan",
  "submissions": [
    {
      "test_id": "1599236609",
      "timestamp": "2021-07-08T09:02:42-08:00",
      "device_type": "Android",
      "manufacturer": "Google",
      "model": "PIXEL 3",
      "operating_system": "Android 11",
      "app_id": "FCC Speed Test app",
      "app_version": "2.0.2496",
      "provider_name": "GCI",
      "tests": {
        "download": {
          "timestamp": "2021-07-08T09:02:42-08:00",
          "duration": 4997185,
          "bytes_transferred": 97382448,
          "bytes_sec": 19487461,
          "locations": [
            {
              "timestamp": "2021-07-08T09:02:42-08:00",
              "latitude": 63.069168,
              "longitude": -153.248195
            },
            {
              "timestamp": "2021-07-08T09:02:47-08:00",
              "latitude": 63.069168,
              "longitude": -153.248195
            }
          ],
          "cells": [
            {
              "cell_id": 32193025,
              "physical_cell_id": 192,
              "cell_connection": 1,
              "network_generation": "4G",
              "network_subtype": "LTE",
              "rssi": -77.1,
              "rsrp": -95.2,
              "rsrq": -16.5,
              "sinr": 11.9,
              "ec_io": -8.3,
              "rcsp": -84.2,
              "cqi": 10,
              "spectrum_bandwidth": 20,
              "arfcn": 66786
            },
            {
              "cell_id": 10283265,
              "physical_cell_id": 101,
              "cell_connection": 2,
              "network_generation": "4G",
              "network_subtype": "LTE",
              "rssi": -77.1,
              "rsrp": -97.2,
              "rsrq": -10.1,
              "sinr": 21.2,
              "ec_io": -8.3,
              "rcsp": -84.2,
              "cqi": 10,
              "spectrum_bandwidth": 15,
```

```
            "arfcn": 68686
          }
        ]
      },
      "upload": {
        "timestamp": "2021-07-08T09:02:51-08:00",
        "duration": 5000085,
        "bytes_transferred": 15129062,
        "bytes_sec": 3025761,
        "locations": [
          {
            "timestamp": "2021-07-08T09:02:51-08:00",
            "latitude": 63.069168,
            "longitude": -153.248195
          },
          {
            "timestamp": "2021-07-08T09:02:56-08:00",
            "latitude": 63.069168,
            "longitude": -153.248195
          }
        ],
        "cells": [
          {
            "cell_id": 32193025,
            "physical_cell_id": 192,
            "cell_connection": 1,
            "network_generation": "4G",
            "network_subtype": "LTE",
            "rssi": -77.1,
            "rsrp": -96.2,
            "rsrq": -9.1,
            "sinr": 10.5,
            "ec_io": -8.3,
            "rcsp": -84.2,
            "cqi": 10,
            "spectrum_bandwidth": 20,
            "arfcn": 66786
          },
          {
            "cell_id": 35988099,
            "physical_cell_id": 192,
            "cell_connection": 2,
            "network_generation": "4G",
            "network_subtype": "LTE",
            "rssi": -71.1,
            "rsrp": -99.1,
            "rsrq": -6.9,
            "sinr": 9.7,
            "ec_io": -8.3,
            "rcsp": -84.2,
            "cqi": 10,
            "spectrum_bandwidth": 20,
            "arfcn": 39874
          }
        ]
      }
    }
  }
]
}
```

BILLING CODE 6712–01–C

C. Mobile Speed Test Data

This section details the data structure common for all mobile speed test data in the Alaska Plan. This file contains records of each mobile speed test in JavaScript Object Notation (JSON) format matching the specification in the table and sections below:

Field	Data type	Example	Description/notes
submission_type	Enumerated	Alaska Plan	Type of data submission. *—Value must be "Alaska Plan".*
submissions	Array [Submission Object]		List of drive test data submissions. *Note: the specification for the Submission Object is described in Section 0.*

1. Submission Object

Field	Data type	Example	Description/notes
test_id	String	1599236609	Unique identifier used by the app to differentiate tests.
timestamp	Datetime	2021–07–08T09:02:42–08:00	Timestamp of the time at which the set of test metrics commenced. *—Value must match valid ISO–8601 format including seconds and timezone offset, e.g.: YYYY–MM–DD[T]hh:mm:ss±hh:mm.*
device_type	Enumerated	Android	Type of device. *—Value must be one of the following: /iOS|Android/Other/;*
manufacturer	String	Google	Name of the device manufacturer.
model	String	PIXEL 3	Name of the device model.
operating_system	String	Android 11	Name and version of the device operating system.
app_id	String	FCC Speed Test app	Name of the mobile speed test app.
app_version	String	2.0.2496	Version of the mobile speed test app.
provider_name	String	GCI	Name of the mobile service provider.
tests	Test Object		Information about the test metrics. *Note: the specification for the Test Object is described in Section 0.*

2. Test Object

Field	Data type	Example	Description/notes
download	Download Test Object		Information about the download test metric. *Note: the specification for the Download Test Object is described in Section 0.*
upload	Upload Test Object		Information about the upload test metric. *Note: the specification for the Upload Test Object is described in Section 0.*

3. Download Test Object

Field	Data type	Example	Description/notes
timestamp	Datetime	2021–07–08T09:02:42–08:00	Timestamp of the time at which the test metric commenced. *—Value must match valid ISO–8601 format including seconds and timezone offset, i.e.: YYYY–MM–DD[T]hh:mm:ss±hh:mm.*
duration	Integer	4997185	Duration that the test metric took to complete in microseconds.
bytes_transferred	Integer	97382448	Measured total amount of data in bytes that the test metric transferred.
bytes_sec	Integer	19487461	Measure number of bytes per second that the test metric transferred.
locations	Array [Location Object]		List of geographic coordinates of the locations measured during the speed test. *Note: the specification for each Location Object element is described in Section 0.*

Field	Data type	Example	Description/notes
cells	Array [Cell Object]		List of cellular telephony information measured during the speed test. *Note: the specification for each Cell Object element is described in Section 0.*

4. Upload Test Object

Field	Data type	Example	Description/notes
timestamp	Datetime	2021–07–08T09:02:51–08:00	Timestamp of the time at which the test metric commenced. *—Value must match valid ISO–8601 format including seconds and timezone offset, i.e.: YYYY–MM–DD[T]hh:mm:ss±hh:mm.*
duration	Integer	5000085	Duration that the test metric took to complete in microseconds.
bytes_transferred	Integer	15129062	Measured total amount of data in bytes that the test metric transferred.
bytes_sec	Integer	3025761	Measure number of bytes per second that the test metric transferred.
locations	Array [Location Object]		List of geographic coordinates of the locations measured during the speed test. *Note: the specification for each Location Object element is described in Section 0.*
cells	Array [Cell Object]		List of cellular telephony information measured during the speed test. *Note: the specification for each Cell Object element is described in Section 0.*

5. Location Objects

Each element of the ''locations'' array contains the geographic coordinates of the locations measured at the start and end of the speed test, as well as during the test (if measured).

Field	Data type	Example	Description/notes
timestamp	Datetime	2021–07–08T09:02:58–08:00	Timestamp of the time at which the location was recorded. *—Value must match valid ISO–8601 format including seconds and timezone offset, i.e.: YYYY–MM–DD[T]hh:mm:ss±hh:mm.*
latitude	Decimal (3,7)	63.069168	Unprojected (WGS–84) geographic coordinate latitude in decimal degrees of the reported location where the test was conducted. *—Value must have minimum precision of 6 decimal places.*
longitude	Decimal (3,7)	−153.248195	Unprojected (WGS–84) geographic coordinate longitude in decimal degrees of the reported location where the test was conducted. *—Value must have minimum precision of 6 decimal places.*

6. Cell Objects

Each element of the ''cells'' array contains telephony information about the cell/carrier.

Field	Data type	Example	Description/notes
cell_id	Numeric	32193025	Measured cell identifier.
physical_cell_id	Integer	192	Measured Physical Cell Identity (PCI) of the cell. *Note: this value is only required for LTE and 5G network generations and may be null for 2G/3G network generations.*

Field	Data type	Example	Description/notes
cell_connection	Enumerated	1	Connection status of the cell. *—Value must be one of the following codes:* *0—Not Serving.* *1—Primary Serving.* *2—Secondary Serving.* *Note: this value may be null if connection status returns unknown.*
network_ generation	Enumerated	4G	String representing the network generation of the cell. *—Value must be one of the following:* {*2G/3G/4G/5G/Other*}
network_subtype	Enumerated	LTE	String representing the network subtype of the cell. *—Value must be one of the following:* {*1X/EVDO/WCDMA/GSM/HSPA/HSPA+/LTE/NR*}
rssi	Decimal (3,1)	−57.2	Measured Received Signal Strength Indication (RSSI) in dBm of the cell. Note: this value is required for all network generations and subtypes.
rsrp	Decimal (3,1)	−92.1	Measured Reference Signal Received Power (RSRP) in dBm of the cell. *Note: this value is only required for LTE and NR subtypes, and may be null for all other network subtypes.*
rsrq	Decimal (3,1)	−12.5	Measured Reference Signal Received Quality (RSRQ) in dB of the cell. *Note: this value is only required for LTE and NR subtypes, and may be null for all other network subtypes.*
sinr	Decimal (3,1)	21.3	Measured Signal to Interference and Noise Ratio (SINR) in dB of the cell. *Note: this value is only required for 2G, LTE, and 5G network generations, and may be null for 3G.*
ec_io	Decimal (3,1)	−8.3	Measured Energy per Chip to Interference Power Ratio in dB of the cell. *Note: this value is only required for CDMA 1X, EVDO, WCDMA, HSPA, and HSPA+ network subtypes, and may be null for all other network subtypes.*
rscp	Decimal (3,1)	−87.2	Measured Received Signal Code Power in dBm of the cell. *Note: this value is only required for WCDMA, HSPA, and HSPA+ network subtypes, and may be null for all other network subtypes.*
cqi	Integer	11	Measured Channel Quality Indicator (CQI) of the cell. *Note: this field is only required for WCDMA, HSPA, HSPA+, LTE, and NR network subtypes, and may be null for all other network subtypes.*
spectrum_bandwidth	Numeric	15	Total amount of spectral bandwidth used by the cell in MHz.
arfcn	Integer	66786	Absolute radio-frequency channel number, measured absolute physical RF channel number of the cell.

III. Appendix B: Drive Test Procedures—Technical Appendix

A. Introduction

This technical appendix provides information about the proposed mobile certification process for Alaska Plan providers subject to drive testing. The Alaska Plan requires such testing to include ''a statistically significant number of tests in the vicinity of residences being covered'' to demonstrate that plan participants have met the commitments in the performance plans approved by the Wireless Telecommunications Bureau (Bureau).

Remote Alaska is extraordinarily sparsely populated; virtually all its county-level geographies have population densities of three or fewer people per square mile. Accordingly, testing every location for a provider's coverage would be unduly burdensome, and testing a sample of locations is required.

For the sampling required to implement the testing procedures under the Alaska Plan, staff proposes to use stratified random sampling. When properly implemented, this sampling methodology can achieve an optimal balance between the statistical significance required by the Alaska Plan and the burden on providers to conduct

tests from a sufficient number of locations.

The following sections describe the details of the proposed testing process. These technical details serve as a guide to both the Bureau and the providers doing the testing in determining:

- Where, within the geographic boundaries of the coverage map, a provider should conduct testing;
- how many locations a provider must test;
- what speed test measurements will be accepted for staff analysis by the Bureau; and
- how Bureau staff will evaluate the test data and adjudicate whether the provider has passed or failed the testing process.

B. Sample Frame Construction

To select locations for testing, one must first construct a list (known as a ''sampling frame'' or ''frame'') of possible locations to select from. The construction of this frame is a multi-part process. First, we propose creating a set of ''eligible populated areas.'' Census blocks eligible for frozen-support funding would be included, and these census blocks would be merged with the populated areas of the Alaska Population Distribution model. Second, the Form 477 reported coverage for which a provider committed to deploy subject to testing would be merged with the eligible populated areas to create a set of ''covered populated areas.'' Third, a grid of 1 km x 1 km squares would be overlaid onto the covered populated areas.[1] Due to the fact that the Alaska Population Distribution model uniformly distributes population within the populated area of a block, the covered populated areas of a block would likewise have a uniform population distribution. The total population of each grid cell is the sum of the populations of the covered populated areas contained within a given grid cell. For example, if a grid cell contains 25% of the covered populated area of a census block, that grid would be credited with 25% of that block's covered population. That same grid cell might also contain 100% of a second census block's covered populated area. So all of that census block's covered population would be credited to that grid cell, and the grid cell's total population would be the sum of these two populations. Lastly, any grid cell that contains fewer than 100,000 square meters of covered populated area, or 10% of the grid cell, would be excluded from the frame. This ensures that all grid cells have a reasonable testable area, reducing burden on providers. Grid cells with smaller levels of covered populated area were less likely to have areas that were publicly accessible or large enough to conduct mobile testing. Figures 1–4 below detail this process.

[1] Staff proposes to use this particular type of grid because census blocks are not of uniform geographic size, which could require a different number of speed tests for each block, and, in turn, could increase the testing burden on providers. Grids of smaller sizes and shapes were less likely to provide easily accessible areas for testing given the nature of roads and population distribution in remote Alaska, and grids of larger sizes and shapes would provide more heterogeneous wireless performance, which would require more cumbersome rules for actually conducting drive testing to ensure geographic diversity of the sample within each grid.

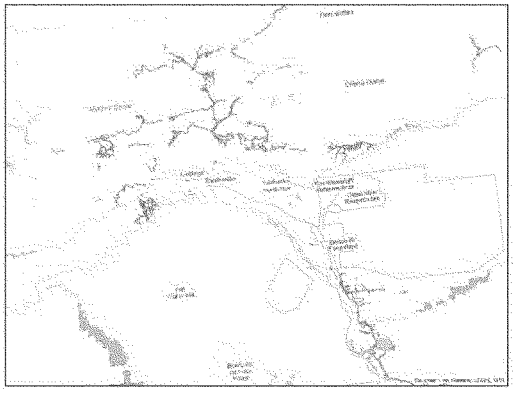


Fig. 1: Eligible Blocks and Populated Areas

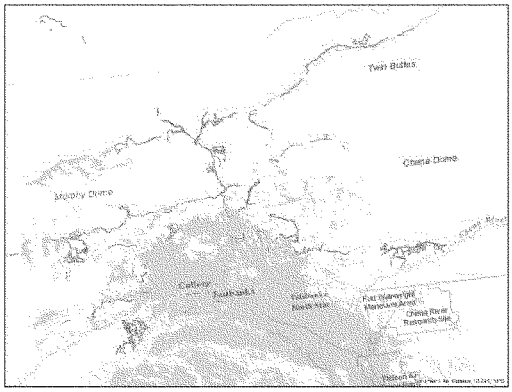


Fig. 2: Eligible Populated Areas and Coverage

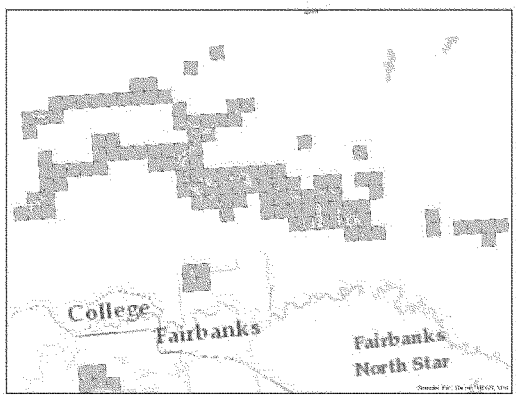


Fig. 3: Covered Populated Areas with Grid

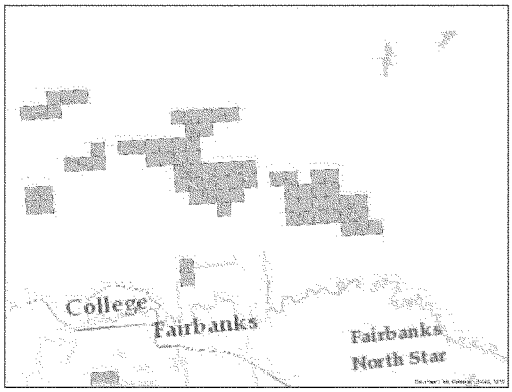


Fig 4: Grid Cells Eligible for Selection

For commitments that do not promise different speeds for different middle-mile technologies, the frame would utilize the most recent Form 477 submissions from the provider, which currently is the provider's deployment data as of December 2020. For areas served by more than one technology, the area would only be included in the frame for the latest generation technology. For example, if an area is covered by both 2G and 3G, then the area would only be included in the 3G frame. As no commitments were made for 5G service, any 5G coverage will be included within the LTE frame. Where a provider has committed to different speeds in different areas due to different middle-mile technologies, the frame would rely on additional data submitted by the provider to differentiate the covered areas of a given technology (*e.g.,* LTE) with multiple middle-mile types.

If a provider wishes to submit data that better reflects the December 2021 Form 477 data that it is likely to submit in March 2022 than the December 2020 data that the Commission currently has, then it should notify the Bureau within the Public Notice comment cycle and submit the updated coverage data within 10 days of the adoption of the Order. The Bureau will create a stratified random sample for the provider to test within 15 days of receipt of updated data, or, in the event of no new data submitted, 10 days of the adoption of an Order.

C. Frame Stratification

Frame stratification is the process of dividing a frame into subsets of similar characteristics, called strata. This methodology allows fewer grid cells to be selected for testing while producing the same level of accuracy as sampling the entire frame, thus reducing testing burden.

The number of strata for each frame depends on the number of grid cells in a given frame. To create the strata, the Bureau proposes to use the cumulative square root of the frequency (CSRF) method, based on grid-level estimates of covered population. CSRF is a standard stratification method used to define the breaks between strata. It creates equal intervals not on the scale along the stratification variable (in this case, covered population) scale, but rather on the scale along the cumulated square root of the count (frequency) of grid cells belonging to equal intervals of the stratification variable.

Based on the data staff currently has, it is expected that each frame will contain between two and eight strata. Staff analysis has found that this stratification method produces strata of more equal sizes than other potential stratification methods (*e.g.,* based on census tracts), which reduces the number of grid cells that need to be selected for testing.

Further, staff proposes to select certain grid cells with probability 1 (grid cells that are called certainties) within each stratum. This ensures that grid cells that have a high population within a given stratum are tested; this should prevent the testing results of the stratum from being skewed by outlier results from low-weighted grid cells.

D. Sample Size Calculation and Allocation and Sample Selection

The Bureau proposes to decide the number of grid cells that the provider has to test (that is, the sample size, *n*), based on a set of statistical and logistical assumptions. The statistical assumption is that the variance of the desired estimate of average population served cannot exceed a specified value, *V*. The logistical assumption is that the cost of drive testing is constant in every grid cell selected in the sample. Under these assumptions, a theoretical value for the sample size can be calculated as detailed below.

Let *L* denote the number of strata in the frame and let the index *h* distinguish these *L* strata. Further, denote or define the following quantities:

- Number of grid cells in the stratum $= N_h$ (thus, $N = \sum_{h=1}^{L} N_h$)
- Weight of the stratum $= W_h = N_h/N$
- Mean of X in the stratum $= \bar{X}_h = \frac{1}{N_h}\sum_{i=1}^{N_h} X_{h,i}$ where $X_{h,i}$ is the value of committed population X in the ith grid cell of stratum h
- Variance of X in the stratum $= V(X)_h = \frac{\sum_{i=1}^{N_h}(X_{h,i}-\bar{X}_h)^2}{N_h-1}$

Under our proposal, the theoretical minimum sample size is given by:

$$n = \frac{\left(\sum_{h=1}^{L} W_h\sqrt{V(X)_h}\right)^2}{V + (1/N)\sum_{h=1}^{L} W_h V(X)_h}.$$

Once determined, n would be allocated among the different strata. Specifically, if n_h is the number of sample grid cells allocated to the stratum, then:

$$n_h = n\frac{W_h\sqrt{V(X)_h}}{\sum_{h=1}^{L} W_h\sqrt{V(X)_h}} = n\frac{N_h\sqrt{V(X)_h}}{\sum_{h=1}^{L} N_h\sqrt{V(X)_h}}$$

This method of apportioning the sample among the various strata is called Neyman allocation. Note that $n = \sum_{h=1}^{L} n_h$.

Guided by the allocation scheme from the previous section, staff proposes to use geographic information systems (GIS) tools to randomly select grid cells in each stratum, including options within these tools that ensure geographic dispersion for selected grid cells within a stratum. The provider subject to testing would then be notified of the sample grid cells in which it would be required to conduct on-the-ground speed tests.

E. Drive Testing Data Collection

We propose that, within each selected grid cell, a carrier would conduct a minimum of 20 tests, no less than 50% of which are to be conducted while in-motion from a vehicle. This is the minimum number of tests to support the use of the binomial distribution to approximate the normal distribution that is needed in calculating the gap in coverage based on a one-sided 90% confidence interval, as discussed later in Section VII.

To be considered valid, each test should be conducted between the hours of 6:00 a.m. and 10 p.m., within the selected grid cell, and report all relevant parameters defined in Appendix A. Each component of a test (*i.e.,* download and upload speeds) should have a duration between 5 and 30 seconds. Mobile tests are considered to be located within the grid cell containing the starting location, as a tester has full control over the starting location of a test but may not always be able to control the ending location of a test.

Testers should, however, attempt to conduct a mobile test within a single grid cell as much as is reasonably and safely possible. A mobile test should initiate when moving away from the location of a stationary test after having reached the speed of the surrounding traffic, or a safe and reasonable operating speed in the event no traffic is present.

F. Statistical Analysis of Testing Results

Upon receipt of drive testing submissions, the Bureau will perform a statistical analysis of the data to estimate the desired total population covered. Because the sample is selected using stratified random sampling, estimation techniques appropriate for this particular sampling method must be used.

Stratified random sampling requires an aggregate measurement from a sampled grid cell that will be combined with measurements from the other sampled grid cells to calculate stratum-level estimates of total covered population. These estimates will, in turn, be combined to produce an overall estimate of covered population. Drive tests conducted in a sample grid cell will be aggregated based on the following rule:

Let p be the percentage of drive tests that meet or exceed the applicable minimum.[2] If p is at least 85%, then the full population of the sample grid cell will be deemed as covered; otherwise, 0% will be deemed as covered.

To calculate the stratum-level estimates and the overall estimate of the covered population, the Bureau proposes to use the estimation method appropriate for stratified random sampling, described next.

Let $x_{h,i}$ be the (deemed) covered population in the ith grid cell of stratum h, where $i = 1, \ldots, n_h$. Based on the rule above, $x_{h,i} = X_{h,i}$ if $p \geq 0.85$, and $x_{h,i} = 0$ if $p < 0.85$. The stratum sample mean covered population, $\bar{x}_h$, is calculated as $\bar{x}_h = \sum_{i=1}^{n_h} x_{h,i} / n_h$; the stratum sample total covered population is $N_h \bar{x}_h$; and the stratum sample variance, ${s_h}^2$, is calculated as ${s_h}^2 = \frac{\sum_{i=1}^{N_h} (x_{h,i} - \bar{x}_h)^2}{n_h - 1}$.

Combining these stratum-level estimates, we arrive at the overall covered population mean, $\bar{x}$, calculated as:

$$\bar{x} = \sum_{h=1}^{L} \frac{N_h \bar{x}_h}{N} = \sum_{h=1}^{L} W_h \bar{x}_h$$

with variance:

$$V(\bar{x}) = \frac{1}{N^2} \sum_{h=1}^{L} N_h (N_h - n_h) \frac{{s_h}^2}{n_h}.$$

To more accurately reflect coverage at the time of deployment and to fulfill the Alaska Plan's requirement to evaluate a provider's commitments based on December 2021 Form 477 coverage data, we propose to adjust the covered population of the sample frames N_h relative to covered population according to the December 2020 Form 477 data. For frames where coverage would be reduced, we would proportionally reduce population, and, for where coverage would increase, we would proportionally increase population.

Finally, the overall covered population total, $\hat{X}$, is estimated as $\hat{X} = N\bar{x}$.

G. Adjudication of the Outcome of the Testing Process

Because the estimate of the total covered population $\hat{X}$ comes from a sample, direct comparison of $\hat{X}$ against the committed covered population is not appropriate. Instead, staff proposes to construct a confidence interval that takes into account the variability arising from the estimate $\hat{X}$, and use this confidence interval to adjudicate the outcome of the testing process.

Because the Alaska Plan calls for a tiered approach in levying penalties for providers failing the testing process, the Bureau proposes to use a one-sided 90% confidence interval for $\hat{X}$ to quantify the gap in coverage. In particular, the Bureau proposes to use the upper limit of this confidence interval, which is calculated as

$$\hat{X} + 1.28N\sqrt{V(\bar{x})}.$$

[2] For 2G tests, the applicable minimum speeds would be 22.8 kbps for both download and upload tests, as this is the minimum equivalent data rate for voice service, accounting for the voice codec rate and channel coding rate requirements. *See* ETSI, CODECs, *https://www.etsi.org/technologies/codecs* (last visited July 14, 2021).

The gap in coverage is then calculated as:

Gap in Coverage = Total Population Coverage Commitment −

$$(\hat{X} + 1.28N\sqrt{V(\bar{x})}).$$

If the gap in coverage is no more than 5% of the total population of a given commitment, no penalties will apply. Otherwise, penalties will apply according to the tiers adopted by the Commission.

Additionally, it is possible to have a negative gap in coverage if the upper limit of the confidence interval is greater than the total committed population. If a provider has committed to multiple tiers of technology (*i.e.,* 2G, 3G, and 4G LTE), then any excess coverage, as defined by a negative gap in coverage, can be applied to the next lowest tier of technology. For example, if a provider has committed to cover 25,000 people with 4G LTE and the upper limit of the confidence interval shows adequate coverage for 30,000 people, then the remaining 5,000 coverage can be applied to its 3G commitment. This process is iterative, so any further excess coverage can be applied to its 2G commitment. Accordingly, the formula above would be re-written as:

Gap in Coverage = Total Population Coverage Commitment − ($\hat{X}$ + 1.28$N\sqrt{V(\bar{x})}$ + Excess Coverage from Higher Technology)

This methodology therefore will not punish carriers for improving coverage beyond what they committed.

IV. Procedural Matters

Initial Regulatory Flexibility Certification. As required by the Regulatory Flexibility Act, the Commission certifies that the proposals in this Public Notice, if adopted, will not have a significant impact on a substantial number of small entities. This Public Notice seeks comment on the drive testing proposals required by the Alaska Plan for those wireless participants receiving more than $5 million in annual Alaska Plan support, excluding the smaller wireless participants that receive less than that in annual support. The proposals, if adopted, would apply to only two entities, one of which does not qualify as a small entity.

Ex Parte Presentations. This proceeding shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

Legal Basis. The Bureau is authorized to propose the drive test parameters and model pursuant to the authority delegated in the Alaska Plan Order, 31 FCC Rcd 10139, 10160, 10166, paras. 67, 85 (2016) and 47 CFR 54.317, 54.320–54.321.

Federal Communications Commission.

Amy Brett,

Acting Chief of Staff, Wireless Telecommunications Bureau.

[FR Doc. 2021–16125 Filed 7–27–21; 4:15 pm]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

MB Docket No. 18–349; DA 21–851; FR ID 40028]

Media Bureau Extends Comment and Reply Comment Deadlines To Update the Record in the 2018 Quadrennial Review

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission grants a motion for extension of time in the 2018 Quadrennial Review record update to extend the comment and reply comment deadlines.

DATES:

Comment Date: September 2, 2021.

Reply Comment Date: October 1, 2021.

FOR FURTHER INFORMATION CONTACT: Ty Bream, Media Bureau, Industry Analysis Division, *Ty.Bream@fcc.gov,* (202) 418–0644.

SUPPLEMENTARY INFORMATION: This is a summary of the Media Bureau's Public Notice in MB Docket No. 18–349, DA 21–851, that was released on July 16, 2021. The complete text of this document is available electronically via the search function on the FCC's Electronic Document Management System (EDOCS) web page at *https://apps.fcc.gov/edocs_public/* (*https://apps.fcc.gov/edocs_public/*). Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format, etc.) and reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) may be requested by sending an email to *fcc504@fcc.gov* or calling the FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

1. By this Public Notice, the Media Bureau extends the deadlines for filing comments and reply comments in the above-captioned proceeding. On June 4, 2021, the Media Bureau released a Public Notice, 86 FR 35089 (July 1, 2021), seeking to update the record in the 2018 Quadrennial Review proceeding, in which the Commission has sought comment, pursuant to its obligation under Section 202(h) of the Telecommunications Act of 1996, on whether its media ownership rules remain ''necessary in the public interest

as the result of competition.'' On July 1, 2021, the Media Bureau announced a comment filing deadline of August 2, 2021, and a reply comment filing deadline of August 30, 2021, for record updates to the above-captioned proceeding.

2. On July 12, 2021, Common Cause, Free Press, the Multicultural Media, Telecom and Internet Council (MMTC), the National Association of Black Owned Broadcasters (NABOB), and the National Association of Broadcasters (NAB) (collectively, Joint Filers) requested an extension of the comment and reply comment filing deadlines until September 2 and October 1, 2021, respectively. The Joint Filers explain that, as more than two years have passed since the original comment cycle in this proceeding was completed, there have been many economic and legal developments in the media industry in that time. The Joint Filers state that they and other interested parties need additional time to address the many complex economic and legal issues through research, updates to previously filed material, and new information.

3. As set forth in section 1.46(a) of the Commission's rules, the Commission's policy is that extensions of time shall not be routinely granted. We find, however, that the Joint Filers have set forth a sufficient justification to warrant grant of their requested extension. As an extension should enable interested parties to present more complete and thoughtful comments to the Commission, we agree with the Joint Filers that both the parties commenting in the proceeding and the Commission should benefit and that the extension should not disadvantage any party. Accordingly, we grant the Joint Filers' request and extend the comment and reply comment deadlines by approximately a month, until September 2, 2021, and October 1, 2021, respectively.

4. For additional information on this proceeding, contact Ty Bream, *Ty.Bream@fcc.gov,* of the Media Bureau, Industry Analysis Division. Press inquiries should be directed to Janice Wise, *Janice.Wise@fcc.gov,* (202) 418–8165.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

[FR Doc. 2021–16127 Filed 7–28–21; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 40233]

Privacy Act of 1974; System of Records

AGENCY: Federal Communications Commission

ACTION: Notice of a new system of records.

SUMMARY: The Federal Communications Commission (FCC, Commission, or Agency) proposes to add a new system of records, FCC–2, Business Contacts and Certifications, 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 Commission uses the information on individuals and businesses contained in the records in this system to collect and maintain points of contact at regulated entities and in related industries, and ensure compliance with FCC rules through certifications of information provided to the Commission.

DATES: This system of records will become effective on July 29, 2021. Written comments on the routine uses are due by August 30, 2021. The routine uses will become effective on August 30, 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* (and to obtain a copy of the Narrative Statement and the Supplementary Document, which includes details of the modifications to this system of records).

SYSTEM NAME AND NUMBER:

FCC–2, BUSINESS CONTACTS AND CERTIFICATIONS

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Communications Commission (FCC), 45 L Street NE, Washington, DC 20554; Universal Service Administrative Company, 700 12th Street NW, Suite 900, Washington, DC 20005; or FISMA compliant contractor.

SYSTEM MANAGER(S):

Federal Communications Commission (FCC); Universal Service Administrative Company (USAC); or FISMA compliant contractor.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

47 U.S.C. 151, 152, 155, 257, 303; and 5 U.S.C. 602(c) and 609(a)(3).

PURPOSES:

The FCC and organizations administering programs on behalf of the FCC use this system to collect and maintain points of contact at entities regulated by the FCC and in related industries, and ensure compliance with FCC rules through certifications of information provided to the Commission.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals and businesses.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contact information, such as name, username, signature, phone numbers, emails, and addresses, as well as work and educational history.

RECORD SOURCE CATEGORIES:

Information in this system is provided by individuals or businesses who serve as points of contact at regulated entities and in related industries or certify data on behalf of an entity.

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, 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. Public Access—Information regarding points of contact at regulated entities and in related industries, as well as certifications made by individuals on behalf of an entity, may be made available for public inspection to comply with FCC regulations that require public disclosure of this information.

2. Third Parties—To third parties, including individuals and businesses in the communications industry, FCC vendors and their contractors, and other federal agencies to administer or support programs on behalf of the FCC.

3. Adjudication and Litigation—To disclose 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; or (b) any employee of the FCC in his or her official capacity; or (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.

4. Law Enforcement and Investigation—To disclose pertinent information to the appropriate Federal, State, local, tribal agency, or component of an agency, such as the FCC's Enforcement Bureau, 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.

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 provide information to the Department of Justice (DOJ) to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or to the Office of Management and Budget (OMB) to obtain that office's advice regarding obligations under the Privacy Act.

7. Breach Notification—To appropriate agencies, entities, and persons when: (a) The Commission suspects or has confirmed that there has been a breach of PII 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 system, programs, and operations), the Federal Government, or national security; and; 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.

8. 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, program, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

9. Non-Federal Personnel—To disclose information to non-federal personnel, including contractors, who have been engaged to assist the FCC in the performance of a contract service, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform their activity.

In each of these cases, the FCC will determine whether disclosure of the records is compatible with the purpose for which the records were collected.

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:

This an electronic system of records that resides on the FCC's network, USAC's network, or on an FCC vendor's network.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records in this system of records can be retrieved by any category field, *e.g.,* first name or email address.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL:

The information in this system is maintained and disposed of in accordance with the National Archives and Records Administration (NARA) General Records Schedule 6.5, Item 020 (DAA–GRS–2017–0002–0002).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The electronic records, files, and data are stored within FCC, USAC, or a vendor's accreditation boundaries and maintained in a database housed in the FCC's, USAC's, or vendor's computer network databases. Access to the electronic files is restricted to authorized employees and contractors; and to IT staff, contractors, and vendors who maintain the IT networks and services. Other employees and contractors may be granted access on a need-to-know basis. The electronic files and records are protected by the FCC, USAC, 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 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).

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:

This is a new system of records.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2021–16193 Filed 7–28–21; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the Bank Holding Company Applications and Notifications (FR Y–3, FR Y–3N, and FR Y–4; OMB No. 7100–0121). The revisions are applicable as of August 30, 2021.

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of

the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829.

Office of Management and Budget (OMB) Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the PRA to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements, and approved collection of information instrument(s) are available at *https://www.reginfo.gov/public/do/PRAMain.* These documents are also available on the Federal Reserve Board's public website at *https://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears above.

Final Approval under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Information Collection:

Report title: Application for Prior Approval to Become a Bank Holding Company, or for a Bank Holding Company to Acquire an Additional Bank or Bank Holding Company; Notice for Prior Approval to Become a Bank Holding Company, or for a Bank Holding Company to Acquire an Additional Bank or Bank Holding Company; and Notification for Prior Approval to Engage Directly or Indirectly in Certain Nonbanking Activities.

Agency form number: FR Y–3, FR Y–3N, and FR Y–4.

OMB control number: 7100–0121.

Effective Date: August 30, 2021.

Frequency: Event-generated.

Respondents: Bank holding companies (BHCs) and companies seeking to become BHCs involving certain formations, acquisitions, mergers, and nonbanking activities.

Estimated number of respondents: FR Y–3, New BHCs: 72; FR Y–3, Existing BHCs: 58; FR Y–3N: 21; FR Y–4, completed notification: 22; FR Y–4, expedited notification: 8; and FR Y–4, post-consummation: 1.

Estimated average hours per response: Reporting: FR Y–3, New BHCs: 48.5; FR Y–3, Existing BHCs: 59; FR Y–3N: 4; FR Y–4, completed notification: 11; FR Y–4, expedited notification: 5; and FR Y–4, post-consummation: 0.5; Disclosure: FR Y–3: 1; FR Y–3N: 1; FR Y–4: 1.

Estimated annual burden hours: FR Y–3, New BHCs: 3,492; FR Y–3, Existing BHCs: 3,422; FR Y–3N: 84; FR Y–4, completed notification: 242; FR Y–4, expedited notification: 40; and FR Y–4, post-consummation: 1; Disclosure: FR Y–3: 130; FR Y–3N: 21; FR Y–4: 22.

General description of report: These filings collect information on proposals by BHCs and companies seeking to become BHCs involving certain formations, acquisitions, mergers, and nonbanking activities. The Board requires the submission of these filings for regulatory and supervisory purposes and to fulfill its statutory obligations under the Bank Holding Company Act of 1956 (the BHC Act). The Board uses the information submitted in these filings to evaluate each individual transaction with respect to the relevant statutory factors and to ensure that the transaction complies with other applicable requirements.

Legal authorization and confidentiality: Section 3(a) of the BHC Act requires Board approval for formations, acquisitions, and mergers of bank holding companies.[1] Section 5(b) of the BHC Act authorizes the Board to issue regulations and orders to carry out these functions.[2] These sections of the BHC Act provide the legal authorization for the FR Y–3 and the FR Y–3N. Section 4(j) of the BHC Act requires bank holding companies to give prior written notice to the Board of any acquisition of a nonbank company or commencement of any nonbanking activities.[3] This section of the BHC Act provides the legal authorization for the FR Y–4. The obligation to respond to the FR Y–3, Y–3N, and Y–4 is required to obtain a benefit.

To the extent a respondent submits nonpublic commercial or financial information in connection with the FR Y–3, Y–3N, or Y–4, which is both customarily and actually treated as private by the respondent, the respondent may request confidential treatment pursuant to exemption 4 of the Freedom of Information Act (FOIA).[4] To the extent a respondent submits personal, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of privacy, the respondent may request confidential treatment pursuant to exemption 6 of the FOIA.[5] If a respondent requests confidential treatment, the Board will determine whether the information is entitled to confidential treatment on a case-by-case basis. The entity should separately designate any such information as ''confidential commercial information'' or ''confidential financial information'' and the Board will treat such designated information as confidential to the extent permitted by law, including the FOIA. To the extent a respondent submits information related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a financial supervisory agency, the information may be confidential pursuant to exemption 8 of the FOIA.[6]

Current actions: On April 16, 2021, the Board published an initial notice in the **Federal Register** (86 FR 20149) requesting public comment for 60 days on the extension, with revision, of the FR Y–3, FR Y–3N, and FR Y–4. The comment period for this notice expired on June 15, 2021. The Board did not receive any comments. The Board will adopt the extension, with revision, of the FR Y–3, FR Y–3N, and FR Y–4 as proposed.

Board of Governors of the Federal Reserve System, July 23, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–16145 Filed 7–28–21; 8:45 am]

BILLING CODE 6210–01–P

[1] 12 U.S.C. 1842(a).

[2] 12 U.S.C. 1844(b). In addition, section 5(c) of the BHC Act authorizes the Board to require reports from bank holding companies. 12 U.S.C. 1844(c).

[3] 12 U.S.C. 1843(j).

[4] 5 U.S.C. 552(b)(4).

[5] 5 U.S.C. 552(b)(6).

[6] 5 U.S.C. 552(b)(8).

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the International Applications and Prior Notifications under Subparts A and C of Regulation K (FR K–1; OMB No. 7100–0107). The revisions are effective immediately.

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829.

Office of Management and Budget (OMB) Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the PRA to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements, and approved collection of information instrument(s) are available at *https://www.reginfo.gov/public/do/PRAMain.* These documents are also available on the Federal Reserve Board's public website at *https://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears above.

Final Approval under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Information Collection:

Report title: International Applications and Prior Notifications under Subparts A and C of Regulation K.

Agency form number: FR K–1.

OMB control number: 7100–0107.

Effective Date: The revisions are effective immediately.

Frequency: On occasion.

Respondents: Member banks, Edge and agreement corporations,[1] bank holding companies (BHCs), and certain investments by foreign organizations.

Estimated number of respondents: Reporting: Attachments A and B, 6; Attachments C through G, 13; Attachments H and I, 10; Attachment J, 2; Attachment K, 1; Section 211.5(c)(4) requirements, 1; Section 211.8 requirements, 1; Section 211.10 requirements, 1; Section 211.11 requirements, 1. Disclosure: Attachment F, 13. Recordkeeping: Section 211.13 requirement, 70.

Estimated average hours per response: Reporting: Attachments A and B, 11.5; Attachments C through G, 9; Attachments H and I, 15.5; Attachment J, 10; Attachment K, 20; Section 211.5(c)(4) requirements, 1; Section 211.8 requirements, 0.25; Section 211.10 requirements, 8; Section 211.11 requirements, 5. Disclosure: Attachment F, 1. Recordkeeping: Section 211.13 requirement, 1.

Estimated annual burden hours: Reporting: Attachments A and B, 138; Attachments C through G, 234; Attachments H and I, 465; Attachment J, 20; Attachment K, 20; Section 211.5(c)(4) requirements, 1; Section 211.8 requirements, 0; Section 211.10 requirements, 8; Section 211.11 requirements, 5. Disclosure: Attachment F, 26. Recordkeeping: Section 211.13 requirement, 70.

General description of report: Subpart A of Regulation K—International Banking Operations, governs the foreign investments and activities of member banks, Edge and agreement corporations, BHCs, and certain investments by foreign organizations. Subpart C of Regulation K governs investments in export trading companies by eligible investors.[2] The FR K–1 information collection contains eleven attachments for the application and notification requirements in Subparts A and C of Regulation K. The Board requires these applications for regulatory and supervisory purposes and to allow the Board to fulfill its statutory obligations under the Federal Reserve Act (FRA) and the Bank Holding Company Act of 1956 (BHC Act). The applications are event-generated and provide the Federal Reserve with information necessary to evaluate each of the proposed transactions.

Legal authorization and confidentiality: The Board is authorized to collect the information required on the FR K–1 under sections 25 and 25A of the FRA,[3] and sections 4(c)(13), 4(c)(14), and 5(c) of the BHC Act.[4] Section 25 of the FRA authorizes the Board to approve applications to establish agreement corporations, establish foreign branches, and invest in foreign banks in accordance with regulations prescribed by the Board. Section 25 also authorizes the Board to require reports concerning the condition of these entities. Section 25A of the FRA authorizes the Board to approve the establishment of Edge corporations, to issue rules and regulations relating to these entities, and to require reports from these entities. Section 4(c)(13) of the BHC Act authorizes the Board, by regulation or order, to determine that BHCs may invest in companies that do business abroad. Section 4(c)(14) of the BHC Act authorizes BHCs to invest in export trading companies, subject to a notice requirement and disapproval by the Board. Section 5(c) of the BHC Act grants the Board reporting and examination authorities.

The applications and notifications comprising FR K–1 are required to obtain a benefit. Individual respondents may request that information submitted to the Board through the FR K–1 be kept confidential. If a respondent requests confidential treatment, the Board will determine whether the information is entitled to confidential treatment on a case-by-case basis. To the extent a respondent submits nonpublic commercial or financial information, which is both customarily and actually treated as private by the respondent, the respondent may request confidential treatment pursuant to exemption 4 of the Freedom of Information Act (FOIA).[5] To the extent a respondent submits personal, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of privacy, the respondent may request confidential treatment pursuant to exemption 6 of the FOIA.[6] To the extent that the Board obtains information as part of the examination process, the information may be confidential pursuant to exemption 8 of the FOIA.[7]

Current actions: On May 5, 2021, the Board published an initial notice in the **Federal Register** (86 FR 23968) requesting public comment for 60 days on the extension, with revision, of the FR K–1. The Board proposed revisions to the FR K–1 information collection to account for several reporting and recordkeeping provisions in sections 211.5, 211.8, 211.10, 211.11, and 211.13 of Regulation K that had not been previously cleared by the Board under the PRA. The Board did not propose additional attachments to the FR K–1 to address these provisions. The comment period for this notice expired on July 6, 2021. The Board did not receive any comments. The revisions will be implemented as proposed.

Board of Governors of the Federal Reserve System, July 23, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–16146 Filed 7–28–21; 8:45 am]

BILLING CODE 6210–01–P

[1] References to Edge corporations are inclusive of agreement corporations. An agreement corporation is a corporation that has entered into an agreement with the Board that it will not exercise any power that is impermissible for an Edge corporation. 12 CFR 211.5(g)(1).

[2] Eligible investors are BHCs, Edge and agreement corporations that are subsidiaries of bank holding companies but are not subsidiaries of banks, banker's banks, and foreign banking organizations. 12 CFR 211.32(d).

[3] 12 U.S.C. 601–604(a) and 611–631.

[4] 12 U.S.C. 1843(c)(13), 1843(c)(14), and 1844(c).

[5] 5 U.S.C. 552(b)(4).

[6] 5 U.S.C. 552(b)(6).

[7] 5 U.S.C. 552(b)(8).

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the Reporting and Disclosure Requirements Associated with Emergency Lending Under Section 13(3) (FR A; OMB No. 7100–0373). The FR A received a temporary six-month clearance on January 28, 2021. This action is to extend that clearance for three years.

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829.

Office of Management and Budget (OMB) Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the PRA to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements, and approved collection of information instrument(s) are available at *https://www.reginfo.gov/public/do/PRAMain.* These documents are also available on the Federal Reserve Board's public website at *https://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears above.

Final Approval under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Information Collection:

Report title: Reporting and Disclosure Requirements Associated with Emergency Lending Under Section 13(3).

Agency form number: FR A.

OMB control number: 7100–0373.

Frequency: Event-generated.

Respondents: Entities or persons borrowing under an emergency lending program or facility established pursuant to section 13(3) of the Federal Reserve Act.

Estimated number of respondents: FR A–1: 4,914; FR A–2: 3,073; FR A–3: 12,150; FR A–4: 5.

Estimated average hours per response: FR A–1: 8; FR A–2: 40; FR A–3, Lender per-loan certifications: 2; FR A–3, Borrower certifications: 8; FR A–4: 1.

Estimated annual burden hours: 257,305.

General description of report: The Board's Regulation A (12 CFR part 201) establishes policies and procedures with respect to emergency lending under section 13(3) of the Federal Reserve Act, as required by sections 1101 and 1103 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Regulation A requires that borrowers make two certifications in order to participate in any emergency lending authorized under section 13(3). These certifications, designated in this information collection as FR A–1, include that the borrowers are not insolvent and that they cannot obtain adequate credit accommodation.

In addition to these certifications, the Board may establish additional certification requirements for an individual emergency lending facility. The second part of the FR A information collection, the FR A–2, pertains to reporting requirements associated with individual facilities that are related to requirements of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The third part of FR A, designated as the FR A–3, pertains to reporting requirements specific to the Main Street Expanded Loan Facility, the Main Street New Loan Facility, the Main Street Priority Loan Facility, the Nonprofit Organization Expanded Loan Facility, and the Nonprofit Organization New Loan Facility (collectively, the ''Main Street Lending Program''). The fourth part of FR A, designated as the FR A–4, pertains to a disclosure requirement for Paycheck Protection Program (PPP) borrowers seeking to reduce the calculation of existing outstanding and undrawn available debt to participate in the Main Street Lending Program.

Legal authorization and confidentiality: The FR A is authorized pursuant to section 13(3) of the Federal Reserve Act, which sets out requirements for emergency lending. The obligation to respond is required to obtain a benefit.

The information collected under the FR A may be kept confidential under exemption 4 of the Freedom of Information Act, which protects commercial or financial information obtained from a person that is privileged or confidential.

Current actions: On March 3, 2021, following the temporary approval of a fourth set of revisions to the FR A, the Board published a **Federal Register** notice (86 FR 12465) requesting public comment for 60 days on those temporary revisions. The comment period for this notice expired on May 3, 2021. The Board did not receive any comments. There are no proposed changes to the reporting or disclosure requirements, and the burden hours remain the same.

Detailed Discussion of Public Comments

On March 2, 2020, the Board published a notice in the **Federal Register** (85 FR 12295) requesting public comment for 60 days on the extension, without revision, of the FR A. One comment was received; it did not address aspects of the information collection as described in 5 CFR 1320.8(d). On May 15, 2020, following the temporary approval of a first set of revisions to the FR A, the Board published a **Federal Register** notice (85 FR 29447) requesting public comment for 60 days on those temporary revisions. On June 4, 2020, following the temporary approval of a second set of revisions to the FR A, the Board published a **Federal Register** notice (85 FR 34448) requesting public comment for 60 days on those temporary revisions. On August 21, 2020, following the temporary approval of a third set of revisions to the FR A, the Board published a **Federal Register** notice (85 FR 51715) requesting public comment for 60 days on those temporary revisions. On March 3, 2021, following the temporary approval of a fourth set of revisions to the FR A, the Board published a **Federal Register** *notice* (86 FR 12465) requesting public comment for 60 days on those temporary revisions. No further comments were received.

Board of Governors of the Federal Reserve System, July 23, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–16147 Filed 7–28–21; 8:45 am]

BILLING CODE 6210–01–P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0287; Docket No. 2021–0001; Sequence No. 8]

Information Collection; Background Investigations for Child Care Workers; GSA Form 176

AGENCY: Office of Mission Assurance, General Services Administration (GSA).

ACTION: Notice of request for comments regarding an existing OMB information collection.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve a previously approved information collection requirement regarding the collection of personal data for background investigations for childcare workers accessing GSA owned and leased controlled facilities.

DATES: Submit comments on or before: September 27, 2021.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to *http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link ''Submit a Comment'' that corresponds with ''Information Collection 3090–0287, Background Investigations for Child Care Workers''. Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''Information Collection 3090–0287, Background Investigations for Child Care Workers'' on your attached document.

If your comment cannot be submitted using *regulations.gov,* call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Instructions: Please submit comments only and cite Information Collection 3090–0287, Background Investigations for Child Care Workers, in all correspondence related to this collection. Comments received generally will be posted without change to *regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *regulations.gov* approximately two-to-three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Ahn, Security Officer, Office of Mission Assurance, GSA, by email at *phillip.ahn@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

Homeland Security Presidential Directive (HSPD) 12 ''Policy for a Common Identification Standard for Federal Employees and Contractors'' requires the implementation of a governmentwide standard for secure and reliable forms of identification for Federal employees and contractors. OMB's implementing instructions requires all contract employees requiring routine access to federally controlled facilities for greater than six (6) months to receive a background investigation. The minimum background investigation is Tier 1 and the Office of Personnel Management offers a Tier 1C for child care.

However, there is no requirement in the law or HSPD–12 that requires childcare employees to be subject to the Tier 1C since employees of childcare providers are neither government employees nor government contractors. The childcare providers are required to complete the criminal history background checks mandated in the Crime Control Act of 1990, Public Law 101–647, dated November 29, 1990, as amended by Public Law 102–190, dated December 5, 1991. These statutes require that each employee of a childcare center located in a Federal building or in leased space must undergo a background check.

According to GSA policy, childcare workers (as described above) will need to submit the following:

1. An original signed copy of a *Basic National Agency Check Criminal History,* GSA Form 176; and
2. Two sets of fingerprints on FBI Fingerprint Cards, for SF–87 and/or electronic prints from an enrollment center.
3. Electronically submit the e-qip (SF85) application for completion of the Tier 1C.

This is not a request to collect new information; this is a request to change the form that is currently being used to collect this information.

B. Annual Reporting Burden

Respondents: 1200.
Responses per Respondent: 1.
Hours per Response: 1.
Total Burden Hours: 1200.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202–501–4755 or emailing *GSARegSec@gsa.gov.* Please cite Background Investigations for Child Care Workers, in all correspondence.

Beth Anne Killoran,
Deputy Chief Information Officer.

[FR Doc. 2021–16163 Filed 7–28–21; 8:45 am]

BILLING CODE 6820–23–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2021–0006]

Proposed Substances To Be Evaluated for Toxicological Profile Development

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Request for nominations for proposed substances to be evaluated for Toxicological Profile development.

SUMMARY: The Agency for Toxic Substances and Disease Registry (ATSDR) within the Department of Health and Human Services is initiating the development of another set of Toxicological Profiles. This notice solicits public nominations of substances for ATSDR to evaluate for Toxicological Profile development. ATSDR will consider nominations from the Substance Priority List found at *www.atsdr.cdc.gov/SPL/.* ATSDR also accepts nominations for substances not on the Substance Priority List (SPL) that may have public health implications, on the basis of ATSDR's authority to prepare Toxicological Profiles for substances not found at sites on the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) National Priorities List (see CERCLA Section 104(i)(1)(B); 42 U.S.C. 9604(i)(1)(B)). For more information on the CERCLA National Priorities List, visit *www.epa.gov/superfund/superfund-national-priorities-list-npl.* The agency accepts these nominations in order to establish and maintain an inventory of literature, research, and studies on the health effects of toxic substances, to

respond to requests for consultation, and to support the site-specific response actions conducted by ATSDR, as otherwise necessary.

DATES: Nominations from the Substance Priority List and/or additional substances must be received by August 30, 2021.

ADDRESSES: You may submit nominations, identified by Docket No. ATSDR–2021–0006 by any of the following methods:

• *Internet:* Access the Federal eRulemaking portal at *www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Office of Innovation and Analytics, Agency for Toxic Substances and Disease Registry, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA 30329–4027. Attn: Docket No. ATSDR–2021–0006.

Instructions: All submissions must include the agency name and docket number for this notice. All relevant comments will be posted without change. This means that no confidential business information or other confidential information should be submitted in response to this notice. Refer to the section Submission of Nominations (below) for the specific information required.

FOR FURTHER INFORMATION CONTACT: For further information, please contact Kambria Haire, Agency for Toxic Substances and Disease Registry, Office of Innovation and Analytics, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA 30329–4027, Email: *ATSDRToxProfileFRNs@cdc.gov;* Phone: 1–800–232–4636.

SUPPLEMENTARY INFORMATION: The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) with regard to hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL) (for more information, visit *www.epa.gov/superfund/superfund-national-priorities-list-npl.* Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare Toxicological Profiles for each substance included on the Substance Priority List. This list identifies 275 hazardous substances found at NPL sites that ATSDR and EPA have determined pose the most significant current potential threat to human health.

Substances to be evaluated for Toxicological Profile development: Each year, ATSDR develops a list of substances to be considered for Toxicological Profile development. The nomination process includes consideration of all substances on ATSDR's SPL, as well as other substances nominated by the public. For more information on ATSDR's SPL, visit *www.atsdr.cdc.gov/SPL/.*

Submission of nominations for Toxicological Profile development: This notice invites voluntary public nominations for substances included on the SPL and for substances not listed on the SPL. When nominating a non-SPL substance, please include the rationale for the nomination. ATSDR will evaluate data and information associated with nominated substances and will determine the final list of substances to be chosen for Toxicological Profile development. Substances will be chosen according to ATSDR's specific guidelines for selection. These guidelines can be found in the *Selection Criteria,* which may be accessed at *www.atsdr.cdc.gov/toxprofiles/guidance/ATSDR_TP_Selection%20Criteria.pdf.*

Donata Green,

Acting Director, Office of Policy, Partnerships and Planning, Agency for Toxic Substances and Disease Registry.

[FR Doc. 2021–16195 Filed 7–28–21; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2021–0005]

Availability of Six Draft Toxicological Profiles

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Agency for Toxic Substances and Disease Registry (ATSDR), within the Department of Health and Human Services (HHS), announces the opening of a docket to obtain comments on drafts of six updated Toxicological Profiles: Acetone, Aldrin/Dieldrin, Chlorophenols, 3,3-Dichlorobenzidine, Disulfoton, and Pentachlorophenol.

DATES: Written comments must be received on or before October 27, 2021.

ADDRESSES: You may submit comments, identified by docket number ATSDR–2021–0005, by any of the following methods:

• *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Office of Innovation and Analytics, Agency for Toxic Substances and Disease Registry, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA, 30329–4027. Attn: Docket No. ATSDR–2021–0005.

Instructions: All submissions must include the agency name and Docket Number. All relevant comments received will be posted without change to *http://regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Kambria Haire, Agency for Toxic Substances and Disease Registry, Office of Innovation and Analytics, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA, 30329–4027, Email: *ATSDRToxProfileFRNs@cdc.gov*; Phone: 1–800–232–4636.

SUPPLEMENTARY INFORMATION: ATSDR has prepared drafts of six updated toxicological profiles based on availability of new health effects and other information since their initial release. All toxicological profiles issued as ''Drafts for Public Comment'' represent the result of ATSDR's evidence-based evaluations to provide important toxicological information on priority hazardous substances. ATSDR is seeking public comments and additional information or reports on studies about the health effects of these six substances for review and potential inclusion in the profiles. ATSDR considers key studies for these substances during the profile development process. This notice solicits any relevant, additional studies. ATSDR will evaluate the quality and relevance of such data or studies for possible inclusion in the profile.

Public Participation

Interested persons or organizations are invited to participate by submitting written views, information, and data.

Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov.* Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If

you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. ATSDR will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near duplicate examples of a mass-mail campaign. ATSDR will carefully consider all comments submitted in preparation of the final Toxicological Profiles and may revise the profiles as appropriate.

Legislative Background

The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) regarding the hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL). Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare toxicological profiles for each substance included on the priority list of hazardous substances [also called the Substance Priority List (SPL)]. This list identifies 275 hazardous substances that ATSDR and EPA have determined pose the most significant potential threat to human health. The SPL is available online at *www.atsdr.cdc.gov/spl.* ATSDR is also mandated to revise and publish updated toxicological profiles, as necessary, to reflect updated health effects and other information.

In addition, CERCLA provides ATSDR with the authority to prepare toxicological profiles for substances not found on the SPL. CERCLA authorizes ATSDR to establish and maintain an inventory of literature, research, and studies on the health effects of toxic substances (CERCLA Section 104(i)(1)(B); 42 U.S.C. 9604(i)(1)(B)); to respond to requests for health consultations (CERCLA Section 104(i)(4); 42 U.S.C. 9604(i)(4)); and to support the site-specific response actions conducted by the agency. Public nominations for substances from the SPL (or other substances)for toxicological profile development were requested on April 18, 2018 (83FR17177–17178).

ATSDR has now prepared drafts of six updated toxicological profiles based on availability of new health effects and other information since their initial release.

Availability

The Draft Toxicological Profiles are available online at *http://www.atsdr.cdc.gov/ToxProfiles* and at *www.regulations.gov,* Docket No. ATSDR–2021–0005.

Donata Green,

Acting Director, Office of Policy, Planning and Partnerships, Agency for Toxic Substances and Disease Registry.

[FR Doc. 2021–16188 Filed 7–28–21; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10545 and CMS–R–185]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by August 30, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Outcome and Assessment Information Set (OASIS) OASIS–D; *Use:* Due to the COVID–19 related Public Health Emergency, the next version of the Outcome and Assessment Information Set (OASIS), version E planned for implementation January 1, 2021, was delayed. This request is for the Office of Management and Budget (OMB) approval to extend the current OASIS–D expiration date in order for home health agencies to continue data collection required for participation in the Medicare program. The current version of the OASIS–D, data item set was approved by OMB on December 6, 2018 and implemented on January 1, 2019. This request includes updated calculations using 2020 data for

wages, number of home health agencies and number of OASIS assessments at each time point. *Form Number:* CMS–10545 (OMB control number: 0938–1279); *Frequency:* Occasionally; *Affected Public:* Private Sector (Business or other for-profit and Not-for-profit institutions); *Number of Respondents:* 11,400; *Total Annual Responses:* 17,932,166; *Total Annual Hours:* 9,893,376. (For policy questions regarding this collection contact Joan Proctor at 410–786–0949).

2. *Type of Information Collection Request:* Extension of currently approved collection; *Title of Information Collection:* Granting and Withdrawal of Deeming Authority to Private Nonprofit Accreditation Organizations and CLIA Exemption Under State Laboratory Programs; *Use:* The information required is necessary to determine whether a private accreditation organization/State licensure program standards and accreditation/licensure process is at least equal to or more stringent than those of the Clinical Laboratory Improvement Amendments of 1988 (CLIA). If an accreditation organization is approved, the laboratories that it accredits are ''deemed'' to meet the CLIA requirements based on this accreditation. Similarly, if a State licensure program is determined to have requirements that are equal to or more stringent than those of CLIA, its laboratories are considered to be exempt from CLIA certification and requirements. The information collected will be used by HHS to: Determine comparability/equivalency of the accreditation organization standards and policies or State licensure program standards and policies to those of the CLIA program; to ensure the continued comparability/equivalency of the standards; and to fulfill certain statutory reporting requirements. *Form Number:* CMS–R–185 (OMB control number: 0938–0686); *Frequency:* Occasionally; *Affected Public:* Private Sector—Business or other for-profits and Not-for-profit institutions; *Number of Respondents:* 9; *Total Annual Responses:* 9; *Total Annual Hours:* 5,464. (For policy questions regarding this collection contact Arlene Lopez at 410–786–6782.)

Dated: July 26, 2021.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2021–16205 Filed 7–28–21; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10500]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by August 30, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved information collection; *Title of Information Collection:* National Implementation of the Outpatient and Ambulatory Surgery Consumer Assessment of Healthcare Providers and Systems (OAS CAHPS) Survey; *Use:* The national implementation of OAS CAHPS is designed to allow third-party, CMS-approved survey vendors to administer OAS CAHPS using mail-only, telephone-only, mixed-mode (mail with telephone follow-up), mixed-mode (web with mail follow-up), or mixed-mode (web with telephone follow-up). The information collected in the OAS CAHPS will be used for the following purposes:

- To provide a source of information from which selected measures can be publicly reported to beneficiaries to help them make informed decisions for outpatient surgery facility selection;
- To aid facilities with their internal quality improvement efforts and external benchmarking with other facilities; and
- To provide CMS with information for monitoring and public reporting purposes.

CMS established a reporting program in which ASCs and HOPDs can choose to participate in the survey and also choose whether or not to publicly report data. HOPD and ASC facilities that choose to participate contract with a CMS-approved, independent third-party survey vendor to implement the survey on their behalf and to submit the OAS

CAHPS data to CMS. CMS publicly reports comparative results from OAS CAHPS after each facility has conducted data collection for 12 months. OAS CAHPS measures, enable consumers to make more informed decisions when choosing an outpatient surgery facility, aid facilities in their quality improvement efforts, and help CMS monitor the performance of outpatient surgery facilities. *Form Number:* CMS–10500 (OMB control number: 0938–1240); *Frequency:* Once; *Affected Public:* Individuals and Households, Business or other for-profits, Not-for-profit institutions and State, Local and Tribal Governments; *Number of Respondents:* 993,300; *Total Annual Responses:* 993,300; *Total Annual Hours:* 221,100. (For policy questions regarding this collection contact Memuna Ifedirah at 410–786–6849.)

Dated: July 26, 2021.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2021–16202 Filed 7–28–21; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10701 and CMS–10757]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by August 30, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain* . Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* New Collection (Request for a new OMB control number); *Title of Information Collection:* Medicare Beneficiary Experiences with Care Survey (MBECS) System; *Use:* The MBECS system is designed to conduct population specific surveys that will be administered to the group of interest, fielded one time. This means that over the three-year period, two individual surveys will be administered. This will allow CMS OMH to respond quickly to the data needs of stakeholders with interests in these underrepresented groups. Data collected through the MBECS system will be used to better understand—and thus serve the needs of—Medicare beneficiaries in minority populations. The core questionnaire will collect information on communication with medical professionals, coordination of health care, experiences getting needed health care, experiences with personal doctors and specialists, and key demographics. Data will be compared to benchmarks from the FFS CAHPS, MA CAHPS, and NAM CAHPS surveys. The population-specific questionnaire module described and submitted via a specific collection request will collect information about issues most relevant for that particular group of interest.

The goal of this umbrella data collection effort is to gather data via separate surveys on a variety of minority Medicare beneficiaries' experiences. Topics and questions of interest may ask about beneficiaries' communication with medical professionals, coordination of health care, experiences getting needed health care, and experiences with personal doctors and specialists. CMS OMH will compare survey data to benchmarks from the general population of Medicare beneficiaries while controlling for population characteristics, as appropriate.

Survey respondents will have the opportunity to respond to an MBECS survey via a self-administered web-based survey (also called computer-assisted web interview or CAWI). CAWI technology minimizes respondent burden by (1) automatically providing text fills within questions and handling skip patterns based on responses to each question; (2) allowing respondents to complete the survey at a convenient time; (3) allowing respondents to stop and re-enter the survey if needed; and (4) capturing data in real-time, thereby eliminating the need for manual data entry. *Form Number:* CMS–10701 (OMB Control number: 0938–New); *Frequency:* Annually; *Affected Public:* Individuals and Households; *Number of Respondents:* 13,000; Total *Annual Responses:* 13,000; *Total Annual Hours:* 4,290 (For policy questions regarding this collection contact Luis Pons Perez at 410–786–8557).

2. *Type of Information Collection Request:* Extension of a currently approved information collection; *Title*

of Information Collection: CLIA Collection of Information Requirements Related to SARS–CoV–2 Test Results Reporting; *Use:* In order to be in compliance with the new CLIA mandatory SARS–CoV–2 test results reporting requirements, laboratories will need to develop a mechanism to track, collect, and report test results as well as update policies and procedures. In addition, Accreditation Organizations (AOs) and Exempt States (ESs) will need to update laboratory standards to reflect the reporting requirements and update policies and procedures related to reporting laboratories that do not report test results as required.

The CDC has an information collection request (OMB Control Number 0920–1299) in order to collect laboratory data related to the COVID–19 Pandemic Response. The CMS package (ICR) is for laboratory implementation and CMS monitoring of compliance with the CMS–3401–IFC CLIA-certified laboratory reporting requirements.

The information collected by the Centers for Medicare and Medicaid Services (CMS) or its designee, such as a CMS agent or CMS approved laboratory accreditation organization, when conducting inspections will be used to determine a laboratory's compliance with the CLIA SARS–CoV–2 test result reporting requirements. During an on-site survey, the Condition-level laboratory requirement at 42 CFR 493.41and 493.1100(a) are assessed for compliance. The information is used by CMS in determining appropriate Civil Money Penalties (CMPs) when laboratories fail to report as required. *Form Number:* CMS–10757 (OMB control number: 0938–1391); *Frequency:* Daily; *Affected Public:* Private Sector Not-for-profit institutions and State, Local and Tribal Governments; *Number of Respondents:* 77,033; *Total Annual Responses:* 308,114; *Total Annual Hours:* 1,386,873 (For policy questions regarding this collection contact Sarah Bennett at 410–786–3354.)

Dated: July 26, 2021.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2021–16200 Filed 7–28–21; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Submission for OMB Review; Public Comment Request; State Annual Long-Term Care Ombudsman Report-National Ombudsman Reporting System; OMB #0985–0005

AGENCY: Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living is announcing that the proposed collection of information listed above has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under section 506(c)(2)(A) of the Paperwork Reduction Act of 1995. This 30-Day notice collects comments on the information collection requirements related to the State Annual Long-Term Care Ombudsman Report-National Ombudsman Reporting System [OMB #0985–0005].

DATES: Submit written comments on the collection of information by August 30, 2021.

ADDRESSES: Submit written comments and recommendations for the proposed information collection within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find the information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. By mail to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW, Rm. 10235, Washington, DC 20503, Attn: OMB Desk Officer for ACL.

FOR FURTHER INFORMATION CONTACT: Louise Ryan, Administration for Community Living, Washington, DC 20201, (206) 615–2299 or by email: *louise.ryan@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, ACL has submitted the following proposed collection of information to OMB for review and clearance.

The Administration for Community Living (ACL) is requesting approval to collect data for the State Annual Long-Term Care Ombudsman Report-National Ombudsman Reporting System [OMB #0985–0005]. This request covers minor changes and corrections to the current information collection, with a total of 11,154 annual burden hours. The data collection tool will enhance ACL's ability to understand and report on Long-Term Care Ombudsman (LTCO) program operations, experiences of long-term care facility residents and will reflect changes in LTCO program operations and long-term supports and services policies, research, and practices. States will continue to provide the following data and narrative information in the report:

1. Numbers and descriptions of cases filed and complaints made on behalf of long-term care facility residents to the statewide ombudsman program;
2. Major issues identified impacting on the quality of care and life of long-term care facility residents;
3. Statewide program operations;
4. Ombudsman activities in addition to complaint investigation; and
5. Organizational conflict of interest reporting as required by 45 CFR part 1324.21.

Comments in Response to the 60-Day Federal Register Notice

A notice was published in the **Federal Register** on March 10, 2021 (86 FR 13720). There were four public comments received during the 60-day FRN. Please see ACLs response to comment listed below.

Two of the four respondents (Maryland Ombudsman program and the National Association of State Ombudsman Programs (NASOP)) recommended adding a new complaint code ''infection control.''

Response: ACL agrees to add one complaint code ''infection control'' and corresponding definition, examples and reporting tips. The Iowa Ombudsman program recommended adding clarifying information to the Code I05 (Housekeeping) to be inclusive of infection control, ACL will incorporate its suggestion into the new ''Infection control'' code. Two of the four respondents (Maryland Ombudsman program and NASOP) recommended changes to the ''examples and reporting tips'' under complaint code J01.

Response: ACL agrees to modify the ''examples and reporting tips'' on Complaint Code J01 ''Administrative oversight'' to incorporate problems with a facility planning and responding to an emergency.

ACL received the following comments and did not accept them for inclusion in NORS.

The Maryland Ombudsman proposed adding more detail and examples in the description fields in the following cells: S02, S06, S08, S09, S12.1, and S13 stating that this would give the State Ombudsman more guidance on how to approach the narratives and to help ensure greater consistency across the country.

Response: ACL in coordination with ACL's grantee, the National Ombudsman Resource Center (NORC) created in-depth training and training manuals on all aspects of NORS reporting, including examples of narratives for both complaint examples and systems issues and does not believe that additional guidance is necessary. See *https://ltcombudsman.org/omb_support/nors.*

The Maryland Ombudsman program also recommended the addition of a new complaint code in Facility Policies, Procedures and Practices (Code J) for emergency planning complaints. The Maryland Ombudsman program noted that there have been many instances of facilities needing to temporarily or permanently relocate residents for a variety of reasons from disasters to lack of appropriate staff in the building, facility closure, or the facility did not have an appropriate plan or did not have a plan at all.

Response: ACL will not add a new complaint code, but will modify complaint code J01 ''Administrative Oversight'' to be inclusive of emergency planning.

One recommendation was to include the addition of a county field (*e.g.,* Federal Information Processing Standard code). The commenter noted that although looking at differences/variation between states is important and valuable, having the ability to look at differences/variation within each state would be immensely beneficial for the conduct of ACL's functions and would allow for analytics to be shared with state ombudsmen and other programs nationwide.

Response: ACL does not accept this recommendation because of the level of burden necessary to gather and report this level of data.

NASOP made recommendations to broaden the types of activities reported on systems issues work performed by the State Long-Term Ombudsman, the Office and local Ombudsman entities. NASOP asserts that this reporting element would provide needed depth and clarity about whether a State Long-Term Care Ombudsman has the necessary independence and resources to perform systems advocacy as required by the Older Americans Act. NASOP proposes that data collected as narrative examples of Systems Issues is insufficient and does not have practical utility without additional data collection to explain the scope of a state's work on systems advocacy. ''By only collecting two examples of a systems issue from each state, ACL has no objective means of determining a state's compliance with the Act nor the independence of the Office. With our proposed addition data collection in Table 3, ACL will collect and provide the public with a more accurate picture of whether a state program is fulfilling the requirements of the Act.''

Response: ACL does not agree with NASOP's assessment of the current data collection on systems advocacy for several reasons. First, the FY 2020 data is not yet final and ACL has not been able to share systems advocacy data. Additionally, while NORS is one part of measuring program effectiveness it is not the only way that ACL determines compliance with the Older Americans Act. ACL provides continuous technical assistance on matters of compliance, conducted in-depth review of states compliance with the Ombudsman program regulation, and worked with states to develop compliance plans. ACL also has an on-going project to evaluate the effectiveness of the Ombudsman program and has gathered in-depth data on both state and local level Ombudsman program's ability to conduct systemic advocacy. See *https://acl.gov/programs/program-evaluations-and-reports.* In addition, the proposed data collection would be very burdensome on state and local programs to collect and report because the two recommended data elements include a sub-set of 10 possible elements to select and to keep track of the number of instances of each sub-set ultimately resulting in 20 new data elements. This type of data would not add meaningful information that would benefit ACL considering the level of effort required of states to train on this type of data collection, adapt software and report.

Estimated Program Burden

ACL estimates the burden associated with this collection of information as follows: Approximately 11,154 hours, with 52 state Ombudsman programs responding annually.

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
Total	52	1	214.5	11,154

Dated: July 23, 2021.

Alison Barkoff,

Acting Administrator and Assistant Secretary for Aging.

[FR Doc. 2021–16132 Filed 7–28–21; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Notice of Federal Review of the Missouri Protection and Advocacy System (P&A)

AGENCY: Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: Representatives of the Administration on Disabilities (AoD), Administration for Community Living (ACL), will be conducting a federal review of the Missouri Protection and Advocacy System (P&A) on September 13–17, 2021. AoD is soliciting comments from interested parties on your experiences with the program, and strategies employed by P&A in meeting the needs of individuals with developmental disabilities and their families in Missouri. You are encouraged to share your experiences by way of email or telephone.

DATES: Comments must be submitted electronically or via telephone by September 22, 2021, 11:59 p.m. (EST) in order to be included in the final report.

Email: Katherine.Cargill-Willis@acl.hhs.gov.

Telephone: 202–795–7322.

FOR FURTHER INFORMATION CONTACT: Katherine Cargill-Willis, Administration for Community Living, Administration on Disabilities, 330 C Street SW, 1st Floor, Washington, DC 20201, 202–795–7322.

Dated: July 23, 2021.

Alison Barkoff,

Acting Administrator & Assistant Secretary for Aging.

[FR Doc. 2021–16131 Filed 7–28–21; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–N–0554]

Actavis Elizabeth LLC, et al.; Withdrawal of Approval of 85 Abbreviated New Drug Applications

AGENCY: Food and Drug Administration, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is withdrawing approval of 85 abbreviated new drug applications (ANDAs) from multiple applicants. The applicants notified the Agency in writing that the drug products were no longer marketed and requested that the approval of the applications be withdrawn.

DATES: Approval is withdrawn as of August 30, 2021.

FOR FURTHER INFORMATION CONTACT: Martha Nguyen, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1676, Silver Spring, MD 20993–0002, 240–402–6980, *Martha.Nguyen@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: The applicants listed in the table have informed FDA that these drug products are no longer marketed and have requested that FDA withdraw approval of the applications under the process described in § 314.150(c) (21 CFR 314.150(c)). The applicants have also, by their requests, waived their opportunity for a hearing. Withdrawal of approval of an application or abbreviated application under § 314.150(c) is without prejudice to refiling.

Application No.	Drug	Applicant
ANDA 040113	Chlorzoxazone Tablets, 500 milligrams (mg)	Actavis Elizabeth LLC (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 040152	Carisoprodol Tablets, 350 mg	Watson Laboratories, Inc. (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 040184	Trihexyphenidyl Hydrochloride (HCl) Tablets, 2 mg and 5 mg	Do.
ANDA 040212	Estradiol Tablets, 0.5 mg, 1 mg, 1.5 mg, and 2 mg	Do.
ANDA 040276	Phentermine HCl Tablets, 37.5 mg	Actavis Elizabeth LLC.
ANDA 040296	Estropipate Tablets, 0.75 mg, 1.5 mg, and 3 mg	Barr Laboratories, Inc. (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 060704	Tetracycline HCl Capsules, 250 mg and 500 mg	Ivax Pharmaceuticals, Inc. (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 062343	Tetracycline HCl Capsules, 250 mg and 500 mg	Watson Laboratories, Inc.
ANDA 062581	Doxycycline Hyclate Tablets, Equivalent to (EQ) 100 mg base.	Teva Pharmaceuticals USA, Inc., 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 070152	Diazepam Tablets, 2 mg	Barr Laboratories, Inc.
ANDA 070153	Diazepam Tablets, 5 mg	Teva Pharmaceuticals USA, Inc.
ANDA 070154	Diazepam Tablets, 10 mg	Barr Laboratories, Inc.
ANDA 070511	Metoclopramide HCl Tablets, EQ 10 mg base	Watson Laboratories, Inc.
ANDA 070548	Propranolol HCl Tablets, 10 mg	Do.
ANDA 070706	Diazepam Tablets, 5 mg	Actavis Elizabeth LLC.
ANDA 070707	Diazepam Tablets, 10 mg	Do.
ANDA 070781	Diazepam Tablets, 2 mg	Do.
ANDA 070856	Verapamil HCl Tablets, 120 mg	Watson Laboratories, Inc.
ANDA 070944	Oxazepam Capsules, 15 mg	Ivax Pharmaceuticals, Inc.
ANDA 070964	Clonidine HCl Tablets, 0.2 mg	Watson Laboratories, Inc.
ANDA 070965	Clonidine HCl Tablets, 0.1 mg	Do.
ANDA 070985	Ibuprofen Tablets, 200 mg	Merro Pharmaceutical Co., Ltd., SciRegs International, Inc., Authorized U.S. Agent, 6333 Summercrest Dr., Columbia, MD 21045.
ANDA 071019	Verapamil HCl Tablets, 80 mg	Actavis Elizabeth LLC.
ANDA 071050	Morphine Sulfate Injection, 0.5 mg/milliliters (mL)	Fresenius Kabi USA, LLC, Three Corporate Dr., Lake Zurich, IL 60047.
ANDA 071086	Lorazepam Tablets, 0.5 mg	Watson Laboratories, Inc.
ANDA 071087	Lorazepam Tablets, 1 mg	Do.
ANDA 071088	Lorazepam Tablets, 2 mg	Do.
ANDA 071366	Verapamil HCl Tablets, 80 mg	Do.
ANDA 071367	Verapamil HCl Tablets, 120 mg	Do.
ANDA 071476	Betamethasone Dipropionate Cream, EQ 0.05% base	Teva Pharmaceuticals USA, Inc.
ANDA 071477	Betamethasone Dipropionate Ointment, EQ 0.05% base	Do.
ANDA 071479	Carbamazepine Tablets, 200 mg	PLIVA Inc. (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 071696	Carbamazepine Tablets, 200 mg	Actavis Elizabeth LLC.
ANDA 071969	Triamterene and Hydrochlorothiazide Tablets, 50 mg and 75 mg.	Watson Laboratories, Inc.
ANDA 072124	Verapamil HCl Tablets, 80 mg	PLIVA Inc.
ANDA 072125	Verapamil HCl Tablets, 120 mg	Do.
ANDA 072333	Prazosin HCl Capsules, EQ 2 mg base	Watson Laboratories, Inc.
ANDA 072352	Prazosin HCl Capsules, EQ 1 mg base	Do.
ANDA 072418	Amoxapine Tablets, 25 mg	Do.
ANDA 072419	Amoxapine Tablets, 50 mg	Do.

Application No.	Drug	Applicant
ANDA 072420	Amoxapine Tablets, 100 mg	Do.
ANDA 072421	Amoxapine Tablets, 150 mg	Do.
ANDA 072609	Prazosin HCl Capsules, EQ 5 mg base	Do.
ANDA 072751	Verapamil HCl Tablets, 40 mg	PLIVA Inc.
ANDA 072923	Verapamil HCl Tablets, 40 mg	Watson Laboratories, Inc.
ANDA 072953	Oxazepam Capsules, 15 mg	Do.
ANDA 072954	Oxazepam Capsules, 30 mg	Do.
ANDA 073093	Baclofen Tablets, 20 mg	Do.
ANDA 073122	Loperamide HCl Capsules, 2 mg	Teva Pharmaceuticals USA, Inc.
ANDA 073334	Amiloride HCl and Hydrochlorothiazide Tablets, EQ 5 mg anhydrous; 50 mg.	Watson Laboratories, Inc.
ANDA 073352	Atenolol Tablets, 50 mg	Do.
ANDA 073353	Atenolol Tablets, 100 mg	Do.
ANDA 073637	Piroxicam Capsules, 10 mg	Teva Pharmaceuticals USA, Inc.
ANDA 073638	Piroxicam Capsules, 20 mg	Do.
ANDA 074026	Triamterene and Hydrochlorothiazide Tablets, 25 mg and 37.5 mg.	PLIVA Inc.
ANDA 074359	Butalbital, Aspirin, Caffeine, and Codeine Phosphate Capsules, 325 mg, 50 mg, 40 mg, and 30 mg.	Watson Laboratories, Inc.
ANDA 074405	Flurbiprofen Tablets, 50 mg and 100 mg	Teva Pharmaceuticals USA, Inc.
ANDA 074421	Cyclobenzaprine HCl Tablets, 10 mg	PLIVA Inc.
ANDA 074436	Cyclobenzaprine HCl Tablets, 10 mg	Watson Laboratories, Inc.
ANDA 074442	Gemfibrozil Tablets, 600 mg	Do.
ANDA 074479	Alprazolam Tablets, 0.25 mg, 0.5 mg, and 1 mg	Do.
ANDA 074647	Flurbiprofen Tablets, 50 mg and 100 mg	PLIVA Inc.
ANDA 074762	Guanfacine HCl Tablets, EQ 1 mg base and EQ 2 mg base	Watson Laboratories, Inc.
ANDA 074836	Acyclovir Tablets, 400 mg and 800 mg	IVAX Pharmaceuticals, Inc.
ANDA 074892	Etodolac Tablets, 400 mg and 500 mg	Watson Laboratories, Inc.
ANDA 074955	Ketorolac Tromethamine Tablets, 10 mg	Do.
ANDA 074964	Clonazepam Tablets, 0.5 mg, 1 mg, and 2 mg	Do.
ANDA 075067	Cromolyn Sodium Inhalation Solution, 10 mg/mL	Actavis Mid Atlantic LLC (an indirect, wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 075069	Etodolac Tablets, 400 mg	Watson Laboratories, Inc.
ANDA 075262	Albuterol Sulfate Syrup, EQ 2 mg base/5 mL	Actavis Mid Atlantic LLC.
ANDA 075284	Ketorolac Tromethamine Tablets, 10 mg	PLIVA Inc.
ANDA 081165	Hydroxyzine Pamoate Capsules, EQ 25 mg HCl	Watson Laboratories, Inc.
ANDA 084503	Hydralazine HCl Tablets, 50 mg	Do.
ANDA 085054	Hydrochlorothiazide Tablets, 25 mg	Actavis Mid Atlantic LLC.
ANDA 085084	Prednisone Tablets, 5 mg	Watson Laboratories, Inc.
ANDA 085085	Prednisolone Tablets, 5 mg	Do.
ANDA 085208	Hydrochlorothiazide Tablets, 50 mg	Actavis Elizabeth LLC.
ANDA 086710	Aspirin, Butalbital, Caffeine Tablets, 325 mg, 50 mg, and 40 mg.	Do.
ANDA 086813	Prednisone Tablets, 20 mg	Watson Laboratories, Inc.
ANDA 087773	Prednisone Tablets, 10 mg	Do.
ANDA 088348	Hydroxyzine HCl Tablets, 10 mg	Do.
ANDA 088349	Hydroxyzine HCl Tablets, 25 mg	Do.
ANDA 088350	Hydroxyzine HCl Tablets, 50 mg	Do.
ANDA 088497	Methylprednisolone Tablets, 4 mg	Duramed Pharmaceuticals Inc. (an indirect wholly owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Pkwy., Building A, Parsippany, NJ 07054.
ANDA 089536	Acetaminophen, Butalbital, and Caffeine Tablets, 325 mg, 50 mg, and 40 mg.	Watson Laboratories, Inc.

Therefore, approval of the applications listed in the table, and all amendments and supplements thereto, is hereby withdrawn as of August 30, 2021. Approval of each entire application is withdrawn, including any strengths and dosage forms inadvertently missing from the table. Introduction or delivery for introduction into interstate commerce of products without approved new drug applications violates section 301(a) and (d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a) and (d)). Drug products that are listed in the table that are in inventory on August 30, 2021 may continue to be dispensed until the inventories have been depleted or the drug products have reached their expiration dates or otherwise become violative, whichever occurs first.

Dated: July 26, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–16178 Filed 7–28–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–D–0519]

Rabies: Developing Monoclonal Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, Health and Human Services (HHS).

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled ''Rabies: Developing Monoclonal Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis.'' The purpose of this draft guidance is to help sponsors in the development of anti-rabies virus monoclonal antibody (mAb) cocktails as an alternative to anti-rabies virus immunoglobulin (RIG) as the passive immunization component of post-exposure prophylaxis (PEP) for the prevention of rabies when given immediately after contact with a rabid or possibly rabid animal.

DATES: Submit either electronic or written comments on the draft guidance by September 27, 2021 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2021–D–0519 for ''Rabies: Developing Monoclonal Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 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 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Stephanie Troy, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 6381, Silver Spring, MD 20993–0002, 240–402–4656.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Rabies: Developing Monoclonal Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis.'' The purpose of this draft guidance is to help sponsors in the development of anti-rabies virus mAb cocktails as an alternative to RIG as the passive immunization component of PEP for the prevention of rabies when given immediately after contact with a rabid or possibly rabid animal. Because of the unique complexities of drug development in this area, extensive discussion with multiple stakeholders has taken place, including a public workshop in 2017 and an advisory committee meeting in 2019. These discussions helped FDA formulate the considerations for rabies mAb cocktail development that are described in this draft guidance.

The draft guidance addresses the following topics:

• Considerations when selecting the mAbs included in the cocktail

• The nonclinical and clinical data needed to support clinical trials of the mAb cocktail in potentially rabies virus-exposed subjects

• The clinical data recommended to support an initial biologics license application submission of the mAb cocktail for a second-line indication in situations where human-derived RIG is not available

• The clinical data recommended to support a first-line indication for the mAb cocktail

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Rabies: Developing Monoclonal

Antibody Cocktails for the Passive Immunization Component of Post-Exposure Prophylaxis.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information associated with submissions of content and format of labeling for drugs and biologics in 21 CFR 201.56 and 201.57 have been approved under OMB control number 0910–0572; the collections of information associated with submissions of investigational new drug applications in 21 CFR part 312 have been approved under OMB control numbers 0910–0014; the collections of information associated with submissions of applications for approval to market a new drug in 21 CFR part 314 have been approved under 0910–0001; the collections of information associated with the reporting and recordkeeping of postmarketing adverse drug experiences have been approved under OMB control numbers 0910–0001, 0910–0230, 0910–0291, and 0910–0645; and the collections of information associated with general licensing provisions for biologics in 21 CFR part 601 have been approved under OMB control number 0910–0338.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov.*

Dated: July 26, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–16175 Filed 7–28–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–N–0584]

Agency Information Collection Activities; Proposed Collection; Comment Request; Pilot Survey To Develop Standardized Reporting Forms for Federally Funded Public Health Projects

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on information collection associated with a pilot survey to develop standardized reporting forms for capturing performance data for federally funded public health projects.

DATES: Submit either electronic or written comments on the collection of information by September 27, 2021.

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 27, 2021. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of September 27, 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 No. FDA–2021–N–0584 for ''Pilot Survey to Develop Standardized Reporting Forms for Federally Funded Public Health Projects administered by the Office of Regulatory Affairs (ORA).'' 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 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: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Pilot Survey To Develop Standardized Reporting Forms for Federally Funded Public Health Projects

OMB Control Number 0910–NEW

This information collection supports federally funded public health projects administered by the Agency's Office of Regulatory Affairs (ORA). As part of FDA's efforts to protect the public health, we work collaboratively with State partners to enhance oversight of FDA-regulated products. Consistent with applicable regulations pertaining to federally funded programs, we currently collect information related to an awardee's progress in completing agreed-upon performance metrics 3 to 4 times a year during the performance period. Respondents to the information collection are recipients of FDA-funded projects who submit required information to FDA in free text and narrative form via portable document format (pdf). To increase our efficiency in evaluating program effectiveness and return-on-investment (ROI)/return-on-value (ROV) for the federally funded projects that we administer, we intend to develop and establish the use of digital forms that contain standardized questions to capture data elements necessary to measure/track ROI/ROV. We believe the use of standardized forms will reduce the time required by awardees in completing and submitting progress reports.

As part of the pilot, respondents will complete an initial report and progress/performance reports, which include data fields to identify the award project and contact person and directs specific questions to respondents regarding project and progress updates. Based on public feedback, we hope to revise the reports, tailoring for project specificity and purpose, to include, but not limited to, improvements, such as drop-down menu selections and potential common response indicators that will reduce time for respondents and allow us to more quickly process information and determine impacts at the Agency level. As information will be requested of actively funded projects, it may become necessary to request additional information for a particular project to complete the performance evaluation(s) in a timely manner. To ensure data is sufficient, on a case-by-case basis, FDA anticipates a need for followup questionnaire(s) to supplement the progress reports as instruments of collection are developed and fine-tuned through this effort.

We estimate the burden of the information collection as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Awardee activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Initial Report	400	1	400	10	4,000
Progress Reports	400	2	800	40	32,000
Supplement or Followup Report (if applicable)	100	1	100	10	1,000
Total					37,000

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

We estimate that 400 respondents will participate under this pilot project and will submit an average of 3 to 4 reports within a single budget year (table 1). To ensure adequate reporting will be achieved over the course of this pilot, the option for a supplement or followup report is included in the estimated reporting burden; however, the need for these reports will be determined on a case-by-case basis with the FDA project manager.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

Awardee activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Records related to Initial Report	400	1	400	0.5 hour (30 minutes)	200
Records related to Progress Reports	400	2	800	0.5 hour (30 minutes)	400
Records related to Supplement or Followup Report (if applicable).	100	1	100	0.5 hour (30 minutes)	50
Total					650

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Recordkeeping activities include storing and maintaining records related to submitting a request to participate in the project and compiling reports. Respondents should use current record retention capabilities for electronic or paper storage to achieve these activities. We assume it will take 0.5 hour/year to ensure the documents related to submitting a request to participate in the program are retained properly according to their existing recordkeeping policies, but no less than 3 years, as recommended by FDA (table 2).

TABLE 3—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

Awardee activity	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Coordination with partnering entities related to Initial Report	300	2	600	8	4,800
Coordination with partnering entities related to Progress Reports	300	4	1,200	8	9,600
Coordination with partnering entities related to Supplement or Followup Report (if applicable)	100	2	200	8	1,600
Total					16,000

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

For those pilot projects that involve a participant composed of partnering entities in the program, FDA is taking into consideration the time that partnering entities will spend coordinating with each other in a pilot project. We estimate that 300 respondents will work with their respective partnering entities and the average number of partnering entities will be 2. We assume each respondent will spend 8 hours coordinating with each partnering entity on each response for this pilot. We estimate that seven respondents will need to coordinate with an average of two partnering entities to create progress reports and the final report to submit to FDA (table 3).

Dated: July 26, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–16192 Filed 7–28–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1216]

Electronic Study Data Submission; Data Standards; Technical Rejection Criteria for Study Data Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration's (FDA or Agency) Center for Biologics Evaluation and Research (CBER) and Center for Drug Evaluation and Research (CDER) are announcing the effective date for Electronic Common Technical Document (eCTD) validations referenced in FDA's ''Technical Rejection Criteria for Study Data'' (TRC).

DATES: The eCTD validations will become applicable on September 15, 2021.

ADDRESSES: You may submit either electronic or written comments at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–1216 for ''Electronic Study Data Submission; Data Standards; Technical Rejection Criteria for Study Data Effective Date.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 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 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: Jonathan Resnick, Center for Drug Evaluation and Research (CDER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 3160, Silver Spring, MD 20993–0002, 301–796–7997, *Jonathan.Resnick@fda.hhs.gov,* or Stephen Ripley, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911, *Stephen.Ripley@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In accordance with the guidance [1] for industry ''Providing Regulatory Submissions in Electronic Format—Standardized Study Data,'' submissions that are not submitted electronically and electronic submissions that are not in a format that FDA can process, review, and archive will not be filed or received, unless they have an exemption or waiver from the electronic submission requirements. The Agency can process, review, and archive electronic submissions of study data that use the standards specified in the Data Standards Catalog posted to FDA's Study Data Standards Resources web page (*https://www.fda.gov/industry/fda-resources-data-standards/study-data-standards-resources*).

The technical rejection criteria are automated validations by the CDER or CBER inbound processing system using the specifications set forth in FDA's ''Specifications for eCTD Validation Criteria'' to determine compliance with the requirement to submit electronic standardized study data. The eCTD validations referenced in FDA's TRC will become effective on September 15, 2021. Starting September 15, 2021, FDA will reject submissions that contain any high validation errors included in the TRC. The latest version of the TRC is available on FDA's web page on Study Data for Submission to CDER and CBER (*https://www.fda.gov/industry/study-data-standards-resources/study-data-submission-cder-and-cber*).

[1] Under section 745A(a) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 379k–1(a)), at least 24 months after the issuance of a final guidance document in which FDA has specified the electronic format for submitting certain submission types to the Agency, such content must be submitted electronically and in the format specified by FDA.

Dated: July 26, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–16187 Filed 7–28–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–N–0547]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Survey on the Occurrence of Foodborne Illness Risk Factors in Selected Retail and Foodservice Facility Types

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by August 30, 2021.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be submitted to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. The OMB control number for this information collection is 0910–0744. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Ila S. Mizrachi, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–7726, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Survey on the Occurrence of Foodborne Illness Risk Factors in Selected Retail and Foodservice Facility Types

OMB Control Number 0910–0744—Extension

I. Background

From 1998 to 2008, FDA's National Retail Food Team conducted a study to measure trends in the occurrence of foodborne illness risk factors, preparation practices, and employee behaviors most commonly reported to the Centers for Disease Control and Prevention as contributing factors to foodborne illness outbreaks at the retail level. Specifically, data was collected by FDA Specialists in retail and foodservice establishments at 5-year intervals (1998, 2003, and 2008) in order to observe and document trends in the occurrence of the following foodborne illness risk factors:

- Food from Unsafe Sources,
- Poor Personal Hygiene,
- Inadequate Cooking,
- Improper Holding/Time and Temperature, and
- Contaminated Equipment/Cross-Contamination.

FDA developed reports summarizing the findings for each of the three data collection periods, released in 2000, 2004, and 2009 (Refs. 1 to 3). Data from all three data collection periods were analyzed to detect trends in improvement or regression over time and to determine whether progress had been made toward the goal of reducing the occurrence of foodborne illness risk factors in selected retail and foodservice facility types (Ref. 4).

Using this 10-year survey as a foundation, in 2013–2014, FDA initiated a new study in full-service and fast-food restaurants. This study will span 10 years with data collections completed in 2013–2014 and 2017–2018, and an additional collection planned for 2021–2022. Three data collections are necessary to trend the data. Data collected in 2013–2014 is published, and data from 2017–2018 is currently being evaluated for trends and significance.

TABLE 1—DESCRIPTION OF THE FACILITY TYPES INCLUDED IN THE SURVEY

Facility type	Description
Full-Service Restaurants	A restaurant where customers place their orders at their tables, are served their meals at the tables, receive the services of the wait staff, and pay at the end of the meals.
Fast-Food Restaurants	A restaurant that is not a full-service restaurant. This includes restaurants commonly referred to as quick-service restaurants and fast, casual restaurants.

The results of this 10-year study period will be used to:

- Develop retail food safety initiatives, policies, and targeted intervention strategies focused on controlling foodborne illness risk factors;
- Provide technical assistance to State, local, tribal, and territorial regulatory professionals;
- Identify FDA retail work plan priorities; and
- Inform FDA resource allocation to enhance retail food safety nationwide.

The statutory basis for FDA conducting this study is derived from the Public Health Service Act (PHS Act) (42 U.S.C. 243, section 311(a)). Responsibility for carrying out the provisions of the PHS Act relative to food protection was transferred to the Commissioner of Food and Drugs in 1968 (21 CFR 5.10(a)(2) and (4)). Additionally, the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 *et seq.*) and the Economy Act (31 U.S.C. 1535) require FDA to provide assistance to other Federal, State, and local government bodies.

The objectives of this study are to:

- Identify the least and most often occurring foodborne illness risk factors and food safety behaviors/practices in restaurants within the United States;
- Determine the extent to which Food Safety Management Systems and the presence of a Certified Food Protection Manager impact the occurrence of foodborne illness risk factors and food safety behaviors/practices; and
- Determine whether the occurrence of foodborne illness risk factors and food safety behaviors/practices in delis differs based on an establishment's risk categorization and status as a single-unit or multiple-unit operation (*e.g.,* restaurants that are part of an operation with two or more units).

The methodology to be used for this information collection is described as follows. To obtain a sufficient number of observations to conduct statistically significant analysis, FDA will conduct approximately 400 data collections in each facility type. This sample size has been calculated to provide for sufficient observations to be 95 percent confident that the compliance percentage is within 5 percent of the true compliance percentage.

A geographical information system database containing a listing of businesses throughout the United States provides the establishment inventory for the data collections. FDA samples establishments from the inventory based on the descriptions in table 1. FDA does not intend to sample operations that handle only prepackaged food items or conduct low-risk food preparation activities. The ''FDA Food Code'' contains a grouping of establishments by risk, based on the type of food preparation that is normally conducted within the operation (Ref. 5). The intent is to sample establishments that fall under risk categories 2 through 4.

FDA has approximately 23 Retail Food Specialists (Specialists) who serve as the data collectors for the 10-year study. The Specialists are geographically dispersed throughout the United States and possess technical expertise in retail food safety and a solid understanding of the operations within each of the facility types to be surveyed. The Specialists are also standardized by FDA's Center for Food Safety and Applied Nutrition personnel in the application and interpretation of the FDA Food Code (Ref. 5).

Sampling zones have been established that are equal to the 175-mile radius around a Specialist's home location. The sample is selected randomly from among all eligible establishments located within these sampling zones. The Specialists are generally located in major metropolitan areas (*i.e.,* population centers) across the contiguous United States. Population centers usually contain a large concentration of the establishments FDA intends to sample. Sampling from the 175-mile radius sampling zones around the Specialists' home locations provides three advantages to the study:

1. It provides a cross-section of urban and rural areas from which to sample the eligible establishments.
2. It represents a mix of small, medium, and large regulatory entities having jurisdiction over the eligible establishments.
3. It reduces overnight travel and, therefore, reduces travel costs incurred by the Agency to collect data.

The sample for each data collection period is evenly distributed among

Specialists. Given that participation in the study by industry is voluntary and the status of any given randomly selected establishment is subject to change, substitute establishments have been selected for each Specialist for cases where the restaurant facility is misclassified, closed, or otherwise unavailable, unable, or unwilling to participate.

Prior to conducting the data collection, Specialists contact the State or local jurisdiction that has regulatory responsibility for conducting retail food inspections for the selected establishment. The Specialist verifies with the jurisdiction that the facility has been properly classified for the purposes of the study and is still in operation. The Specialist ascertains whether the selected facility is under legal notice from the State or local regulatory authority. If the selected facility is under legal notice, the Specialist will not conduct a data collection, and a substitute establishment will be used. An invitation is extended to the State or local regulatory authority to accompany the Specialist on the data collection visit.

A standard form is used by the Specialists during each data collection. The form is divided into three sections: Section 1—''Establishment Information''; Section 2—''Regulatory Authority Information''; and Section 3—''Foodborne Illness Risk Factor and Food Safety Management System Assessment.'' The information in Section 1 ''Establishment Information'' of the form is obtained during an interview with the establishment owner or person in charge by the Specialist and includes a standard set of questions.

The information in Section 2—''Regulatory Authority Information'' is obtained during an interview with the program director of the State or local jurisdiction that has regulatory responsibility for conducting inspections for the selected establishment.

Section 3—''Foodborne Illness Risk Factor and Food Safety Management System Assessment'' includes three parts: Part A for tabulating the Specialists' observations of the food employees' behaviors and practices in limiting contamination, proliferation, and survival of food safety hazards; Part B for assessing the food safety management system being implemented by the facility; and Part C for assessing the frequency and extent of food employee handwashing. The information in Part A is collected from the Specialists' direct observations of food employee behaviors and practices. Infrequent, nonstandard questions may be asked by the Specialists if clarification is needed on the food safety procedure or practice being observed. The information in Part B is collected by making direct observations and asking followup questions of facility management to obtain information on the extent to which the food establishment has developed and implemented food safety management systems. The information in Part C is collected by making direct observations of food employee handwashing. No questions are asked in the completion of Section 3, Part C of the form.

FDA collects the following information associated with the establishment's identity: Establishment name, street address, city, State, ZIP Code, county, industry segment, and facility type. The establishment-identifying information is collected to ensure the data collections are not duplicative. Other information related to the nature of the operation, such as seating capacity and number of employees per shift, is also collected. Data will be consolidated and reported in a manner that does not reveal the identity of any establishment included in the study.

FDA has collaborated with the Food Protection and Defense Institute to develop a web-based platform in FoodSHIELD to collect, store, and analyze data for the Retail Risk Factor Study. This platform is accessible to State, local, territorial, and tribal regulatory jurisdictions to collect data relevant to their own risk factor studies. For the 2015–2016 data collection, FDA piloted the use of hand-held technology for capturing the data onsite during the data collection visits. The tablets that were made available for the data collections were part of a broader Agency initiative focused on internal uses of hand-held technology. The tablets provided for the data collection presented several technical and logistical challenges and increased the time burden associated with the data collection as compared to the manual entry of data collections. For these reasons, FDA will not be further evaluating hand-held technology in subsequent data collections during the 10-year study period.

When a data collector is assigned a specific establishment, he or she conducts the data collection and enters the information into the web-based data platform. The interface will support the manual entering of data, as well as the ability to directly enter information in the database via a web browser.

The burden for the 2021–2022 data collection is as follows. For each data collection, the respondents will include: (1) The person in charge of the selected facility (whether it be a fast- food or full-service restaurant); and (2) the program director (or designated individual) of the respective regulatory authority. In order to provide the sufficient number of observations needed to conduct a statistically significant analysis of the data, FDA has determined that 400 data collections will be required in each of the two restaurant facility types. Therefore, the total number of responses will be 1,600 (400 data collections × 2 facility types × 2 respondents per data collection).

The burden associated with the completion of Sections 1 and 3 of the form is specific to the persons in charge of the selected facilities. The burden includes the time it will take the person in charge to accompany the data collector during the site visit and answer the data collector's questions. The burden related to the completion of Section 2 of the form is specific to the program directors (or designated individuals) of the respective regulatory authorities. The burden includes the time it will take to answer the data collectors' questions and is the same regardless of the facility type.

In the **Federal Register** of March 16, 2021 (86 FR 14433), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received two comments; only one comment we received was responsive to the four collection of information topics solicited.

(Comment) The Academy of Nutrition and Dietetics (the Academy) commented that they support the proposed information collection for the survey on the occurrence of foodborne illness risk factors in various settings. The Academy provided comments pertaining to the following general areas of the study:

a. Question whether 90 minutes is adequate for surveying larger facilities.

b. Request FDA evaluate the impact of conducting surveys during peak hours of operation.

c. Suggest that the use of gloves is not adequately addressed in the survey.

d. Encourage continued efforts to simplify and standardize expiration dates.

Related to foodservice operations at the retail level, the Academy provided the following comments:

e. FDA consider modifying the survey to account for new foods and new means of conveying food.

The Academy provided the following comment specific to pandemic-related considerations:

f. FDA consider modifying the survey to include trends for hot-holding and online delivery due to the COVID–19 pandemic.

The Academy also provided comments related to statistical analysis and data sharing:

g. FDA make the dataset public for further analysis.

h. FDA consider peer review of the report.

(Response) FDA thanks the submitter for their comments and appreciates their support. Regarding general areas of the study, FDA provides the following responses:

a. The current 10-year study estimates 90 minutes as the average time needed to adequately collect necessary information, taking into account both small and large facilities. This average time is consistent with the amount of time burden estimated for the previous data collection periods and provides a sufficient timeframe to observe food safety practices and procedures that are the focus of the study.

b. Based on the methodology of the study, the information collection is performed during hours of operation of the randomly selected facility. Data collections are scheduled at times that provide the best opportunity to observe food preparation activities, which often include peak operations.

c. Information collection related to handwashing and no bare hand contact with ready-to-eat foods, which may include use of gloves, is based on assessment of observations against the most current addition of the FDA Model Food Code. Provisions of the FDA Food Code identify when handwashing and no bare hand contact with ready-to-eat food are required during food preparation and service. The current FDA Food Code does not recognize the use of hand antiseptics in lieu of handwashing during food preparation and service.

d. The scope of this data collection focuses on foodborne illness risk factors and does not include assessment of expiration dates of manufactured foods as part of this research assessment.

Related to foodservice operations at the retail level, FDA provides the following responses:

e. The study design accounts for a variety of food conveyances in the retail food setting. The study includes four major segments of the retail and foodservice industries that account for over a million varied and diverse types of operations in the United States:

- Restaurants
- Healthcare Facilities
- Schools (K–12)
- Retail Food Stores

Related to the Academy's comments on pandemic-related considerations, FDA provides the following response:

f. The study design is based on operations regardless of extenuating circumstances. While there is utility in investigating the trends in food service, this study must focus its efforts throughout the 10-year period to ensure data can be adequately trended. Two of the three data collections for this trending were already complete before the pandemic and a singular data point with these new metrics would not be of much utility. FDA fully supports the New Era of Smarter Food Safety blueprint and endeavors to collect data to support that effort.

Regarding statistical analysis and data sharing, FDA provides the following responses:

g. FDA strives to ensure the data is available to parties upon request. Additionally, a new Topline Summary is published to *https://www.fda.gov/food/retail-food-protection/retail-food-risk-factor-study* along with the technical report, with much of the data commonly requested for independent analysis.

h. FDA acknowledges the benefit of peer review. For any manuscripts published resulting from the dataset, peer review is sought. For the technical report of the data, FDA will continue to utilize the format which is familiar to and accepted by our stakeholders.

To calculate the estimate of the hours per response, FDA will use the average data collection duration for the same facility types during the 2015–2016 data collection. FDA estimates that it will take the persons in charge of full-service restaurants and fast-food restaurants 104 minutes (1.73 hours) and 82 minutes (1.36 hours), respectively, to accompany the data collectors while they complete Sections 1 and 3 of the form. In comparison, for the 2017–2018 data collection, the burden estimate was 106 minutes (1.76 hours) in full-service restaurants and 73 minutes (1.21 hours) in fast-food restaurants. FDA estimates that it will take the program director (or designated individual) of the respective regulatory authority 30 minutes (0.5 hours) to answer the questions related to Section 2 of the form. This burden estimate is unchanged from the last data collection. Hence, the total burden estimate for a data collection in a full-service restaurant, including both the program director's and the person in charge's responses, is 134 minutes (104 + 30) (2.23 hours). The total burden estimate for a data collection in a fast-food restaurant, including both the program director's and the person in charge's responses, is 112 minutes (82 + 30) (1.86 hours).

Based on the number of entry refusals from the 2017–2018 data collection, we estimate a refusal rate of 2 percent for the data collections within restaurant facility types. The estimate of the time per non-respondent is 5 minutes (0.08 hours) for the person in charge to listen to the purpose of the visit and provide a verbal refusal of entry.

FDA estimates the burden of this collection of information as follows:

TABLE 2—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Number of non-respondents	Number of responses per non-respondent	Total annual non-responses	Average burden per response	Total hours
2021–2022 Data Collection (Fast-Food Restaurants)—Completion of Sections 1 and 3	400	1	400				1.36	544
2021–2022 Data Collection (Full-Service Restaurants)—Completion of Sections 1 and 3	400	1	400				1.73	692

TABLE 2—ESTIMATED ANNUAL REPORTING BURDEN [1]—Continued

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Number of non-respondents	Number of responses per non-respondent	Total annual non-responses	Average burden per response	Total hours
2021–2022 Data Collection-Completion of Section 2—All Facility Types	800	1	800				0.5 (30 minutes)	400
2021–2022 Data Collection-Entry Refusals—All Facility Types				16	1	16	0.08 (5 minutes)	1.28
Total Hours								1,637.28

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

II. References

The following references are on display in the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500 and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at *https://www.regulations.gov.* FDA has verified the website addresses, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

1. FDA, ''Report of the FDA Retail Food Program Database of Foodborne Illness Risk Factors (2000).'' Available at *https://wayback.archive-it.org/7993/20170406023019/https://www.fda.gov/downloads/Food/GuidanceRegulation/UCM123546.pdf.*
2. FDA, ''FDA Report on the Occurrence of Foodborne Illness Risk Factors in Selected Institutional Foodservice, Restaurant, and Retail Food Store Facility Types (2004).'' Available at *https://wayback.archive-it.org/7993/20170406023011/https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodborneIllnessRiskFactorReduction/UCM423850.pdf.*
3. FDA, ''FDA Report on the Occurrence of Foodborne Illness Risk Factors in Selected Institutional Foodservice, Restaurant, and Retail Food Store Facility Types (2009).'' Available at *https://wayback.archive-it.org/7993/20170406023004/https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodborneIllnessRiskFactorReduction/ucm224321.htm.*
4. FDA National Retail Food Team, ''FDA Trend Analysis Report on the Occurrence of Foodborne Illness Risk Factors in Selected Institutional Foodservice, Restaurant, and Retail Food Store Facility Types (1998–2008).'' (2010). Available at *https://wayback.archive-it.org/7993/20170406022950/https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodborneIllnessRiskFactorReduction/ucm223293.htm.*
5. FDA, ''FDA Food Code.'' Available at *https://www.fda.gov/FoodCode.*

Dated: July 26, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021–16199 Filed 7–28–21; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–New]

Agency Information Collection Request; 60-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before September 27, 2021.

ADDRESSES: Submit your comments to *Sherrette.Funn@hhs.gov* or by calling (202) 795–7714.

FOR FURTHER INFORMATION CONTACT: When submitting comments or requesting information, please include the document identifier 0990–New–60D and project title for reference, to Sherrette A. Funn, email: *Sherrette.Funn@hhs.gov,* or call (202) 795–7714 the Reports Clearance Officer.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Institutional Review Board (IRB) Records for HHS/OASH Consultation Process.

Type of Collection: New.

OMB No.: OS–0990–New.

Abstract: The Office of the Assistant Secretary for Health, Office for Human Research Protections is requesting a new approval from the Office of Management and Budget of the Office for Human Research Protections (OHRP) requirement that Institutional Review Board records be submitted when an IRB or its institution request an HHS consultation process, for proposed research involving, respectively: (1) Pregnant women, human fetuses and neonates; (2) prisoners; or, (3) children, as subjects that are not otherwise approval by an IRB. The Office of the Assistant Secretary for Health, on behalf of the Secretary of HHS, may determine that such research can be conducted or supported by HHS after consulting with experts and allowing for public review of, and comment on, the proposed research.

Likely Respondents: Institutional Review Boards (IRBs).

ANNUALIZED BURDEN HOUR TABLE

45 CFR part 46—HHS consultation process provision	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Subpart B, § 46.207	3	1	1	3
Subpart C, § 46.306 (iii) and (iv)	3	1	1	3
Subpart D, § 46.407	4	1	1	4
Total				10

Sherrette A. Funn,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2021–16159 Filed 7–28–21; 8:45 am]

BILLING CODE 4150–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Advisory Committee on Blood and Tissue Safety and Availability

AGENCY: Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The U.S. Department of Health and Human Services is hereby giving notice that the Advisory Committee on Blood and Tissue Safety and Availability (ACBTSA) will hold a virtual meeting. The meeting will be open to the public. The committee will discuss recommendations to improve the supply chain and data infrastructure that supports the blood industry, especially during public health emergencies. To facilitate this discussion, key stakeholders from across the nation and around the world will present on hemovigilance, preparedness, inventory management systems and other relevant issues.

DATES: The meeting will take place virtually on Tuesday, August 17, 2021 from approximately 10:00 a.m.–6:00 p.m. and Wednesday, August 18, 2021 from approximately 10:00 a.m.–6:00 p.m. Eastern Time (ET). Meeting times are tentative and subject to change. The confirmed times and agenda items for the meeting will be posted on the ACBTSA web page at *https://www.hhs.gov/oidp/advisory-committee/blood-tissue-safety-availability/meetings/2021-08-17/index.html* when this information becomes available.

FOR FURTHER INFORMATION CONTACT: James Berger, Designated Federal Officer for the ACBTSA; Office of Infectious Disease and HIV/AIDS Policy, Office of the Assistant Secretary for Health, Department of Health and Human Services, Mary E. Switzer Building, 330 C Street SW, Suite L600, Washington, DC 20024. Email: *ACBTSA@hhs.gov.*

SUPPLEMENTARY INFORMATION: ACBTSA is a discretionary Federal advisory committee. ACBTSA The Committee is governed by the provisions of the Federal Advisory Committee Act (FACA), Public Law 92–463, as amended (5 U.S.C. App), which sets forth standards for the formation and use of advisory committees. On the day of the meeting, please go to *https://www.hhs.gov/live/index.html* to view the meeting. The public will have an opportunity to present their views to the ACBTSA orally during the meeting's public comment session or by submitting a written public comment. Comments should be pertinent to the meeting discussion. Persons who wish to provide verbal or written public comment should review instructions at *https://www.hhs.gov/oidp/advisory-committee/blood-tissue-safety-availability/meetings/2021-08-17/index.html* and respond by midnight August 9, 2021, ET. Verbal comments will be limited to three minutes each to accommodate as many speakers as possible. Written public comments will be accessible to the public on the ACBTSA web page prior to the meeting.

ACBTSA functions to provide advice to the Secretary through the Assistant Secretary for Health on a range of policy issues to include: (1) Identification of public health issues through surveillance of blood and tissue safety issues with national survey and data tools; (2) identification of public health issues that affect availability of blood, blood products, and tissues; (3) broad public health, ethical, and legal issues related to the safety of blood, blood products, and tissues; (4) the impact of various economic factors (*e.g.,* product cost and supply) on safety and availability of blood, blood products, and tissues; (5) risk communications related to blood transfusion and tissue transplantation; and (6) identification of infectious disease transmission issues for blood, organs, blood stem cells and tissues. The Committee has met regularly since its establishment in 1997.

Dated: July 23, 2021.

James J. Berger,

Designated Federal Officer, Advisory Committee on Blood and Tissue Safety and Availability, Office of Infectious Disease and HIV/AIDS Policy.

[FR Doc. 2021–16120 Filed 7–28–21; 8:45 am]

BILLING CODE 4150–28–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Implementation Research to Improve Case Finding, Cascade Screening, and Treatment for Familial Hypercholesterolemia (FH).

Date: September 2, 2021.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Bethesda, MD 20817 (Virtual Meeting).

Contact Person: Susan Wohler Sunnarborg, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–Z, Bethesda, MD 20892, (301) 827–7987, *susan.sunnarborg@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung

Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: July 23, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–16160 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Workshop on Exploring the Science Surrounding the Safe Use of Bioactive Ingredients in Infant Formula: Considerations for an Assessment Framework

AGENCY: National Institutes of Health, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: This 2-day, virtual workshop—Exploring the Science Surrounding the Safe Use of Bioactive Ingredients in Infant Formula: Considerations for an Assessment Framework—focuses on the functional state-of-the-science of biologically active human milk components and analogs and the implications for safety assessments when used in infant formula.

DATES: The Meeting will be held on September 23–24, 2021, from 10:30 a.m. to 4:30 p.m. (ET).

ADDRESSES: This workshop will be videocast at *https://videocast.nih.gov.*

FOR FURTHER INFORMATION CONTACT: For information concerning this meeting, contract Dr. Ashley Vargas, Pediatric Growth and Nutrition Branch, Division of Extramural Research, *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, 6701B Rockledge Drive, Room 2423C, Bethesda, MD 20817, telephone: 301–827–6030, email: *ashley.vargas@nih.gov.*

SUPPLEMENTARY INFORMATION: This **Federal Register** notice is in accordance with 42 U.S.C. 285g, of the Public Health Service Act, as amended. This workshop is led by the *Eunice Kennedy Shriver* National Institute of Child Health and Human Development (NICHD), the National Institutes of Health (NIH) Office of Dietary Supplements (ODS), and the Food and Drug Administration (FDA). The workshop is free and open to the public. The workshop will be livestreamed, and the video will be archived. Registration will be available for this meeting at *https://www.nichd.nih.gov/about/meetings/2021/092321.*

Alison N. Cernich,

Deputy Director, Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health.

[FR Doc. 2021–16118 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel; IMAT Biospecimen Research.

Date: September 30, 2021.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W246, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Jun Fang, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W246, Rockville, Maryland 20850, 240–276–5460, *jfang@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–2: NCI Clinical and Translational Cancer Research.

Date: October 20–21, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W264, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Ombretta Salvucci, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W264, Rockville, Maryland 20850, 240–276–7286, *salvucco@mail.nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group; Transition to Independence Study Section (I).

Date: October 20–21, 2021.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W602, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Delia Tang, M.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W602, Rockville, Maryland 20850, 240–276–6456, *tangd@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–3: NCI Clinical and Translational Cancer Research.

Date: October 21–22, 2021.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W102, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Shuli Xia, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W102, Rockville, Maryland 20850, *shuli.xia@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–8: NCI Clinical and Translational Cancer Research.

Date: November 4–5, 2021.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W126, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Susan Lynn Spence, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W126, Rockville, Maryland 20850, *susan.spence@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–4: NCI Clinical and Translational Cancer Research.

Date: November 4–5, 2021.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W254, Rockville, Maryland 20850 (Telephone Conference Call).

Contact Person: Eduardo Emilio Chufan, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W254, Rockville, Maryland 20850, 240–276–7975, *chufanee@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction;

93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: July 26, 2021.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–16162 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; P41 NCBIB Review F–SEP.

Date: October 25–26, 2021.

Time: 09:00 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Democracy II, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Dennis Hlasta, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, (301) 451–3398, *dennis.hlasta@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, HHS)

Dated: July 23, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–16161 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

The National Institutes of Health (NIH) Scientific Workshop on Violence & Related Health Outcomes in Sexual & Gender Minority Communities Open Session

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Institutes of Health (NIH) will hold the Phase IV open session for the NIH Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority (SGM) Communities to enhance our understanding of violence against SGM individuals and identify opportunities in violence-related research. The primary objectives of NIH's Phase IV meeting are: (1) To allow the public to participate, and (2) to further refine research opportunities.

DATES: The NIH Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities Phase IV virtual meeting will be held on Thursday, August 26, 2021, from 12:00–4:00 p.m. Eastern Daylight Time (New York, GMT).

ADDRESSES: The meeting will be held virtually via WebEx.

The preliminary agenda and registration are available at *https://tinyurl.com/SGMwkshp.*

FOR FURTHER INFORMATION CONTACT: Irene Avila, Ph.D., Assistant Director, Sexual & Gender Minority Research Office (SGMRO), *avilai@mail.nih.gov,* 301–594–9701.

SUPPLEMENTARY INFORMATION:

Background: ''Sexual and gender minority'' is an umbrella term that includes, but is not limited to, individuals who identify as lesbian, gay, bisexual, asexual, transgender, Two-Spirit, queer, and/or intersex. Individuals with same-sex or -gender attractions or behaviors and those with a difference in sex development are also included. These populations also encompass those who do not self-identify with one of these terms but whose sexual orientation, gender identity or expression, or reproductive development is characterized by non-binary constructs of sexual orientation, gender, and/or sex.

In accordance with Section 404N of the 21st Century Cures Act (Pub. L. 114–255), the Director of NIH shall encourage research on SGM populations. The Sexual and Gender Minority Research Office (SGMRO) coordinates SGM-related research and activities by working directly with NIH Institutes, Centers, and Offices. The Office was officially established in September 2015 within the Division of Program Coordination, Planning, and Strategic Initiatives (DPCPSI) in the NIH Office of the Director and has the following operational goals: (1) Advance rigorous research on the health of SGM populations in both the extramural and intramural research communities; (2) expand SGM health research by fostering partnerships and collaborations with a strategic array of internal and external stakeholders; (3) foster a highly skilled and diverse workforce in SGM health research; and (4) encourage data collection related to SGM populations in research and the biomedical research workforce. The Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities represents an important step in pursuing these goals specifically in the field of violence research.

The NIH Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities Phase IV Public Meeting Details

The NIH Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities invites stakeholders throughout the scientific research community, clinical practice communities, patient and family advocates, scientific or professional organizations, federal partners, internal NIH stakeholders, and other interested members of the public to participate and provide comments, questions, or feedback at the workshop. The goal of the meeting is to identify opportunities in violence-related research. Public input will serve as a valuable element in the development of the final proposed research opportunities.

This notice serves as the announcement for the fourth and final phase of the Scientific Workshop on Violence and Related Health Outcomes in Sexual and Gender Minority Communities. Phase I was the Request for Information (RFI) *https://www.federalregister.gov/documents/2020/11/25/2020-26094/request-for-information-on-research-opportunities-related-to-the-national-institutes-of-health* published in November 2020. The summary of the comments received can be found on the *https://dpcpsi.nih.gov/sgmro* website. Phase II was a session on the state of the science for violence research affecting SGM communities (a recording will be

available after August 26, 2021). The meeting applied an ecological model focusing on family of origin abuse across the lifespan, victimization by peers and friends, romantic and sexual partner violence, and community violence. Phase III included working groups to identify and describe research opportunities to further understand the role of violence in the health of SGM individuals. The working groups were comprised of these five domains:

- Demographics and Epidemiology
- Risk Factors and Pathways
- Preventive Interventions
- Treatment-focused Interventions
- Ethics and Logistical Challenges

Phase IV will involve moderated discussions with the presenters from the Phase III working groups to refine research opportunities needed to further our understanding of violence in SGM communities. Audience feedback, comments, and questions during this session will help further refine the proposed research opportunities.

Dated: July 21, 2021.

Lawrence A. Tabak,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2021–16190 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed 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; Signaling and Molecular Endocrinology.

Date: August 23, 2021.

Time: 3:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Latha Meenalochana Malaiyandi, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 812Q, Bethesda, MD 20892, (301) 435–1999, *malaiyandilm@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 23, 2021.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–16112 Filed 7–28–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[CBP Dec. 21–12]

COBRA Fees To Be Adjusted for Inflation in Fiscal Year 2022

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document announces that U.S. Customs and Border Protection (CBP) is adjusting certain customs user fees and corresponding limitations established by the Consolidated Omnibus Budget Reconciliation Act (COBRA) for Fiscal Year 2022 in accordance with the Fixing America's Surface Transportation Act (FAST Act) as implemented by the CBP regulations.

DATES: The adjusted amounts of customs COBRA user fees and their corresponding limitations set forth in this notice for Fiscal Year 2022 are required as of October 1, 2021.

FOR FURTHER INFORMATION CONTACT: Tina Ghiladi, Senior Advisor, International Travel & Trade, Office of Finance, 202–344–3722, *UserFeeNotices@cbp.dhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

A. Adjustments of COBRA User Fees and Corresponding Limitations for Inflation

On December 4, 2015, the Fixing America's Surface Transportation Act (FAST Act, Pub. L. 114–94) was signed into law. Section 32201 of the FAST Act amended section 13031 of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 (19 U.S.C. 58c) by requiring the Secretary of the Treasury (Secretary) to adjust certain customs COBRA user fees and corresponding limitations to reflect certain increases in inflation.

Sections 24.22 and 24.23 of title 19 of the Code of Federal Regulations (19 CFR 24.22 and 24.23) describe the procedures that implement the requirements of the FAST Act. Specifically, paragraph (k) in § 24.22 (19 CFR 24.22(k)) sets forth the methodology to determine the change in inflation as well as the factor by which the fees and limitations will be adjusted, if necessary. The fees and limitations subject to adjustment, which are set forth in appendix A and appendix B of part 24, include the commercial vessel arrival fees, commercial truck arrival fees, railroad car arrival fees, private vessel arrival fees, private aircraft arrival fees, commercial aircraft and vessel passenger arrival fees, dutiable mail fees, customs broker permit user fees, barges and other bulk carriers arrival fees, and merchandise processing fees, as well as the corresponding limitations.

B. Determination of Whether an Adjustment Is Necessary for Fiscal Year 2022

In accordance with 19 CFR 24.22, CBP must determine annually whether the fees and limitations must be adjusted to reflect inflation. For Fiscal Year 2022, CBP is making this determination by comparing the average of the Consumer Price Index—All Urban Consumers, U.S. All items, 1982–1984 (CPI–U) for the current year (June 2020–May 2021) with the average of the CPI–U for the comparison year (June 2019–May 2020) to determine the change in inflation, if any. If there is an increase in the CPI–U of greater than one (1) percent, CBP must adjust the customs COBRA user fees and corresponding limitations using the methodology set forth in 19 CFR 24.22(k). Following the steps provided in paragraph (k)(2) of § 24.22, CBP has determined that the increase in the CPI–U between the most recent June to May twelve-month period (June 2020–May 2021) and the comparison year (June 2019–May 2020) is 1.94 [1] percent. As the increase in the CPI–U is greater than one (1) percent, the customs COBRA user fees and corresponding limitations must be adjusted for Fiscal Year 2022.

[1] The figures provided in this notice may be rounded for publication purposes only. The calculations for the adjusted fees and limitations were made using unrounded figures, unless otherwise noted.

C. Determination of the Adjusted Fees and Limitations

Using the methodology set forth in § 24.22(k)(2) of the CBP regulations (19 CFR 24.22(k)), CBP has determined that the factor by which the base fees and limitations will be adjusted is 11.009 percent (base fees and limitations can be found in appendices A and B to part 24 of title 19). In reaching this determination, CBP calculated the values for each variable found in paragraph (k) of 19 CFR 24.22 as follows:

- The arithmetic average of the CPI–U for June 2020–May 2021, referred to as (A) in the CBP regulations, is 261.992;
- The arithmetic average of the CPI–U for Fiscal Year 2014, referred to as (B), is 236.009;
- The arithmetic average of the CPI–U for the comparison year (June 2019–May 2020), referred to as (C), is 257.092;
- The difference between the arithmetic averages of the CPI–U of the comparison year (June 2019–May 2020) and the current year (June 2020–May 2021), referred to as (D), is 4.900;
- This difference rounded to the nearest whole number, referred to as (E), is 5;
- The percentage change in the arithmetic averages of the CPI–U of the comparison year (June 2019–May 2020) and the current year (June 2020–May 2021), referred to as (F), is 1.94 percent;
- The difference in the arithmetic average of the CPI–U between the current year (June 2020–May 2021) and the base year (Fiscal Year 2014), referred to as (G), is 25.984; and
- Lastly, the percentage change in the CPI–U from the base year (Fiscal Year 2014) to the current year (June 2020–May 2021), referred to as (H), is 11.009 percent.

D. Announcement of New Fees and Limitations

The adjusted amounts of customs COBRA user fees and their corresponding limitations for Fiscal Year 2022 as adjusted by 11.009 percent set forth below are required as of October 1, 2021. Table 1 provides the fees and limitations found in 19 CFR 24.22 as adjusted for Fiscal Year 2022, and Table 2 provides the fees and limitations found in 19 CFR 24.23 as adjusted for Fiscal Year 2022.

TABLE 1—CUSTOMS COBRA USER FEES AND LIMITATIONS FOUND IN 19 CFR 24.22 AS ADJUSTED FOR FISCAL YEAR 2022

19 U.S.C. 58c	19 CFR 24.22	Customs COBRA user fee/limitation	New fee/limitation adjusted in accordance with the FAST Act
(a)(1)	(b)(1)(i)	Fee: Commercial Vessel Arrival Fee	$485.11
(b)(5)(A)	(b)(1)(ii)	Limitation: Calendar Year Maximum for Commercial Vessel Arrival Fees	6,610.63
(a)(8)	(b)(2)(i)	Fee: Barges and Other Bulk Carriers Arrival Fee	122.11
(b)(6)	(b)(2)(ii)	Limitation: Calendar Year Maximum for Barges and Other Bulk Carriers Arrival Fees.	1,665.15
(a)(2)	(c)(1)	Fee: Commercial Truck Arrival Fee [2] [3]	6.10
(b)(2)	(c)(2) and (3)	Limitation: Commercial Truck Calendar Year Prepayment Fee [4]	111.01
(a)(3)	(d)(1)	Fee: Railroad Car Arrival Fee	9.16
(b)(3)	(d)(2) and (3)	Limitation: Railroad Car Calendar Year Prepayment Fee	111.01
(a)(4)	(e)(1) and (2)	Fee and Limitation: Private Vessel or Private Aircraft First Arrival/Calendar Year Prepayment Fee.	30.53
(a)(6)	(f)	Fee: Dutiable Mail Fee	6.11
(a)(5)(A)	(g)(1)(i)	Fee: Commercial Vessel or Commercial Aircraft Passenger Arrival Fee	6.11
(a)(5)(B)	(g)(1)(ii)	Fee: Commercial Vessel Passenger Arrival Fee (from one of the territories and possessions of the United States).	2.14
(a)(7)	(h)	Fee: Customs Broker Permit User Fee	153.19

TABLE 2—CUSTOMS COBRA USER FEES AND LIMITATIONS FOUND IN 19 CFR 24.23 AS ADJUSTED FOR FISCAL YEAR 2022

19 U.S.C. 58c	19 CFR 24.23	Customs COBRA user fee/limitation	New fee/limitation adjusted in accordance with the FAST Act
(b)(9)(A)(ii)	(b)(1)(i)(A)	Fee: Express Consignment Carrier/Centralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee.	$1.11
(b)(9)(B)(i)	(b)(4)(ii) [5]	Limitation: Minimum Express Consignment Carrier/Centralized Hub Facility Fee.[6]	0.39

[2] The Commercial Truck Arrival Fee is the CBP fee only; it does not include the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Agricultural and Quarantine Inspection (AQI) Services Fee (currently $7.55) that is collected by CBP on behalf of USDA to make a total Single Crossing Fee of $13.65. *See* 7 CFR 354.3(c) and 19 CFR 24.22(c)(1). Once eighteen Single Crossing Fees have been paid and used for a vehicle identification number (VIN)/vehicle in a Decal and Transponder Online Procurement System (DTOPS) account within a calendar year, the payment required for the nineteenth (and subsequent) single-crossing is only the AQI fee (currently $7.55) and no longer includes CBP's $6.10 Commercial Truck Arrival fee (for the remainder of that calendar year).

[3] The Commercial Truck Arrival fee is adjusted down from $6.11 to the nearest lower nickel. *See* 82 FR 50523 (November 1, 2017).

[4] The Commercial Truck Calendar Year Prepayment Fee is the CBP fee only; it does not include the AQI Commercial Truck with Transponder Fee (currently $301.67) that is collected by CBP on behalf of APHIS to make the total Commercial Vehicle Transponder Annual User Fee of $412.68.

TABLE 2—CUSTOMS COBRA USER FEES AND LIMITATIONS FOUND IN 19 CFR 24.23 AS ADJUSTED FOR FISCAL YEAR 2022—Continued

19 U.S.C. 58c	19 CFR 24.23	Customs COBRA user fee/limitation	New fee/limitation adjusted in accordance with the FAST Act
(b)(9)(B)(i)	(b)(4)(ii)[7]	Limitation: Maximum Express Consignment Carrier/Centralized Hub Facility Fee.	1.11
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)[8]	Limitation: Minimum Merchandise Processing Fee[9]	27.75
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)[10]	Limitation: Maximum Merchandise Processing Fee[11 12]	538.40
(b)(8)(A)(ii)	(b)(1)(ii)	Fee: Surcharge for Manual Entry or Release	3.33
(a)(10)(C)(i)	(b)(2)(i)	Fee: Informal Entry or Release; Automated and Not Prepared by CBP Personnel.	2.22
(a)(10)(C)(ii)	(b)(2)(ii)	Fee: Informal Entry or Release; Manual and Not Prepared by CBP Personnel	6.66
(a)(10)(C)(iii)	(b)(2)(iii)	Fee: Informal Entry or Release; Automated or Manual; Prepared by CBP Personnel.	9.99
(b)(9)(A)(ii)	(b)(4)	Fee: Express Consignment Carrier/Centralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee.	1.11

Tables 1 and 2, setting forth the adjusted fees and limitations for Fiscal Year 2022, will also be maintained for the public's convenience on the CBP website at *www.cbp.gov.*

Troy A. Miller, the Acting Commissioner, having reviewed and approved this document, is delegating the authority to electronically sign this notice document to Robert F. Altneu, who is the Director of the Regulations and Disclosure Law Division for CBP, for purposes of publication in the **Federal Register**.

Robert F. Altneu,

Director, Regulations & Disclosure Law Division, Regulations & Rulings, Office of Trade, U.S. Customs and Border Protection.

[FR Doc. 2021–16237 Filed 7–27–21; 11:15 am]

BILLING CODE 9111–14–P

[5] Appendix B of part 24 inadvertently included a reference to paragraph (b)(1)(i)(B)(2) of section 24.23. However, the reference should have been to paragraph (b)(4)(ii). CBP intends to publish a future document in the **Federal Register** to make several technical corrections to part 24 of title 19 of the CFR, including corrections to Appendix B of part 24. The technical corrections will also address the inadvertent errors specified in footnotes 7, 8, and 10 below.

[6] Although the minimum limitation is published, the fee charged is the fee required by 19 U.S.C. 58c(b)(9)(A)(ii).

[7] Appendix B of part 24 inadvertently included a reference to paragraph (b)(1)(i)(B)(2) of section 24.23. However, the reference should have been to paragraph (b)(4)(ii).

[8] Appendix B of part 24 inadvertently included a reference to paragraph (b)(1)(i)(B)(1) of section 24.23. However, the reference should have been to paragraph (b)(1)(i)(B).

[9] Only the limitation is increasing; the *ad valorem* rate of 0.3464 percent remains the same. *See* 82 FR 50523 (November 1, 2017).

[10] Appendix B of part 24 inadvertently included a reference to paragraph (b)(1)(i)(B)(1) of section 24.23. However, the reference should have been to paragraph (b)(1)(i)(B).

[11] Only the limitation is increasing; the *ad valorem* rate of 0.3464 percent remains the same. *See* 82 FR 50523 (November 1, 2017).

[12] For monthly pipeline entries, see *https://www.cbp.gov/trade/entry-summary/pipeline-monthly-entry-processing/pipeline-line-qa.*

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2021–0003]

Correction to Notice of Request for Revision of a Currently Approved Information Collection 1670–0014 for the Chemical Facility Anti-Terrorism Standards (CFATS)

AGENCY: Cybersecurity and Infrastructure Security Agency, DHS.

ACTION: Correction; extension of comment period.

SUMMARY: On June 23, 2021, the Cybersecurity and Infrastructure Security Agency (CISA) published a 30-day notice and requested comments to revise Information Collection Request (ICR) 1670–0014 in the **Federal Register**. On June 29, CISA published a corrective notice. This notice extends the comment period for this notice for an additional 30 days.

DATES: Comments are due by August 30, 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 first selecting the ''Information Collection Request'' tab and scrolling down to ''Information Collection Review.'' Then, select ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Lona Saccomando, 202–579–0590, *CISARegulations@cisa.dhs.gov.*

SUPPLEMENTARY INFORMATION: CISA published the required 30-day notice for ICR 1670–0014 in the **Federal Register** on June 23, 2021. See 86 FR 32953. CISA published a corrective notice for ICR 1670–0014 in the **Federal Register** on June 29, 2021. See 86 FR 34267. After publication of the corrective notice a technical error resulted in ICR 1670–0014 being unavailable for comment on *www.reginfo.gov/public/do/PRAMain.* As a result, the comment period has been updated in the **DATES** section of this notice. Public comments will be accepted for 30 days after the publication date of this corrective notice.

Comments submitted in response to this notice may be made available to the public through relevant public websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice. Comments that include protected information such as trade secrets, confidential commercial or financial information, Chemical-terrorism Vulnerability Information (CVI),[1] Sensitive Security Information

[1] For more information about CVI see 6 CFR 27.400 and the CVI Procedural Manual at *www.dhs.gov/publication/safeguarding-cvi-manual.*

(SSI),[2] or Protected Critical Infrastructure Information (PCII)[3] should not be submitted to the public docket. Comments containing protected information should be appropriately marked and packaged in accordance with all applicable requirements and submission must be coordinated with the point of contact for this notice provided in **FOR FURTHER INFORMATION CONTACT** section. CISA will forward all comments containing protected information that are received before the submission deadline to the OMB Desk Officer.

Authority: 6 U.S.C. 621–629.

Samuel Vazquez,

Acting Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2021–16215 Filed 7–27–21; 4:15 pm]

BILLING CODE 9110–9P–P

[2] For more information about SSI see 49 CFR part 1520 and the SSI Program web page at *www.tsa.gov/for-industry/sensitive-security-information.*

[3] For more information about PCII see 6 CFR part 29 and the PCII Program web page at *www.dhs.gov/pcii-program.*

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2694–21; DHS Docket No. USCIS–2021–0009]

Notice of Approval of New Credentialing Organization for Healthcare Workers for Certain Immigration Purposes

AGENCY: Department of Homeland Security, U.S. Citizenship and Immigration Services.

ACTION: Notice.

SUMMARY: The Department of Homeland Security (''DHS'' or ''the Department''), U.S. Citizenship and Immigration Services (USCIS), is issuing this document to inform the public of the approval of a new credentialing organization for certain health care workers for certain immigration purposes.

DATES: USCIS approved the application from Josef Silny Associates, Inc. on July 22, 2021.

FOR FURTHER INFORMATION CONTACT: Charles L. Nimick, Chief, Business and Foreign Workers Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 5900 Capital Gateway Drive, Camp Springs, MD 20746; or by phone at 240–721–3000 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–877–889–5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION: Sections 212(a)(5)(C) and 212(r) of the Immigration and Nationality Act (the Act), 8 U.S.C. 1182(a)(5)(C) and (r), as well as the DHS regulations at 8 CFR 214.1(i) and (j) and 212.15(a) and (n)(3) require that an individual who seeks admission to the United States as a nonimmigrant or immigrant, or who is the beneficiary of a change of status petition, or who is applying for adjustment of status, in the United States for the purpose of performing labor in certain health care occupations is inadmissible unless he or she presents a certificate from an authorized credentialing organization. DHS regulations at 8 CFR 212.15(e)(1) through (3) expressly authorize the Commission on Graduates of Foreign Nursing Schools (CGFNS), the National Board for Certification in Occupational Therapy (NBCOT), and the Foreign Credentialing Commission on Physical Therapy (FCCPT) to issue such certificates. DHS regulations also establish detailed standards for the approval of additional credentialing organizations after consultation with the Secretary of Health and Human Services, and USCIS has created an adjudicatory framework for the filing and adjudication of those applications, using Form I–905, *Application for Authorization to Issue Certification for Health Care Workers.* 8 CFR 212.15(j) and (k). The regulations also provide for periodic review and, if necessary, termination of credentialing organizations. 8 CFR 212.15(l) and (m). Finally, the regulations direct DHS to notify the public of the approval of additional credentialing organizations by publishing notices in the **Federal Register**. 8 CFR 212.15(e) and (h).

On July 22, 2021, USCIS, following consultation with the Secretary of Health and Human Services, approved the application from Josef Silny Associates, Inc., as an organization authorized to issue certificates and certified statements under sections 212(a)(5)(C) and 212(r) of the Act, 8 U.S.C. 1182(a)(5)(C) and (r), for individuals seeking to enter the United States for the primary purpose of working as a nurse. This notice is being provided in accordance with 8 CFR 212.15(e) and (h). Further guidance on certificates for health care workers is available at *https://www.uscis.gov/working-in-the-united-states/temporary-workers/health-care-worker-certification.*

Tracy L. Renaud,

Acting Director.

[FR Doc. 2021–16181 Filed 7–28–21; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7036–N–07]

60-Day Notice of Proposed Information Collection: Closeout Instructions for Community Development Block Grant Programs (CDBG); OMB Control No: 2506–0193

AGENCY: Office of Community Planning and Development, Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 27, 2021.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Anna Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–5535 (this is not a toll-free number) or email at *Anna.p.Guido@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Robert Peterson, Director of State and Small Cities Division, Office of Block Grant Assistance, Department of Housing and Urban Development, email Robert Peterson at *Robert.C.Peterson@hud.gov* or telephone 202–402–4211. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Closeout Instructions for Community Development Block Grant Programs (CDBG).

OMB Approval Number: 2506–0193.

Type of Request: Extension of currently approved collection.

Form Number: 7082.

Description of the need for the information and proposed use: This information collection is being conducted by HUD's Community Planning and Development Office of Block Grant Assistance (CPDOBGA) to assist HUD in determining, as required by Section 104(e) of the Housing and Community Development Act of 1974 (HCDA), and outlined in Subpart I (for States) and Subpart J (for entitlements) of the CDBG regulation, whether Grantees, (Entitlement communities, States and units of general local governments) have carried out eligible activities and its certifications in accordance with the statutory and regulatory requirements governing State CDBG, CDBG–R, Disaster Recovery, Neighborhood Stabilization Program (NSP) 1, NSP2 and NSP 3 grants prior to closing the grant allocation. The submission of the HUD *7082—Funding Approval Form* is necessary as the form is the Grant Agreement between the Department of Housing and Urban Development (HUD) and the Grantee and is made pursuant to the authority of the HCDA, as amended, (42 U.S.C. 5301 *et seq.*). HUD will make the funding assistance as specified to the grantee upon execution of the Agreement.

We request the paperwork approval because the funding approval form is a vehicle for standardizing the agreements between HUD and each of its grantees.

Respondents (*i.e.,* affected public): 3,325.

Estimated Number of Respondents: 3,325.

Estimated Number of Responses: 3,325.

Frequency of Response: Annually.

Average Hours per Response: .25.

Total Estimated Burdens: 5,581.

GRANT CLOSEOUT FORM

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
States Total	182.00	1.00	182.00	3.00	546.00	$41.78	$22,811.88
Counties in Hawaii Total	3.00	1.00	3.00	3.00	9.00	41.78	376.02
Entitlement Total	1,490.00	1.00	1,490.00	3.00	4,470.00	41.78	186,756.60
Non-entitlement Total	32.00	1.00	32.00	3.00	96.00	41.78	4,010.88
Non-Profits and Quasi-public Total	20.00	1.00	20.00	3.00	60.00	41.78	2,506.80
Funding Approval Total	1,727.00	1.00	1,727.00	3.00	5,181.00	41.78	216,462.18

FUNDING APPROVAL/AGREEMENT 7082 FORM

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
State Total	132.00	1.00	132.00	0.25	33.00	$41.78	$1,378.74
Counties in Hawaii Total	3.00	1.00	3.00	0.25	0.75	41.78	31.33
Entitlement Total	1,399.00	1.00	1,399.00	0.25	349.75	41.78	14,612.55
Nonentitlement Total	32.00	1.00	32.00	0.25	8.00	41.78	334.24
Nonentitlement Direct Grantees Total	32.00	1.00	32.00	0.25	8.00	41.78	334.24
Funding Approval Total	1,598.00	1.00	1,598.00	0.25	399.50	41.78	16,691.11

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Grant Closeout/Form 7082	3,325.00	1.00	3,325.00		5,581.00	$41.78	$233,174.18

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Principal Deputy Assistant Secretary for Community Planning and Development, James Arthur Jemison II, having reviewed and approved this document, is delegating the authority to electronically sign this document to submitter, Aaron Santa Anna, who is the Federal Register Liaison for HUD, for purposes of publication in the **Federal Register**.

Aaron Santa Anna,

Federal Register Liaison for the Department of Housing and Urban Development.

[FR Doc. 2021–16157 Filed 7–28–21; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2021–0044]

Commercial Leasing for Wind Power Development on the Outer Continental Shelf (OCS) Offshore Morro Bay, California, East and West Extensions—Call for Information and Nominations (Call or Notice)

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Call for information and nominations; request for comments.

SUMMARY: This Call is published to solicit public input and industry interest on potential offshore wind energy development on areas adjacent to the Morro Bay Call Area previously identified in 2018. These new areas are within a 399-square-mile area located off central California, identified as the Morro Bay 399 Area.

DATES: BOEM must receive nominations and public comments by September 13, 2021.

ADDRESSES: Submit nominations for a lease area following the instructions in section 7, ''Required Nomination Information,'' under **SUPPLEMENTARY INFORMATION** to: BOEM, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010.

Comments and other information may be submitted by either of the following two methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* In the search box, enter BOEM–2021–0044 and then click ''search.'' Follow the instructions to submit public comments and view supporting and related materials available for this notice.

2. U.S. Postal Service or other delivery service. Send your comments and information to the following address: Bureau of Ocean Energy Management, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010.

All submissions, including any personally identifiable information included in your comment, will be reported on *http://www.regulations.gov.* For additional information on sending comments and protecting your confidentiality, see section 8, ''Protection of Privileged or Confidential Information,'' under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Jean Thurston-Keller, BOEM California Intergovernmental Renewable Energy Task Force Coordinator, BOEM, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010, (805) 384–6303, or *jean.thurston-keller@boem.gov.*

SUPPLEMENTARY INFORMATION:

Authority

This Call is published pursuant to 43 U.S.C. 1337(p)(3) and the implementing regulations at 30 CFR part 585.

Call Area

The call areas described in this notice are located on the OCS offshore central California and are delineated as the Morro Bay Call Area East Extension and the Morro Bay Call Area West Extension (together, the Call Area Extensions). These areas include 2 whole OCS blocks and 221 partial blocks and comprise approximately 141 square statute miles (mi) (90,025 acres). BOEM will identify which, if any, portions of the Call Area Extensions and the Morro Bay Call Area will undergo environmental analysis and consideration for leasing as part of area identification (Area ID) during the competitive leasing process. Section 5, ''Description of the Area,'' provides a detailed description and developmental history of the Call Area Extensions.

Purpose of the Call for Information and Nominations

The OCS Lands Act requires BOEM to award leases competitively unless BOEM determines that there is no competitive interest (43 U.S.C. 1337(p)(3)). On October 19, 2018, BOEM published a call for information and nominations to solicit commercial interest in wind energy leases within three areas identified offshore California (83 FR 53096).

In this current notice, BOEM solicits information on the Call Area Extensions, as well as new nominations of commercial interest from entities that were not previously qualified by BOEM and did not submit a nomination for the Morro Bay Call Area in 2018. Entities who submitted nominations of commercial interest for the Morro Bay Call Area in 2018 do not need to respond to this Call unless they want to nominate portions of the Call Area Extensions.

BOEM determined that competitive interest existed in the Morro Bay Call Area after reviewing the nominations submitted in 2018. BOEM assumes that competitive interest will be expressed in the Call Area Extensions described in this notice given their geographical proximity to the Morro Bay Call Area. Depending on the comments received in response to this Call, BOEM may or may not proceed with the competitive leasing process set forth in 30 CFR 585.211 through 585.225. This process is explained in detail in section 3, ''BOEM's Planning and Leasing Process.''

A lease does not grant the lessee the right to construct any facilities on the leasehold. Rather, the lease grants the lessee the exclusive right to submit site assessment and construction and operations plans to BOEM, which BOEM may approve, modify, or disapprove. The lessee must obtain BOEM's approval of its plans before it may proceed to the next stage of the process (30 CFR 585.600 and 585.601).

BOEM's leasing process includes opportunities for the public to provide input, and any proposed leasing actions will be reviewed thoroughly for potential environmental impacts and multiple use conflicts. The areas that may be offered for lease, if any, have not yet been determined and may include less than the total footprint of the Call Area Extensions.

Although this notice is not itself a leasing announcement, the area described herein, or portions thereof, may be available for future leasing. Parties wishing to submit a nomination of commercial interest in response to this Call should submit detailed and specific information in response to the requirements described in section 7, ''Required Nomination Information.'' This notice also requests comments and information regarding site conditions, resources, and multiple uses in close proximity to, or within, the Call Area Extensions that would be relevant to BOEM's review of the nominations and to any subsequent decision whether to offer all or part of the Call Area Extensions for commercial wind energy leasing. Information that BOEM is requesting is described in section 6, ''Requested Information from Interested or Affected Parties.''

1 Background

On October 19, 2018, BOEM published a call for information and nominations in the **Federal Register** (2018 Call) that identified three (3) geographically distinct call areas on the OCS offshore California, delineated as the Humboldt Call Area offshore the north coast and the Morro Bay Call Area and the Diablo Canyon Call Area offshore the central coast.

Based on the 2018 Call, BOEM previously decided to move forward with the leasing process for the Humboldt Call Area. That area is not addressed in this notice.

Following the 2018 Call, the Morro Bay and Diablo Canyon Call Areas were initially assessed as incompatible for wind energy development by the U.S.

Department of Defense (DoD). However, after that initial assessment, BOEM, the State of California, various California elected officials, the National Oceanic and Atmospheric Administration's Office of National Marine Sanctuaries (ONMS) and DoD continued discussions and stakeholder outreach to find a solution that accommodated offshore wind development on the central coast and DoD's mission requirements. More information and results of these meetings and outreach can be viewed at: *https://www.boem.gov/renewable-energy/state-activities/public-information-meetings-and-outreach-efforts.*

In May 2021, the Department of the Interior, DoD, and the State of California agreed to advance areas for possible wind energy development offshore the northern and central coasts of California, enabling a path forward for the Humboldt Call Area and areas within and adjacent to the Morro Bay Call Area (*https://www.doi.gov/pressreleases/biden-harris-administration-advances-offshore-wind-pacific*). With this notice, BOEM is examining the Call Area Extensions adjacent to the Morro Bay Call Area but is not considering the Diablo Canyon Call Area.

After reviewing the information received in response to this Call, BOEM may combine all or portions of the Call Area Extensions with all or portions of the Morro Bay Call Area into one or more Wind Energy Areas (WEA) that would be subject to environmental analysis and consideration for leasing. It is unnecessary for those who previously nominated areas within the 2018 Morro Bay Call Area to do so again.

1.1 The Energy Policy Act of 2005 (EPAct)

The EPAct amended the OCS Lands Act by adding subsection 8(p),[1] which authorizes the Secretary of the Interior to grant leases, easements, and rights-of-way (ROWs) on the OCS for activities not previously authorized by the OCS Lands Act or other applicable law. Under subsection 8(p)(1)(C), the Secretary may issue leases for activities that produce or support production, transportation, or transmission of energy from sources other than oil or gas, including renewable energy sources. The Secretary delegated this authority to issue leases, easements, and ROWs to the Director of BOEM.

[1] Codified at 43 U.S.C. 1337(p).

1.2 Offshore Wind Energy Planning Efforts in California

BOEM appreciates the importance of coordinating its planning with relevant Federal agencies, Tribes, State agencies, and other OCS users. BOEM and the State of California, through the leadership of the California Energy Commission, have engaged in a collaborative, data-based offshore wind energy planning process in order to foster coordinated and informed decisions about California's shared ocean resources and the many users who depend on them. This outreach has consisted of numerous public meetings, webinars, and briefings with coastal communities, fishing communities, federally and non-federally recognized Tribes, State and Federal agencies, academia, scientists, environmental non-governmental organizations, and the offshore renewable energy industry. The summary report on this outreach can be viewed at: *https://www.boem.gov/California-Outreach-Summary-Report/.* Additional information gathered by BOEM and the State of California during the offshore wind energy planning process, including maps and spatially represented data, is available online at: *https://caoffshorewind.databasin.org/.*

1.3 BOEM California Intergovernmental Renewable Energy Task Force

At the request of Governor Brown, BOEM established an intergovernmental renewable energy task force with California in 2016 (Task Force) to facilitate coordination among relevant Federal agencies and affected Tribal, State, and local governments throughout the leasing process. The Task Force met three times: October 13, 2016; September 17, 2018; and March 9, 2020. Meeting materials are available on the BOEM website at: *https://www.boem.gov/California/.*

1.4 Actions Taken by the State of California in Support of Renewable Energy Development

In 2002, the State of California established a renewables portfolio standard (RPS), which establishes how much of California's electricity should be powered by renewable energy resources. California expanded the RPS in 2015 through passage of the Clean Energy and Pollution Reduction Act, and through passage of Senate Bill 100 (SB 100), the 100 Percent Clean Energy Act of 2018. SB 100 increased the State's RPS to 50 percent by 2025 and 60 percent by 2030, and provides that renewable energy resources and zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. California's RPS is one of the most ambitious renewable energy standards in the country. Additional information about California's RPS is available at: *https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/electric-power-procurement/rps* and *https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard.* The full text of SB 100 is available at: *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100.*

2 BOEM's Environmental Review Process

Prior to deciding whether and where leases may be issued, BOEM will prepare an environmental assessment (EA) and conduct appropriate consultations to consider the environmental consequences associated with issuing commercial wind energy leases. As any lease that BOEM intends to issue would not grant the right to construct any facilities within the leasehold, the EA will consider the environmental consequences associated with leasing, site assessment, and site characterization activities (including geophysical, geotechnical, archaeological, and biological surveys). If BOEM issues a lease and the lessee proposes the construction and operation of offshore wind energy facilities, BOEM will identify, analyze, and consider the environmental effects of such construction and operation through a separate, project-specific process under the National Environmental Policy Act (NEPA), which will include additional opportunities for public involvement. At that time, BOEM also will conduct further coordination and consultation, including, but not limited to, those which may be required under the Coastal Zone Management Act, Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, section 106 of the National Historic Preservation Act (NHPA), and Executive Order 13175 (''Consultation and Coordination With Tribal Governments'').

3 BOEM's Planning and Leasing Process

3.1 Determination of Competitive Interest

As stated in 43 U.S.C. 1337(p)(3), ''the Secretary shall issue a lease, easement, or right-of-way . . . on a competitive

basis unless the Secretary determines after public notice of a proposed lease, easement, or right-of-way that there is no competitive interest.'' Accordingly, BOEM must first determine whether competitive interest exists in the Call Area Extensions for the purpose of offshore wind energy development. At the conclusion of the comment period for the 2018 Call, BOEM reviewed the 14 nominations received and determined competitive interest existed in the Morro Bay Call Area. BOEM may proceed with competitive leasing as described in section 3.2, ''Competitive Leasing Process.''

BOEM will not issue any leases until it has completed the necessary consultations and environmental analysis and given the public an opportunity to comment. BOEM reserves the right to determine which, if any, of the nominated areas within the Morro Bay Call Area and Call Area Extensions will be leased and to modify such areas from their original, proposed description before offering them for lease.

3.2 Competitive Leasing Process

If, BOEM proceeds with the competitive leasing process for certain areas after receiving nominations and responses to this Call, BOEM will follow the steps required by 30 CFR 585.211 through 585.225.

(1) *Area Identification:* After reviewing the information submitted in response to this Call, BOEM may combine all or portions of the Call Area Extensions with all or portions of areas identified in response to the 2018 Call into one or more WEA, subject to environmental analysis in consultation with appropriate Federal agencies, Tribes, States, local governments, and other interested parties.

(2) *Proposed Sale Notice (PSN):* If BOEM decides to proceed with a competitive lease sale within a WEA after its environmental analysis, BOEM will publish a PSN in the **Federal Register** with a comment period of 60 days. The PSN will describe each lease area BOEM intends to offer, the proposed conditions of a lease auction, the proposed lease auction format, and the lease document, including lease addenda. Additionally, the PSN will describe the criteria and process for evaluating bids in the lease sale.

(3) *Final Sale Notice (FSN):* After considering the comments on the PSN, if BOEM decides to proceed with a competitive lease sale, BOEM will publish the FSN in the **Federal Register** at least 30 days before the date of the lease sale.

(4) *Bid Submission and Evaluation:* Following publication of the FSN, BOEM will offer each lease area through a competitive sale process, using procedures specified in the FSN. BOEM will ensure that bidders have complied with all applicable regulations. BOEM reserves the right to reject any or all bids or to withdraw an offer to lease an area, even after bids have been submitted.

(5) *Issuance of a Lease:* Following BOEM's selection of the winning bid on a lease area, BOEM will notify the successful bidder and provide that bidder with a set of official lease documents for signature. The successful bidder will be required to sign and return the lease documents, pay the remainder of the bid, if applicable, and file the required financial assurance within 10-business days of receiving the lease documents. Upon receipt of the required payments, financial assurance, and properly signed lease documents, BOEM may execute a lease with the successful bidder.

4 Development of the Call Area Extensions

In coordination with the State of California, BOEM held multiple stakeholder outreach meetings in central California to obtain input into the development of additional areas in and around the Morro Bay Call Area identified in 2018 and to gather data and information to use in BOEM's decision-making process. BOEM, the State of California, State elected officials, ONMS, and DoD conducted additional outreach and engagement to determine if any additional areas in and around the Morro Bay Call Area should be considered for potential leasing. More information on these meetings and outreach can be viewed at: *https://www.boem.gov/renewable-energy/state-activities/public-information-meetings-and-outreach-efforts.* The DoD expressed concerns regarding military activities and compatibility with offshore wind energy development during these meetings and outreach.

The DoD conducts offshore testing, training, and operations on the OCS offshore the central coast of California. Because the DoD testing, training, and operations off the coast of California are essential to national security, DoD played a critical role in identifying these new areas for offshore wind development. The Department of the Interior, in close coordination with the DoD, identified the Call Area Extensions to advance the planning for wind energy development offshore Morro Bay (*https://www.doi.gov/pressreleases/biden-harris-administration-advances-offshore-wind-pacific*). Through this Call, BOEM requests information and nominations regarding the Call Area Extensions so that potential use conflicts can be analyzed and considered in the Area ID stage of the leasing process.

BOEM's subsequent analysis during Area ID will evaluate the Call Area Extensions and the Morro Bay Call Area for appropriateness for offshore wind energy development, balanced against potential ocean user conflicts. After conducting environmental reviews and associated consultations, analyzing public comments, and coordinating with other government agencies through the Task Force, BOEM anticipates developing and incorporating terms and conditions—including any measures necessary to mitigate impacts—at the leasing and site assessment and characterization phases. This Call allows additional stakeholders to provide input on the Call Area Extensions prior to further modification during the Area ID process.

5 Description of the Area

The Call Area Extensions are described geographically in this section. A map of the Call Area Extensions, the Morro Bay Call Area, and associated GIS files, which are located in UTM Zone 10N, NAD 83 Datum, can be found at the following URL: *https://www.boem.gov/California/.*

Morro Bay Call Area East Extension

The boundary of Morro Bay Call Area East Extension begins 21 mi offshore Cambria, California. The area is about 7 mi in length from north to south and about 3 mi in width from east to west. The entire area is approximately 23 square mi (14,589 acres) and is described in the table below:

Area	Official protraction diagram name	Official protraction diagram No.	Block number	Sub-block
East Extension	San Luis Obispo	NI10–03	6457	G, H, K, L, P.
East Extension	San Luis Obispo	NI10–03	6458	E, F, I, J, M, N, O.

Area	Official protraction diagram name	Official protraction diagram No.	Block number	Sub-block
East Extension	San Luis Obispo	NI10–03	6508	A, B, C, D, E, F, G, H, J, K, L, O, P.
East Extension	San Luis Obispo	NI10–03	6509	E, I, J, M, N, O.
East Extension	San Luis Obispo	NI10–03	6558	D.
East Extension	San Luis Obispo	NI10–03	6559	A, B, C, D, E, F, G, H.
East Extension	San Luis Obispo	NI10–03	6560	E.

Morro Bay Call Area West Extension

The boundary of Morro Bay Call Area West Extension begins 35 mi offshore Cambria, California. The area is about 23 mi in length from north to south and about 11 mi in width from east to west. The entire area is approximately 118 square mi (75,436 acres) and is described in the table below:

Area	Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
West Extension	San Luis Obispo	NI10–03	6251	A, E, F, G, I, J, M, N.
West Extension	San Luis Obispo	NI10–03	6301	A, B, E, F, I, J, N.
West Extension	San Luis Obispo	NI10–03	6451	M.
West Extension	San Luis Obispo	NI10–03	6501	A, E, F, I, J, K, L, N, O, P.
West Extension	San Luis Obispo	NI10–03	6502	M, N, O, P.
West Extension	San Luis Obispo	NI10–03	6503	J, M, N, O, P.
West Extension	San Luis Obispo	NI10–03	6551	C, D, H.
West Extension	San Luis Obispo	NI10–03	6552	A, B, C, D, E, F, G, H, I, J, K, L.
West Extension	San Luis Obispo	NI10–03	6553	A, B, C, D, E, F, G, H, I, J, K, L.
West Extension	San Luis Obispo	NI10–03	6554	A, B, C, E, F, G, H, I, J, K, L.
West Extension	San Luis Obispo	NI10–03	6555	E, F, I, J, K.
West Extension	Sur Canyon	NI10–02	6237	C, D, H, L, P.
West Extension	Sur Canyon	NI10–02	6238	A, B, C, E, F, G, H, I, J, K, L, M, N, O, P.
West Extension	Sur Canyon	NI10–02	6239	E, F, I, J, K, L, M, N, O, P.
West Extension	Sur Canyon	NI10–02	6240	M, N, O.
West Extension	Sur Canyon	NI10–02	6288	B, C, D, F, G, H, J, K, L, P.
West Extension	Sur Canyon	NI10–02	6289	All.
West Extension	Sur Canyon	NI10–02	6290	All.
West Extension	Sur Canyon	NI10–02	6339	D, H, L, P.
West Extension	Sur Canyon	NI10–02	6340	A, B, C, D, E, F, G, H, I, J, K, L, M, N.
West Extension	Sur Canyon	NI10–02	6389	B, C, D, F, G, H, J, K, L, N, O, P.
West Extension	Sur Canyon	NI10–02	6390	A, E, I.
West Extension	Sur Canyon	NI10–02	6439	B, C, D, G, H, K, L, P.
West Extension	Sur Canyon	NI10–02	6440	E, I, M.
West Extension	Sur Canyon	NI10–02	6489	D.
West Extension	Sur Canyon	NI10–02	6490	A, B, E, F, G, J, K, L, N, O, P.
West Extension	Sur Canyon	NI10–02	6540	C, D, H.

6 Requested Information From Interested or Affected Parties

BOEM requests specific and detailed comments from the public and interested or affected parties regarding the following:

1. Geological, geophysical, and biological conditions (including bottom and shallow hazards and live bottoms) in the Call Area Extensions.

2. Known archaeological or cultural resource sites on the seabed in the Call Area Extensions.

3. Historic properties potentially affected by site characterization and assessment or commercial wind energy development in the Call Area Extensions. This information will inform BOEM's review of future undertakings under section 106 of NHPA and under NEPA.

4. Other uses of the Call Area Extensions, including navigation (in particular, commercial and recreational vessel use), recreation, and fisheries (commercial and recreational).

5. Additional information regarding recreational and commercial fisheries that operate within the Call Area Extensions, including, but not limited to, the use of the area, the fishing gear types used, seasonal use, and suggestions for reducing use conflicts.

6. Available and pertinent data and information concerning renewable energy resources and environmental conditions in and around the Call Area Extensions. Where applicable, spatial information should be submitted in a format compatible with ArcGIS 10.5 in a geographic coordinate system (NAD 83).

7. Information relating to the visual resources and aesthetics of the Call Area Extensions, the potential impacts of wind turbines located within the Call Area Extensions to those resources, and potential strategies to help mitigate or minimize any visual effects.

8. Relevant socioeconomic, biological, and environmental information.

9. Any other relevant information BOEM should consider during its planning and decision-making process for the purpose of issuing leases in the Call Area Extensions.

7 Required Nomination Information

All interested entities should submit their nomination for any possible commercial wind energy lease area

within the Call Area Extensions in response to this Call. If you intend to submit one or more nominations, you must provide the following information for each nomination:

1. The BOEM Protraction Diagram name and number, and the specific whole or partial OCS blocks within the Call Area Extensions that you are interested in leasing, inclusive of any potential buffers with adjacent leases. This information should be submitted as a spatial file compatible with ArcGIS 10.5 in a geographic coordinate system (NAD 83) in addition to your hard copy submittal. If a proposed lease area includes one or more partial blocks, please describe those partial blocks in terms of a sixteenth (*i.e.,* sub-block) of an OCS block.

2. A description of your objectives and the facilities that you would use to achieve those objectives.

3. A preliminary schedule of proposed activities, including those leading to commercial operations.

4. Available and pertinent data and information concerning renewable energy resources and environmental conditions in any area that you nominate, including energy and resource data and information used to evaluate the area. Where applicable, spatial information should be submitted in a format compatible with ArcGIS 10.5 in a geographic coordinate system (NAD 83).

5. Documentation demonstrating that you are legally qualified to hold a lease, as set forth in 30 CFR 585.106 and 585.107(c). Examples of the documentation appropriate for demonstrating your legal qualifications and related guidance can be found in Chapter 2 and Appendix B of the *BOEM Renewable Energy Framework Guide Book* available at *https://www.boem.gov/sites/default/files/documents/about-boem/Qualification%20Guidelines.pdf.* Legal qualification documents will be placed in an official file that may be made available for public review. If you wish that any part of your legal qualification documentation be kept confidential, clearly identify what should be kept confidential, and submit it under separate cover (see section 8, ''Protection of Privileged or Confidential Information''). Entities who submitted nominations of interest for the Morro Bay Call Area in response to the 2018 Call do not need to submit this information again.

6. Documentation demonstrating that you are technically and financially capable of constructing, operating, maintaining, and decommissioning the facilities described in 7(2) above, as set forth in 30 CFR 585.107(a). Guidance regarding the required documentation to demonstrate your technical and financial qualifications can be found at: *http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/QualificationGuidelines-pdf.aspx.* Entities who submitted nominations of interest for the Morro Bay Call Area in response to the 2018 Call do not need to submit this information again.

7. Any documentation you submit to demonstrate your legal, technical, and financial qualifications must be provided to BOEM in both paper and electronic formats. BOEM considers an Adobe PDF file on a storage media device to be an acceptable format for an electronic copy.

You are not required to submit a nomination in response to this Call to participate in a potential future competitive lease sale offshore California. However, you will be required to demonstrate to BOEM that you are legally, technically, and financially qualified to hold a BOEM-issued renewable energy lease before you will be allowed to participate in a competitive lease sale. To ensure that BOEM has sufficient time to process your qualifications package, you should submit this package before or during the PSN 60-day public comment period. More information can be found at: *http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/QualificationGuidelines-pdf.aspx.*

BOEM will list the parties that submitted nominations and the locations of the proposed lease areas (*i.e.,* OCS blocks nominated) on the BOEM website after the comment period has closed.

8 Protection of Privileged or Confidential Information

8.1 Freedom of Information Act

Under the Freedom of Information Act (FOIA), BOEM will protect the privileged or confidential information that you submit. Exemption 4 of FOIA applies to trade secrets and commercial or financial information that you submit that is privileged or confidential. If you wish to protect the confidentiality of such information, clearly mark it and request that BOEM treat it as confidential. BOEM will not disclose such information if it qualifies for exemption from disclosure under FOIA. Please label privileged or confidential information ''Contains Confidential Information'' and consider submitting such information as a separate attachment.

BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such information. Additionally, BOEM will not treat as confidential (1) the legal title of the nominating entity (for example, the name of your company), or (2) the list of whole or partial blocks that you are nominating. Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

8.2 Personally Identifiable Information

BOEM does not consider anonymous comments; please include your name and address as part of your comment. You should be aware that your entire comment, including your name, address, and any other personally identifiable information that you submit, may be made publicly available at any time. All submissions from identified individuals, businesses, and organizations will be available for public viewing on *regulations.gov*.

In order for BOEM to withhold from disclosure your personally identifiable information, you must identify any information contained in your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm.

8.3 Section 304 of the National Historic Preservation Act (54 U.S.C. 307103)

BOEM is required, after consultation with the Secretary, to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities should designate information that falls under section 304 of NHPA as confidential.

Amanda Lefton,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2021–16134 Filed 7–28–21; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–869]

Bulk Manufacturer of Controlled Substances Application: AMPAC Fine Chemicals, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: AMPAC Fine Chemicals, LLC. has applied to be registered as a bulk manufacturer 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 September 27, 2021. Such persons may also file a written request for a hearing on the application on or before September 27, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on June 14, 2021, AMPAC Fine Chemicals, LLC., Highway 50 and Hazel Avenue, Rancho Cordova, California 95670, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Norlevorphanol	9634	I
Methylphenidate	1724	II
Levomethorphan	9210	II
Levorphanol	9220	II
Thebaine	9333	II
Remifentanil	9739	II
Tapentadol	9780	II

The company plans to bulk manufacture the listed controlled substances for distribution to its customers.

Brian S. Besser,

Acting Assistant Administrator.

[FR Doc. 2021–16137 Filed 7–28–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–870]

Bulk Manufacturer of Controlled Substances Application: Bulk Manufacturer of Marihuana: Nusachi Labs, LLC.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: The Drug Enforcement Administration (DEA) is providing notice of an application it has received from an entity applying to be registered to manufacture in bulk basic class(es) of controlled substances listed in schedule I. DEA intends to evaluate this and other pending applications according to its regulations governing the program of growing marihuana for scientific and medical research under DEA registration.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefor, may file written comments on or objections to the issuance of the proposed registration on or before September 27, 2021.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW 8701 Morrissette Drive, Springfield, Virginia 22152. To ensure proper handling of comments, please reference Docket No—DEA–870 in all correspondence, including attachments.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act (CSA) prohibits the cultivation and distribution of marihuana except by persons who are registered under the CSA to do so for lawful purposes. In accordance with the purposes specified in 21 CFR 1301.33(a), DEA is providing notice that the entity identified below has applied for registration as a bulk manufacturer of schedule I controlled substances. In response, registered bulk manufacturers of the affected basic class(es), and applicants therefor, may file written comments on or objections of the requested registration, as provided in this notice. This notice does not constitute any evaluation or determination of the merits of the application submitted.

The applicant plans to manufacture bulk active pharmaceutical ingredients (APIs) for product development and distribution to DEA-registered researchers. If the application for registration is granted, the registrant would not be authorized to conduct other activity under this registration aside from those coincident activities specifically authorized by DEA regulations. DEA will evaluate the application for registration as a bulk manufacturer for compliance with all applicable laws, treaties, and regulations and to ensure adequate safeguards against diversion are in place.

As this applicant has applied to become registered as a bulk manufacturer of marihuana, the application will be evaluated under the criteria of 21 U.S.C. 823(a). DEA will conduct this evaluation in the manner described in the rule published at 85 FR 82333 on December 18, 2020, and reflected in DEA regulations at 21 CFR part 1318.

In accordance with 21 CFR 1301.33(a), DEA is providing notice that on June 23, 2021, Nusachi Labs, LLC., 2909 Armory Drive, Nashville, Tennessee 37204, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substances:

Controlled substance	Drug code	Schedule
Marihuana	7360	I
Tetrahydrocannabinols	7370	I

Brian S. Besser,

Acting Assistant Administrator.

[FR Doc. 2021–16141 Filed 7–28–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–868]

Importer of Controlled Substances Application: Cerilliant Corporation

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Cerilliant 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 30, 2021. Such persons may also file a written request for a hearing on the application on or before August 30, 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 June 23, 2021, Cerilliant Corporation, 811 Paloma Drive, Suite A, Round Rock, Texas 78665–2402, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
3-Fluoro-N-methylcathinone (3–FMC)	1233	I
Cathinone	1235	I
Methcathinone	1237	I
4-Fluoro-N-methylcathinone (4–FMC)	1238	I
Pentedrone (α-methylaminovalerophenone)	1246	I
Mephedrone (4-Methyl-N-methylcathinone)	1248	I
4-Methyl-N-ethylcathinone (4–MEC)	1249	I
Naphyrone	1258	I
N-Ethylamphetamine	1475	I
N,N-Dimethylamphetamine	1480	I
Fenethylline	1503	I
Methaqualone	2565	I
JWH–250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole)	6250	I
SR–18 (Also known as RCS–8) (1-Cyclohexylethyl-3-(2-methoxyphenylacetyl) indole)	7008	I
5-Fluoro-UR–144 and XLR11 [1-(5-Fluoro-pentyl)1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone	7011	I
AB–FUBINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide)	7012	I
JWH–019 (1-Hexyl-3-(1-naphthoyl)indole)	7019	I
AB–PINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide)	7023	I
THJ–2201 ([1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone)	7024	I
AB–CHMINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide)	7031	I
ADB–PINACA (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide)	7035	I
APINACA and AKB48 (N-(1-Adamantyl)-1-pentyl-1H-indazole-3-carboxamide)	7048	I
JWH–081 (1-Pentyl-3-(1-(4-methoxynaphthoyl) indole)	7081	I
SR–19 (Also known as RCS–4) (1-Pentyl-3-[(4-methoxy)-benzoyl] indole)	7104	I
JWH–018 (also known as AM678) (1-Pentyl-3-(1-naphthoyl)indole)	7118	I
JWH–122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole)	7122	I
UR–144 (1-Pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone	7144	I
JWH–073 (1-Butyl-3-(1-naphthoyl)indole)	7173	I
JWH–200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole)	7200	I
AM2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole)	7201	I
JWH–203 (1-Pentyl-3-(2-chlorophenylacetyl) indole)	7203	I
PB–22 (Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate)	7222	I
5F–PB–22 (Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate)	7225	I
Alpha-ethyltryptamine	7249	I
Ibogaine	7260	I
CP–47,497 (5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl-phenol)	7297	I
CP–47,497 C8 Homologue (5-(1,1-Dimethyloctyl)-2-[(1R,3S)3-hydroxycyclohexyl-phenol)	7298	I
Lysergic acid diethylamide	7315	I
2C–T–7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine	7348	I
Marihuana	7360	I
Parahexyl	7374	I
Mescaline	7381	I
2C–T–2 (2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine)	7385	I
3,4,5-Trimethoxyamphetamine	7390	
4-Bromo-2,5-dimethoxyamphetamine	7391	I
4-Bromo-2,5-dimethoxyphenethylamine	7392	I
4-Methyl-2,5-dimethoxyamphetamine	7395	I
2,5-Dimethoxyamphetamine	7396	I
JWH–398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole)	7398	I
3,4-Methylenedioxyamphetamine	7400	I
5-Methoxy-3,4-methylenedioxyamphetamine	7401	I
N-Hydroxy-3,4-methylenedioxyamphetamine	7402	I
3,4-Methylenedioxy-N-ethylamphetamine	7404	I

Controlled substance	Drug code	Schedule
3,4-Methylenedioxymethamphetamine	7405	I
4-Methoxyamphetamine	7411	I
5-Methoxy-N-N-dimethyltryptamine	7431	I
Alpha-methyltryptamine	7432	I
Bufotenine	7433	I
Diethyltryptamine	7434	I
Dimethyltryptamine	7435	I
Psilocybin	7437	I
Psilocyn	7438	I
5-Methoxy-N,N-diisopropyltryptamine	7439	I
N-Ethyl-1-phenylcyclohexylamine	7455	I
1-(1-Phenylcyclohexyl)pyrrolidine	7458	I
1-[1-(2-Thienyl)cyclohexyl]piperidine	7470	I
N-Benzylpiperazine	7493	I
4-MePPP (4-Methyl-alphapyrrolidinopropiophenone)	7498	I
2C–D (2-(2,5-Dimethoxy-4-methylphenyl) ethanamine)	7508	I
2C–E (2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine)	7509	I
2C–H 2-(2,5-Dimethoxyphenyl) ethanamine)	7517	I
2C–I 2-(4-iodo-2,5-dimethoxyphenyl) ethanamine)	7518	I
2C–C 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine)	7519	I
2C–N (2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine)	7521	I
2C–P (2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine)	7524	I
2C–T–4 (2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine)	7532	I
MDPV (3,4-Methylenedioxypyrovalerone)	7535	I
25B–NBOMe (2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine)	7536	I
25C–NBOMe (2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine)	7537	I
25I–NBOMe (2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine)	7538	I
Methylone (3,4-Methylenedioxy-N-methylcathinone)	7540	I
Butylone	7541	I
Pentylone	7542	I
alpha-pyrrolidinopentiophenone (α-PVP)	7545	I
alpha-pyrrolidinobutiophenone (α-PBP)	7546	I
AM–694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole)	7694	I
Desomorphine	9055	I
Etorphine (except HCl)	9056	I
Codeine methylbromide	9070	I
Heroin	9200	I
Morphine-N-oxide	9307	I
Normorphine	9313	I
Pholcodine	9314	I
U–47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide)	9547	I
AH–7921 (3,4-dichloro-N-[(1- dimethylamino)cyclohexylmethyl]benzamide))	9551	I
Acetylmethadol	9601	I
Allylprodine	9602	I
Alphacetylmethadol except levo-alphacetylmethadol	9603	I
Alphameprodine	9604	I
Alphamethadol	9605	I
Betacetylmethadol	9607	I
Betameprodine	9608	I
Betamethadol	9609	I
Betaprodine	9611	I
Dextromoramide	9613	I
Dipipanone	9622	I
Hydroxypethidine	9627	I
Noracymethadol	9633	I
Norlevorphanol	9634	I
Normethadone	9635	I
Racemoramide	9645	I
Trimeperidine	9646	I
1-Methyl-4-phenyl-4-propionoxypiperidine	9661	I
Tilidine	9750	I
Para-Fluorofentanyl	9812	I
3-Methylfentanyl	9813	I
Alpha-methylfentanyl	9814	I
Acetyl-alpha-methylfentanyl	9815	I
Beta-hydroxyfentanyl	9830	I
Beta-hydroxy-3-methylfentanyl	9831	I
Alpha-methylthiofentanyl	9832	I
3-Methylthiofentanyl	9833	I
Thiofentanyl	9835	I
Fentanyl related-substances as defined in 21 CFR 1308.11(h)	9850	I
Methamphetamine	1105	II
Methylphenidate	1724	II
Amobarbital	2125	II

Controlled substance	Drug code	Schedule
Pentobarbital	2270	II
Secobarbital	2315	II
Glutethimide	2550	II
Nabilone	7379	II
1-Phenylcyclohexylamine	7460	II
Phencyclidine	7471	II
Phenylacetone	8501	II
1-Piperidinocyclohexanecarbonitrile	8603	II
Alphaprodine	9010	II
Dihydrocodeine	9120	II
Ecgonine	9180	II
Ethylmorphine	9190	II
Levomethorphan	9210	II
Levorphanol	9220	II
Meperidine	9230	II
Dextropropoxyphene, bulk (non-dosage forms)	9273	II
Levo-alphacetylmethadol	9648	II
Noroxymorphone	9668	II
Racemethorphan	9732	II
Alfentanil	9737	II
Remifentanil	9739	II
Sufentanil	9740	II
Carfentanil	9743	II
Tapentadol	9780	II

The company plans to import the listed controlled substances for the manufacturing of analytical reference standards and distribution to their research and forensic customers. Approval of permit application will occur only when the registrant's 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.

Brian S. Besser,

Acting Assistant Administrator.

[FR Doc. 2021–16136 Filed 7–28–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–871]

Importer of Controlled Substances Application: Purisys, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Purisys, LLC. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplementary 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 30, 2021. Such persons may also file a written request for a hearing on the application on or before August 30, 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 June 29, 2021, Purisys, LLC., 1550 Olympic Drive, Athens, Georgia 3601–1602, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Opium, raw	9600	II
Opium, powdered	9639	II
Opium, granulated	9640	II

The company plans to import Opium, raw (9600), Opium, powered (9639) and Opium, granulated (9640) to manufacture Active Pharmaceutical Ingredient (API) only for distribution to its customers. 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.

Brian S. Besser,

Acting Assistant Administrator.

[FR Doc. 2021–16142 Filed 7–28–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Employment and Training Administration

Request for Nominations for Membership on the Native American Employment and Training Council

AGENCY: Employment and Training Administration, Labor.

ACTION: Request for nominations.

SUMMARY: The Department of Labor (DOL) invites interested parties to submit nominations for individuals to serve on the Native American Employment and Training Council (NAETC) and announces the procedures for those nominations. When submitting nomination materials, please indicate the Region or Discipline for which the nominee would like to be considered. Information regarding the NAETC can

be found at *https://www.dol.gov/agencies/eta/dinap/council*.

DATES: Nominations for individuals to serve on the NAETC must be submitted electronically; by August 30, 2021.

ADDRESSES: You may submit nominations and supporting materials described in this **Federal Register** Notice by the following method:

Electronically: Submit nominations, including attachments, by email using the following address: *NAETC@dol.gov* (use subject line ''Nomination— Native American Employment and Training Council''). The Department will not accept nominations by mail, express delivery, hand delivery, messenger, courier service, or facsimile.

FOR FURTHER INFORMATION CONTACT: Athena Brown, Division of Indian and Native American Programs, (202) 693–3737 or email at *brown.athena@dol.gov*.

SUPPLEMENTARY INFORMATION:

I. Background and Authority

Section 166(i)(4) of the Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. 3221(i)(4), requires the Secretary of Labor (Secretary) to establish and maintain the NAETC. The statute 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.

II. Nominations Process

The Department is seeking nominations from representatives of tribal governments and American Indian, Alaska Native, and Native Hawaiian organizations that have expertise in the areas of workforce development, secondary and post-secondary education, health care, human services, veteran services, business and economic development, and job sectors growth to join the Council and provide expertise on the WIOA Section 166, Indian and Native American Programs. The Charter requires that the Council, to the extent practicable, shall represent all geographic areas of the United States with a substantial Indian, Alaska Native, or Native Hawaiian population. Accordingly, the Department is seeking representatives from each of the six ETA regions (see ETA regions located at: *https://www.doleta.gov/regions*), including representatives for Hawaii, Alaska, and Oklahoma and ''Other Disciplines.'' In nominating representatives for ''Other Disciplines,'' prospective nominees may represent various areas of expertise, such as technical experts (*e.g.,* registered apprenticeships), education (tribal colleges or universities), health care, human services, elected tribal leaders, business, or other sectors.

Appointments for the following 17 members will expire on October 23, 2021:

Mr. Darrell Waldron, Region I, Boston (includes CT, MA, ME, NH, NJ, NY, PR, RI, and VT); and Region II (includes DE, MD, PA, WV and VA);

Ms. Anne Richardson, Region II (includes DE, MD, PA, WV and VA);

Ms. Candace Lowry, Region III, Atlanta (includes AL, FL, GA, KY, MS, NC, SC, and TN);

Ms. Lora Ann Chaisson, and Dr. Tina Farrenkoph, Region IV, Dallas (includes AR, CO, LA, MT, ND, NM, OK, SD, TX, UT, and WY); and Erwin Pahmahmie, Jr., Region IV, Oklahoma

Ms. Christine Campbell and Dr. Joe Hobot, Region V, Chicago (includes IA, IL, IN, KS, MI, MN, MO, NE, OH, and WI);

Mr. Jacob Bernal, Ms. Patricia K. Hibbeler, Mr. Gary Rickard, and Mr. Joseph Quintana, Region VI, San Francisco (includes AK, AZ, CA, GU, HI, ID, NV, OR, and WA); and,

Mr. Michael Tucker, Region VI, Alaska Native representative;

Winona Whitman, Region VI, Hawaii representative; and

Kim Kaniatobe Carroll, Matthew Lamont, and Kay Seven, Other Disciplines.

All individuals listed above are eligible for nomination.

Grantee representatives from the six ETA regions (including those designated as Pub. L. 102–477 grantees) may submit nominations for individuals residing in their ETA region only, except that nominations for Other Disciplines may by grantees from any ETA region for individuals residing in any ETA region. In order to meet the FACA requirement of a fairly balanced membership and to ensure that the points of view of Alaska Natives and Native Hawaiians are represented on the Council, nominations for individuals representing Alaska Natives and Native Hawaiians will be accepted in addition to nominations for each region. In addition, a representative for the State of Oklahoma will be accepted due to the number of tribes and the concentration of American Indians in Oklahoma.

In submitting nominations, consideration should be given to the availability of the nominee to attend and actively participate in Council meetings (a minimum of two meetings annually), willingness to serve on Council workgroups, and provide feedback to the grantee community. Communication between the Council member and his or her constituency is essential to the partnership between the Department and the Indian and Native American communities.

Nominations must include:

- Nominee's Name, title, organization, address, email, and phone number;

• Nominator's name, organization, address, email, and phone number;

• Nomination category (*e.g.,* ETA Region, Native Hawaiian representative, Alaska Native representative, Oklahoma representative, or representative for Other Disciplines). Those nominating a regional representative must reside in the same region as the nominee. If nominated for Other Disciplines, specify discipline;

• A biography and current resume of the nominee; and

• A cover letter that provides the reason(s) for nominating the individual or a self-nomination, and the particular expertise of the nominee in the areas of workforce development, secondary and post-secondary education, health care, human services, veteran services business and economic development and job sectors growth. In addition, the cover letter must state that the nomination is being made in response to this **Federal Register** Notice and that the nominee (if nominating someone other than oneself) has agreed to be nominated.

We have provided an optional form for convenience. Download at *https://www.dol.gov/agencies/eta/dinap/council.*

(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. 2)

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training Administration, Labor.

[FR Doc. 2021–16138 Filed 7–28–21; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Unemployment Compensation for Federal Employees Handbook No. 391

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, *Unemployment Compensation for Federal Employees Handbook No. 391.* 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 27, 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 Jorge Colon by telephone at (202) 693–0173 (this is not a toll-free number), TTY 1–877–889–5627 (this is not a toll-free number), or by email at *Colon.Jorge.D@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 by email: *Colon.Jorge.D@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Candace Edens by telephone at (202) 693–3195 (this is not a toll-free number) or by email at: *Edens.Candace@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.

Title 5 U.S.C. 8506 states that ''[E]ach agency of the United States and each wholly or partially owned instrumentality of the United States shall make available to State agencies which have agreements, or to the Secretary of Labor, as the case may be, such information concerning the Federal service and Federal wages of a Federal employee as the Secretary considers practicable and necessary for the determination of the entitlement of the Federal employee to compensation under this subchapter.'' The information shall include the findings of the employing agency concerning:

(1) Whether or not the Federal employee has performed Federal service;

(2) the periods of Federal service;

(3) the amount of Federal wages; and

(4) the reasons for termination of Federal service.

State Workforce Agencies (SWAs) administer the Unemployment Compensation for Federal Employees (UCFE) program in accordance with the same terms and provisions of the paying State's unemployment insurance law that apply to unemployed claimants who worked in the private sector. SWAs must be able to obtain certain information (wage and separation data) about each claimant filing claims for UCFE benefits to enable them to determine an individual's eligibility for benefits. DOL has prescribed forms to enable SWAs to obtain this necessary information from the individual's Federal employing agency. Each of these forms is essential to the UCFE claims process and the frequency of use varies depending upon the circumstances involved. The UCFE forms are: ETA–931, ETA–931A, ETA–933, ETA–934, and ETA–935. The law (5 U.S.C. 8501, *et seq.*), 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 1205–0179.

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: Revision.

Title of Collection: Unemployment Compensation for Federal Employees Handbook No. 391.

Forms: ETA–931, ETA–931A, ETA–933, ETA–934, and ETA–935.

OMB Control Number: 1205–0179.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 53.

Frequency: On occasion.

Total Estimated Annual Responses: 168,573.

Estimated Average Time per Response: Varies.

Estimated Total Annual Burden Hours: 12,745 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. 2021–16130 Filed 7–28–21; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of a Change in Status of the Extended Benefit (EB) Program for California, Nevada, and New York

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

This notice announces changes in benefit period eligibility under the EB program that have occurred since the publication of the last notice regarding the States' EB status:

• Based on the data released by the Bureau of Labor Statistics on July 16, 2021, the seasonally-adjusted total unemployment rate for California, Nevada, and New York fell below the 8.0 percent threshold necessary to remain ''on'' a High Unemployment Period in EB. As such, beginning August 8, 2021, the maximum potential entitlement for claimants in EB in these states will decrease from 20 weeks to 13 weeks.

The trigger notice covering state eligibility for the EB program can be found at: *http://ows.doleta.gov/unemploy/claims_arch.as.*

Information for Claimants

The duration of benefits payable in the EB program, and the terms and conditions on which they are payable, are governed by the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and the operating instructions issued to the states by the U.S. Department of Labor. In the case of a state beginning an EB period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who has exhausted all rights to regular benefits and is potentially eligible for EB (20 CFR 615.13(c)(1)).

Persons who believe they may be entitled to EB, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S–4524, Attn: Thomas Stengle, 200 Constitution Avenue NW, Washington, DC 20210, telephone number (202) 693–2991 (this is not a toll-free number) or by email: *Stengle.Thomas@dol.gov.*

Signed in Washington, DC.

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2021–16129 Filed 7–28–21; 8:45 am]

BILLING CODE 4510–FW–P

EXECUTIVE OFFICE OF THE PRESIDENT

Office of National Drug Control Policy

Appointment of Members of Senior Executive Service Performance Review Board

AGENCY: Office of National Drug Control Policy (ONDCP).

ACTION: Notice of Appointments.

SUMMARY: The following persons have been appointed to the ONDCP Senior Executive Service Performance Review Board: Ms. Martha Gagné (as Chair), Mr. Kemp Chester, Mr. Eric Talbot, and Ms. Michele Marx.

FOR FURTHER INFORMATION CONTACT: Please direct any questions to Robert Kent, General Counsel, (202) 881–8815, Office of National Drug Control Policy, Executive Office of the President, Washington, DC 20503.

Dated: July 26, 2021.

Robert Kent,

General Counsel.

[FR Doc. 2021–16167 Filed 7–28–21; 8:45 am]

BILLING CODE 3280–F5–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board (NSB) hereby gives notice of the scheduling of meetings for the transaction of NSB business as follows:

TIME AND DATE: Tuesday, August 3, 2021, from 1:00 p.m. to 5:55 p.m., and Wednesday, August 4, 2021, from 11:00 a.m. to 5:55 p.m. EDT.

PLACE: These meetings will be held by videoconference. There will be no in-person meetings. The public may observe the public meetings, which will be streamed to the NSF You Tube channel. For meetings on Tuesday, August 3, go to: *https://www.youtube.com/watch?v=BtZZe7TMYqY.* For meetings on Wednesday, August 4, go to: *https://www.youtube.com/watch?v=BUr7Hq5JKzQ.*

STATUS: Parts of these meetings will be open to the public. The rest of the meetings will be closed to the public. See full description below.

MATTERS TO BE CONSIDERED:

Tuesday, August 3, 2021

Plenary Board Meeting

Open Session: 1:00 p.m.–2:50 p.m.

- NSB Chair's Remarks
- NSF Director's Remarks
- NSB Chair Activity Summary
- Community Colleges: Opening Doors to STEM Talent Everywhere

Committee on National Science and Engineering Policy (SEP)

Open Session: 3:20 p.m.–3:55 p.m.

- Committee Chair's Remarks
- Approval of Prior Committee Minutes
- Update on *Indicators 2022*
- Update on Policy Products
- Themes and Messages for Indicators' Board Messages Document

Committee on Strategy (CS)

Open Session: 3:55 p.m.–4:20 p.m.

- Committee Chair's Remarks
- Approval of Prior Minutes
- FY 2021 and 2022 Budget Update
- CS TIP Subcommittee

Committee on Strategy (CS)

Closed Session: 4:30 p.m.–5:55 p.m.

- Committee Chair's Remarks
- Approval of Prior Minutes
- Strategic Plan 2022–2026 Update
- Follow-up on Strategic Budget Discussions
- FY 2023 Budget Submission Development

Wednesday, August 4, 2021

Plenary Board Meeting

Open Session: 11:00 a.m.–12:30 p.m.

- *Vision 2030* Year 1 Retrospective and Year 2 Priorities
- Strategies for Institutional Diversity, Equity, and Inclusion Accountability

Plenary Board

Closed Session: 1:10p.m.–1:55 p.m.

- NSB Chair's Remarks
- Approval of Prior Minutes
- Director's Remarks
- Closed Committee Reports
- Awards & Facilities Closed Meeting Report Out and Discussion
  - Vote: Rubin Observatory Action
  - Vote: Arecibo Observatory Action
- Vote to Enter Executive Session

Executive Closed Session: 1:55 p.m.–2:55 p.m.

- NSB Chair's Remarks
- Approval of Prior Minutes
- NSF Structural Elements Discussion
  - Personnel updates
  - Planning for Structural Changes
- Nominations for the NSB Class of 2022–2028

Committee on Oversight (CO)

Open Session: 3:25 p.m.–4:55 p.m.

- Committee Chair's Remarks
- Approval of Prior Minutes
- Merit Review Digest Discussion and Vote, and Overview Discussion
- Diversity, Equity, Inclusion, and Accessibility Updates
- Inspector General's Update
- Chief Financial Officer's Update

Plenary Board

Open Session: 5:05 p.m.–5:55 p.m.

- NSB Chair's Remarks
- Approval of Prior Minutes
- NSF Director's Remarks
  Senior Staff Updates
  Office of Legislative and Public Affairs Update
- EE Open Committee Report and Discussion
- Open Committee Reports
- Votes:
  - 2022 NSB Meeting Calendar
  - Merit Review Digest

Meeting Adjourns: 5:55 p.m.

MEETINGS THAT ARE OPEN TO THE PUBLIC:

Tuesday, August 3, 2021

1:00 p.m.–2:50 p.m. Plenary NSB
3:20 p.m.–3:55 p.m. SEP
3:55 p.m.–4:20 p.m. CS

Wednesday, August 4, 2021

11:00 a.m.–12:30 p.m. Plenary NSB
3:25 p.m.–4:55 p.m. CO
5:05 p.m.–5:55 p.m. Plenary

MEETINGS THAT ARE CLOSED TO THE PUBLIC:

Tuesday, August 3, 2021

4:30 p.m.–5:55 p.m. CS

August 4, 2021

1:10 p.m.–1:55 p.m. Plenary, including
1:55 p.m.–2:55 p.m. Executive closed session

CONTACT PERSONS FOR MORE INFORMATION: The NSB Office contact is Chris Blair, *cblair@nsf.gov,* 703–292–7000. The NSB Public Affairs contact is Nadine Lymn, *nlymn@nsf.gov,* 703–292–2490. The following persons will be available to provide technical support in accessing the YouTube video: Angel Ntumy (*antumy@associates.nsf.gov*); Phillip Moulden (*pmoulden@associates.nsf.gov*).

SUPPLEMENTARY INFORMATION: All open sessions of the meeting will be webcast live on the NSB YouTube channel. Please feel free to share these links with your colleagues:

Tuesday, August 3—*https://www.youtube.com/watch?v=BtZZe7TMYqY*
Wednesday, August 4—*https://www.youtube.com/watch?v=BUr7Hq5JKzQ*

Please refer to the NSB website for additional information. You will find any updated meeting information and schedule updates (time, place, subject matter, or status of meeting) at *https://www.nsf.gov/nsb/meetings/notices.jsp.*

Members of the public are advised that the NSB provides some flexibility around its meeting times. A meeting may be allowed to run over by as much as 15 minutes if the Chair decides the extra time is warranted. The next meeting will start no later than 15 minutes after the noticed start time. If a meeting ends early, the next meeting may start up to 15 minutes earlier than the noticed start time. NSB and committee meetings will not vary from noticed times by more than 15 minutes. Open meetings can also be watched in their entirety later through the YouTube link.

Chris Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2021–16315 Filed 7–27–21; 4:15 pm]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Service Contract Inventory; Notice of Availability

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The Division of Acquisition and Cooperative Support within the National Science Foundation (NSF) is publishing this notice to advise the public of the availability of its Fiscal Year (FY) 2019 Service Contracts Inventory Analysis Report.

FOR FURTHER INFORMATION CONTACT: Raymond McCollum, Policy Branch, Division of Acquisition and Cooperative Support, National Science Foundation. Phone: 703–292–4225; email: *rmccollu@nsf.gov.*

SUPPLEMENTARY INFORMATION: NSF's FY 2019 Service Contract Inventory Analysis Report is included as part of a governmentwide service contract inventory. The inventory includes covered service contracts that were awarded in FY 2019. The NSF analyzes this data for the purpose of determining whether its contract labor is being used in an effective and appropriate manner and if the mix of federal employees and contractors in the agency is effectively balanced. The report does not include contractor proprietary or sensitive information.

The FY 2019 Service Contract Inventory Analysis Report is provided at the following link: *https://www.nsf.gov/bfa/dcca/contracts/index.jsp.*

Authority: 42 U.S.C. 1861, *et seq.*

Dated: July 23, 2021.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2021–16106 Filed 7–28–21; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee 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: Astronomy and Astrophysics Advisory Committee (#13883) (Zoom Videoconference).

DATE AND TIME:

September 28, 2021; 10:00 a.m.–4:00 p.m.

September 29, 2021, 10:00 a.m.–4:00 p.m.

PLACE: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314 (Zoom Videoconference).

Attendance information for the meeting will be forthcoming on the website: *https://www.nsf.gov/mps/ast/aaac.jsp.*

TYPE OF MEETING: Open.

CONTACT PERSON: Dr. Martin Still, Program Director, Division of Astronomical Sciences, Suite W 9188, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703–292–4290.

PURPOSE OF MEETING: To provide advice and recommendations to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies.

AGENDA: To hear presentations of current programming by representatives from NSF, NASA, DOE and other agencies relevant to astronomy and astrophysics; to discuss current and potential areas of cooperation between the agencies; to formulate recommendations for continued and new areas of cooperation and mechanisms for achieving them.

Dated: July 23, 2021.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2021–16114 Filed 7–28–21; 8:45 am]

BILLING CODE 7555–01–P

POSTAL SERVICE

Board of Governors; Sunshine Act Meeting

DATES AND TIMES: Thursday, August 5, 2021, at 10:00 a.m.; and Friday, August 6, 2021, at 9:00 a.m.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza SW, in the Benjamin Franklin Room.

STATUS: Thursday, August 5, 2021, at 10:00 a.m.—Closed; Friday, August 6, 2021, at 9:00 a.m.—Open.

MATTERS TO BE CONSIDERED:

Thursday, August 5, 2021, at 10:00 a.m. (Closed)

1. Strategic Issues.
2. Financial and Operational Matters.
3. Compensation and Personnel Matters.
4. Administrative Items.

Friday, August 6, 2021, at 9:00 a.m. (Open)

1. Remarks of the Chairman of the Board of Governors.
2. Remarks of the Postmaster General and CEO.
3. Approval of Minutes of Previous Meetings.
4. Committee Reports.
5. Quarterly Financial Report.
6. Quarterly Service Performance Report.
7. Approval of Tentative Agendas for November Meetings.

A public comment period will begin immediately following the adjournment of the open session on August 6, 2021. During the public comment period, which shall not exceed 30 minutes, members of the public may comment on any item or subject listed on the agenda for the open session above. Registration of speakers at the public comment period is required. Speakers may register online at *https://www.surveymonkey.com/r/BOG-08-06-2021.* Onsite registration will be available until thirty minutes before the meeting starts. No more than three minutes shall be allotted to each speaker. The time allotted to each speaker will be determined after registration closes. Participation in the public comment period is governed by 39 CFR 232.1(n).

CONTACT PERSON FOR MORE INFORMATION: Michael J. Elston, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260–1000. Telephone: (202) 268–4800.

Michael J. Elston,

Secretary.

[FR Doc. 2021–16191 Filed 7–27–21; 11:15 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 13, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 712 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–113, CP2021–115.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16108 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 23, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 714 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–116, CP2021–118.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16105 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to

the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 12, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & First-Class Package Service Contract 199 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–111, CP2021–113.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16103 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 21, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & First-Class Package Service Contract 200 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–115, CP2021–117.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16101 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, & First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 12, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail, & First-Class Package Service Contract 74 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–112, CP2021–114.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16102 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 29, 2021.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 19, 2021, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 713 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2021–114, CP2021–116.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2021–16100 Filed 7–28–21; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92476; File No. SR–CboeBZX–2021–029]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Kryptoin Bitcoin ETF Trust Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

July 23, 2021.

On April 9, 2021, Cboe BZX Exchange, Inc. (''BZX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the Kryptoin Bitcoin ETF Trust (''Trust'') under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on April 28, 2021.[3]

On June 9, 2021, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.

I. Summary of the Proposal

As described in more detail in the Notice,[7] the Exchange proposes to list

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 91646 (April 22, 2021), 86 FR 22485 (April 28, 2021) (''Notice''). Comments on the proposed rule change can be found at: *https://www.sec.gov/comments/sr-cboebzx-2021-029/srcboebzx2021029.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 92131 (June 9, 2021), 86 FR 31772 (June 15, 2021). The Commission designated July 27, 2021, as the date by which it should approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Notice, *supra* note 3.

and trade the Shares of the Trust under BZX Rule 14.11(e)(4), which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.

The investment objective of the Trust would be to provide exposure to bitcoin at a price that is reflective of the actual bitcoin market where investors purchase and sell bitcoin, less the expense of the Trust's operation.[8] The Trust would hold bitcoin and it would calculate the Trust's net asset value (''NAV'') daily based on the value of bitcoin as reflected by the CF Bitcoin US Settlement Price (''Reference Rate''). The administrator of the Reference Rate is CF Benchmarks Ltd. The Reference Rate aggregates the trade flow of several bitcoin platforms. The current platform composition of the Reference Rate is Bitstamp, Coinbase, Gemini, itBit and Kraken. In calculating the Reference Rate, the methodology creates a joint list of certain trade prices and sizes from the constituent platforms between 3:00 p.m. E.T. and 4:00 p.m. E.T. The methodology then divides this list into 12 equally-sized time intervals of 5 minutes and it calculates the volume-weighted median trade price for each of those time intervals. The Reference Rate is the arithmetic mean of these 12 volume-weighted median trade prices.[9]

Each Share will represent a fractional undivided beneficial interest in the bitcoin held by the Trust. The Trust's assets will consist of bitcoin held by the Custodian on behalf of the Trust. The Trust generally does not intend to hold cash or cash equivalents. However, there may be situations where the Trust will unexpectedly hold cash on a temporary basis.[10]

The Administrator will determine the NAV and NAV per Share of the Trust, on each day that the Exchange is open for regular trading, after 4:00 p.m. E.T. The NAV of the Trust is the aggregate value of the Trust's assets less its liabilities (which include estimated accrued but unpaid fees and expenses). In determining the Trust's NAV, the Administrator values the bitcoin held by the Trust on the basis of the price of bitcoin as determined by the Reference Rate.[11]

The Trust will provide information regarding the Trust's bitcoin holdings, as well as an Intraday Indicative Value (''IIV'') per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be calculated by using the prior day's closing NAV per Share as a base and updating that value during Regular Trading Hours to reflect changes in the value of the Trust's bitcoin holdings during the trading day.[12]

When the Trust sells or redeems its Shares, it will do so in ''in-kind'' transactions in blocks of 50,000 Shares. Authorized participants will deliver, or facilitate the delivery of, bitcoin to the Trust's account with the Custodian in exchange for Shares when they purchase Shares, and the Trust, through the Custodian, will deliver bitcoin to such authorized participants when they redeem Shares with the Trust.[13]

II. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2021–029 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[14] to determine whether the proposed rule change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change, as discussed below. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[15] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices'' and ''to protect investors and the public interest.''[16]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice,[17] in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following questions and asks commenters to submit data where appropriate to support their views:

1. What are commenters' views on whether the proposed Trust and Shares would be susceptible to manipulation? What are commenters' views generally on whether the Exchange's proposal is designed to prevent fraudulent and manipulative acts and practices? What are commenters' views generally with respect to the liquidity and transparency of the bitcoin markets, the bitcoin markets' susceptibility to manipulation, and thus the suitability of bitcoin as an underlying asset for an exchange-traded product?

2. What are commenters' views of the Exchange's assertion that regulatory and financial landscapes relating to bitcoin and other digital assets have changed significantly since 2016?[18] Are the changes that the Exchange identifies sufficient to support the determination that the proposed listing and trading of the Shares are consistent with the Act?

3. The Exchange states that ''approving this proposal . . . [would] allow U.S. investors with access to bitcoin in a regulated and transparent exchange-traded vehicle that would act to limit risk'' associated with exposure through other means.[19] Further, the Exchange asserts that ''the manipulation concerns previously articulated by the Commission are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues.''[20] What are commenters' views regarding such assertions?

4. According to the Exchange, ''[n]early every measurable metric related to [Chicago Mercantile Exchange's] Bitcoin Futures has trended consistently up since launch and/or accelerated upward in the past year.''[21] Based on data provided and the academic research cited by the Exchange, do commenters agree that the Chicago Mercantile Exchange (''CME'') now represents a regulated market of

[8] Kryptoin Investment Advisors, LLC (''Sponsor'') is the sponsor of the Trust, Delaware Trust Company is the trustee, and The Bank of New York Mellon will be the administrator (''Administrator'') and transfer agent. Foreside Fund Services, LLC will be the marketing agent in connection with the creation and redemption of ''baskets'' of Shares, and the Sponsor will provide assistance in the marketing of the Shares. Gemini Trust Company, LLC, a third-party regulated custodian (''Custodian''), will be responsible for custody of the Trust's bitcoin. *See id.* at 22485 and 22492–93.

[9] *See id.* at 22493.

[10] *See id.* at 22492.

[11] *See id.* at 22494.

[12] *See id.* at 22493.

[13] *See id.*

[14] 15 U.S.C. 78s(b)(2)(B).

[15] *Id.*

[16] 15 U.S.C. 78f(b)(5).

[17] *See* Notice, *supra* note 3.

[18] *See id.* at 22486–87.

[19] *See id.* at 22487.

[20] *See id.* at 22491.

[21] *See id.* at 22489.

significant size? [22] What are commenters' views on whether there is a reasonable likelihood that a person attempting to manipulate the Shares would also have to trade on CME to manipulate the Shares? What of the Exchange's assertion that the combination of (a) CME bitcoin futures leading price discovery; (b) the overall size of the bitcoin market; and (c) the ability for market participants to buy or sell large amounts of bitcoin without significant market impact helps to prevent the Shares from becoming the predominant force on pricing in either the bitcoin spot or CME bitcoin futures markets? [23]

5. What are commenters' views on the Exchange's statement, generally, that bitcoin is resistant to price manipulation and that other means to prevent fraudulent and manipulative acts and practices exist to justify dispensing with the requisite surveillance sharing agreement with a regulated market of significant size related to bitcoin? [24] What of the Exchange's assertion in support of such statement that significant liquidity in the spot market and the impact of market orders on the overall price of bitcoin mean that attempting to move the price of bitcoin is costly? [25] What of the assertion that offering only in-kind creations and redemptions provides unique protections against potential attempts to manipulate the Shares and that the price the Sponsor uses to value the Trust's bitcoin ''is not particularly important''? [26]

III. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[27]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by August 19, 2021. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by September 2, 2021.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CboeBZX–2021–029 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–CboeBZX–2021–029. 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–CboeBZX–2021–029 and should be submitted by August 19, 2021. Rebuttal comments should be submitted by September 2, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–16121 Filed 7–28–21; 8:45 am]

BILLING CODE 8011–01–P

[22] *See id.* at 22486.

[23] *See id.* at 22492.

[24] *See id.* at 22491 n.55.

[25] *See id.* at 22492.

[26] *See id.*

[27] Section 19(b)(2) of the Act, as amended by the Securities Act Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[28] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92480; File No. SR–NYSE–2020–95]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 2, To Make Permanent Commentaries to Rule 7.35A and Commentaries to Rule 7.35B and To Make Related Changes to Rules 7.32, 7.35C, 46B, and 47

July 23, 2021.

I. Introduction

On November 30, 2020, New York Stock Exchange, Inc. (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to make permanent Commentaries .01(a) and (b) and .06 to Rule 7.35A (DMM-Facilitated Core Open and Trading Halt Auctions) and Commentaries .01 and .03 to Rule 7.35B (DMM-Facilitated Closing Auctions) and to make related changes to NYSE Rules 7.32 (Order Entry), 7.35C (Exchange-Facilitated Closing Auctions), 46B (Regulatory Trading Official), and 47 (Floor Officials—Unusual Situations). The proposed rule change was published for comment in the **Federal Register** on December 1, 2020.[3]

On January 13, 2021, the Commission extended to March 1, 2021, the time period in which to approve the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 90495 (Nov. 24, 2020), 85 FR 77304 (Dec. 1, 2020) (SR–NYSE–2020–95) (''Notice'').

proposal, disapprove the proposal, or institute proceedings to determine whether to approve or disapprove the proposal.[4] On March 1, 2021, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act [5] to determine whether to approve or disapprove the proposed rule change.[6] On April 12, 2021, the Exchange filed Amendment No. 1 to the proposed rule change with the Commission and submitted Amendment No. 1 for inclusion in the public comment file.[7] On May 17, 2021, the Exchange filed Amendment No. 2 to the proposed rule change with the Commission, which superseded the original filing, as amended by Amendment No. 1, in its entirety, and submitted Amendment No. 2 for inclusion in the public comment file.[8] On May 24, 2021, the Commission extended to July 29, 2021, the time period in which to approve or disapprove the proposal.[9] The Commission has received no comment letters on the proposed rule change.

The Commission is publishing notice of the filing of Amendment No. 2 to solicit comment from interested persons, and is approving the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

II. Self-Regulatory Organization's Description of the Proposal, as Modified by Amendment No. 2

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 make permanent Commentaries .01(a) and (b) and .06 to Rule 7.35A (DMM-Facilitated Core Open and Trading Halt Auctions) and Commentaries .01 and .03 to Rule 7.35B (DMM-Facilitated Closing Auctions) and make related changes to Rules 7.32 (Order Entry), 7.35C (Exchange-Facilitated Closing Auctions), 46B (Regulatory Trading Official), and 47 (Floor Officials—Unusual Situations).[10]

Background

In connection with the closing of the Trading Floor facilities located at 11 Wall Street in New York City as of March 23, 2020 and moving the Exchange, on a temporary basis, to fully electronic trading,[11] and subsequent reopening of the Trading Floor on a limited basis first to Floor Brokers on May 26, 2020 [12] and then to DMMs on June 15, 2020,[13] the Exchange added Commentaries .01 and .06 to Rule 7.35A and Commentaries .01 and .03 to 7.35B.[14] Currently, these Commentaries are in effect until the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on April 30, 2021.[15]

Specifically, Commentary .01 to Rule 7.35A provides:

For a temporary period that begins March 23, 2020, when the Trading Floor facilities have been closed pursuant to Rule 7.1(c)(3), and ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020:

(a) The percentage price parameters in paragraph (c)(1)(G) and (c)(2) of this Rule are suspended and a DMM may not effect a Core Open or Trading Halt Auction electronically if the Core Open or Trading Halt Auction Price will be more than 10% away from the Consolidated Last Sale Price.

(b) The volume parameters in paragraph (c)(1)(H) of this Rule are suspended.

(c) The requirement to publish a pre-opening indication pursuant to paragraph (d) of this Rule before either a Core Open or Trading Halt Auction is suspended.

Commentary .06 to Rule 7.35A provides:

For a temporary period that begins on June 17, 2020 and ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020, the Applicable Price Range specified in paragraphs (d)(3)(A) and (B) of this Rule is suspended and the Applicable Price Range will be 10% for securities with an Indication Reference Price higher than $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00.

Commentary .01 to Rule 7.35B provides:

For a temporary period that begins March 23, 2020, when the Trading Floor facilities have been closed pursuant to Rule 7.1(c)(3), and ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020:

(a) The percentage price parameters in paragraph (c)(1)(G) of this Rule are suspended and a DMM may not effect a Closing Auction electronically if the Closing Auction Price will be more than 10% away from the Exchange Last Sale Price.

(b) The volume parameters in paragraph (c)(1)(H) of this Rule are suspended

Finally, Commentary .03 to Rule 7.35B provides:

[4] *See* Securities Exchange Act Release No. 90917 (Jan. 13, 2021), 86 FR 6403 (Jan. 21, 2021).

[5] 15 U.S.C. 78s(b)(2)(B).

[6] *See* Securities Exchange Act Release No. 91227, (Mar. 1, 2021), 86 FR 12991 (Mar. 5, 2021) (''Order Instituting Proceedings'').

[7] *See* Letter from Martha Redding, Associate General Counsel, NYSE LLC, to Secretary, Commission (April 12, 2021). Amendment No. 1 is available at *https://www.sec.gov/comments/sr-nyse-2020-95/srnyse202095-8662901-235314.pdf.*

[8] In Amendment No. 2, the Exchange proposes to: (i) Amend Rule 7.35A(c)(1)(H) to provide a 5% price parameter and eliminate the volume restrictions for DMM-facilitated Trading Halt Auctions; and (ii) amend Rule 7.35A(d)(3)(B) to provide that the Applicable Price Range for determining whether to publish a pre-opening indication for a Trading Halt Auction would be 5% for securities with an Indication Reference Price over $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00. *See* Letter from Martha Redding, Associate General Counsel, NYSE LLC, to Secretary, Commission (May 17, 2021). Amendment No. 2 is available at *https://www.sec.gov/comments/sr-nyse-2020-95/srnyse202095-8807418-237986.pdf.*

[9] *See* Securities Exchange Act Release No. 91975 (May 24, 2021), 86 FR 28921 (May 28, 2021).

[10] In this Amendment No. 2, the Exchange proposes that the percentage parameter that would be applicable to when a DMM may electronically facilitate a Trading Halt Auction or would be required to publish a pre-opening indication would be 5% instead of 10%.

[11] Pursuant to Rule 7.1(e), the CEO notified the Board of Directors of the Exchange of her determination under Rule 7.1(c)(3). The Exchange's rules establish how the Exchange will function fully-electronically. *See* Press Release, dated March 18, 2020, available here: *https://ir.theice.com/press/press-releases/all-categories/2020/03-18-2020-204202110.*

[12] *See* Securities Exchange Act Release No. 88933 (May 22, 2020), 85 FR 32059 (May 28, 2020) (SR–NYSE–2020–47) (Notice of filing and immediate effectiveness of proposed rule change).

[13] *See* Securities Exchange Act Release No. 89086 (June 17, 2020) (SR–NYSE–2020–52) (Notice of filing and immediate effectiveness of proposed rule change).

[14] *See* Securities Exchange Act Release Nos. 88444 (March 20, 2020), 85 FR 17141 (March 26, 2020) (SR–NYSE–2020–22) (amending Rules 7.35A to add Commentary .01, 7.35B to add Commentary .01, and 7.35C to add Commentary .02) and 89086 (June 17, 2020), 85 FR 37712 (SR–NYSE–2020–52) (amending Rules 7.35A to add Commentary .06, 7.35B to add Commentary .03, 76 to add Supplementary Material 20, and Supplementary Material .30 to Rule 36).

[15] *See* Securities Exchange Act Release No. 90795 (December 23, 2020), 85 FR 86608 (December 30, 2020) (SR–NYSE–2020–106) (Notice of filing and immediate effectiveness of proposed rule change to extend the temporary period for Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C; and temporary rule relief in Rule 36.30 to end on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on April 30, 2021). [The Commission notes that, after Amendment No. 2 was filed, the Exchange extended the outside date for effectiveness of the temporary relief from April 30, 2021, to August 31, 2021. *See* Securities Exchange Act Release No. 91778 (May 5, 2021), 85 FR 25902 (May 11, 2021).]

For a temporary period that begins on June 17, 2020 and ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020, Floor Broker Interest will not be eligible to participate in the Closing Auction.

Proposed Rule Changes

Proposed Changes to Parameters for DMM-Facilitated Electronic Auctions

The Exchange proposes to make permanent the parameters for DMM-facilitated electronic auctions that are currently in effect on a temporary basis as set forth in Commentaries .01(a) and (b) to Rule 7.35A and Commentary .01 to Rule 7.35B, with one proposed change for Trading Halt Auctions.

Current Rules 7.35A(c)(1)(G) and (H) provide that a DMM may not effect a Core Open or Trading Halt Auction electronically if (i) the Auction Price will be more than 4% away from the Consolidated Last Sale Price,[16] or (ii) the paired volume for the Auction will be more than 1,500 round lots for securities with an average opening volume of 1,000 round lots or fewer in the previous calendar quarter, or 5,000 round lots for securities with an average opening volume of over 1,000 round lots in the previous calendar quarter. Rule 7.35A(c)(2) further provides that if as of 9:00 a.m., the E-mini S&P 500 Futures are +/−2% from the prior day's closing price of the E-mini S&P 500 Futures, or if the Exchange determines that it is necessary or appropriate for the maintenance of a fair and orderly market, a DMM may effect an opening or reopening electronically if the Auction Price will be up to 8% away from Consolidated Last Sale Price, without any volume limitations.

Current Rule 7.35B(c)(1)(G) and (H) provide that a DMM may not effect a Closing Auction electronically if (i) the Auction Price will be more than a designated percentage away from the Exchange Last Sale Price,[17] or (ii) the paired volume for the Closing Auction will be more than 1,000 round lots for such security. The designated percentages are currently as follows:

Exchange last sale price	Designated percentage
$25.00 and below	5
$25.01 to $50.00	4
Above $50.00	2

The Exchange proposes to make the price percentage parameter 10% and eliminate the volume restrictions for DMM-facilitated Core Open Auctions and Closing Auctions. These parameters are currently in effect on a temporary basis pursuant to Commentaries .01(a) and (b) to Rule 7.35A and Commentary .01 to Rule 7.35B not only for Core Open Auctions and Closing Auctions, but also for Trading Halt Auctions. The Exchange believes that making these temporary Commentaries permanent would promote fair and orderly DMM-facilitated Core Open Auctions and Closing Auctions. For DMM-facilitated Trading Halt Auctions, the Exchange proposes to make the price parameter 5% (instead of 10%) and eliminate the volume restrictions.

In particular, DMMs have been operating with the temporary parameters for Core Open, Trading Halt Auctions, and Closing Auctions since March 23, 2020. Accordingly, these temporary parameters have been in effect not only during the period when the Trading Floor was closed in full, but also for the period when the Trading Floor has partially reopened to reduced staff of DMM and Floor brokers firms. In addition, these temporary parameters have been in effect during periods of both extreme volatility and high trading volumes. Accordingly, DMMs have had over six months' of experience of electronically facilitating Auctions within these temporary parameters and apply them during varying market conditions.

The Exchange has observed that during the period when these temporary parameters have been in effect, DMMs have facilitated more Core Open Auctions electronically, resulting in a higher percentage of Core Open Auctions occurring within two seconds of 9:30 a.m. Eastern Time. For example, in February 2020, which was before the Trading Floor closed, DMMs effected electronically 85.9% of all Core Open Auctions and 75.9% of Core Open Auctions in S&P 500 securities. By contrast, for the period July 2020 through October 2020, after when DMMs had returned to the Trading Floor, DMMs effected electronically 96% of all Core Open Auctions and 89.6% of Core Open Auctions in S&P 500 securities. The increased number of DMM electronically-facilitated Core Open Auctions has resulted in more Core Open Auctions occurring close to the beginning of Core Trading Hours. For example, in February 2020, 85.9% of all Core Open Auctions, and 75.9% of Core Open Auctions in S&P 500 securities, occurred within two seconds of 9:30 a.m. Eastern Time. By contrast, for the period July 2020 through October 2020, 95.9% of all Core Open Auctions, and 89.6% of Core Open Auctions in S&P 500 securities, occurred within two seconds of 9:30 a.m. Eastern Time.

The Exchange has observed similar trends for Closing Auctions, with DMMs facilitating more Closing Auctions electronically, which means more Closing Auctions occurring closer to 4:00 p.m. Eastern Time. In February 2020, DMMs effected electronically 57% of all Closing Auctions and 5.5% of Closing Auctions in S&P 500 securities. By contrast, for the period July 2020 through October 2020, DMMs effected electronically 90.9% of all Closing Auctions, and 53.6% of Closing Auctions in S&P 500 securities. Currently, DMM electronically-facilitated Closing Auctions occur shortly after 4:00 p.m. Eastern Time.[18] Accordingly, the increased number of DMM electronically-facilitated Closing Auctions translates to an increase in the number of Closing Auctions that occur close to 4:00 p.m. Eastern Time. Because the temporary wider percentage parameters and eliminated volume parameters have resulted in more Core Open Auctions and Closing Auctions occurring at 9:30 a.m. Eastern Time or 4:00 p.m. Eastern Time, respectively, the Exchange believes that making these temporary parameters permanent would support the continued fair and orderly operation of Auctions on the Exchange.

The Exchange also notes that during the period when the temporary parameters have been in place, the Exchange has not observed greater auction price dislocation compared to the period immediately preceding implementation of these temporary parameters, and has even observed modest improvement. The Exchange defines auction price dislocation as the difference between the Core Open Auction price and the consolidated

[16] The term ''Consolidated Last Sale Price'' is defined in Rule 7.35 to mean the most recent consolidated last-sale eligible trade in a security on any market during Core Trading Hours on that trading day, and if none, the Official Closing Price from the prior trading day for that security.

[17] The term ''Exchange Last Sale Price'' is defined in Rule 7.35 to mean the most recent trade on the Exchange of a round lot or more in a security during Core Trading Hours on that trading day, and if none, the Official Closing Price from the prior trading day for that security.

[18] When Floor Broker Interest was eligible to participate in the Closing Auction, DMM electronically-facilitated Closing Auctions occurred at 4:02 p.m. Eastern Time. Because there has been no Floor Broker Interest for the Closing Auction during the period while the Trading Floor has been temporarily closed, the Exchange moved the time for DMM electronically-facilitated Closing Auctions to closer to 4:00 p.m. With the proposed change, described below, to permanently eliminate Floor Broker Interest for the Closing Auction, the Exchange would continue to conduct DMM electronically-facilitated Closing Auctions shortly after 4:00 p.m., rather than revert to the 4:02 p.m. time for such auctions.

volume-weighted average price (''VWAP'') over the subsequent five-minute period, or the difference between the Closing Auction price and the consolidated VWAP over the two minutes preceding the Closing Auction; the lower the difference, the lower the auction price dislocation. In February 2020, the Exchange's average Core Open Auction dislocation was 3.27x a security's average spread; for the period July 2020 through October 2020 the average was 3.22x a security's average spread.[19] Similarly, the median Core Open Auction dislocation fell from 1.84x a security's average spread to 1.78x a security's average spread.

The Exchange also observed similar trends in the Closing Auction price dislocation statistics. In February 2020, the Exchange's average Closing Auction Price Dislocation was 0.82x a security's average spread; for the period July 2020 through October 2020, the average was 0.69x a security's average spread.[20] Median Closing Auction dislocation also dropped from 0.5x to 0.43x a security's average spread in the respective periods. Because the temporary wider percentage parameters have not resulted in greater auction price dislocation, the Exchange believes that making these parameters permanent would continue to support fair and orderly Auctions on the Exchange.

To effect these changes, the Exchange proposes to:

- Amend Rule 7.35A(c)(1)(G) to replace the current 4% price parameter for Core Open Auctions with a 10% price parameter and amend Rule 7.35A(c)(1)(H) to replace the current 4% price parameter for Trading Halt Auctions with a 5% price parameter. Because the proposed price parameter would be 10% for Core Open Auctions, the Exchange believes that the need for the double-wide parameters set forth in Rule 7.35A(c)(2) for Core Open Auctions would no longer be necessary and the Exchange proposes to delete that text.
- Delete the volume parameters specified in Rule 7.35A(c)(1)(H).
- Amend Rule 7.35A(j)(1)(A) to delete reference to volume parameters.
- Amend Rule 7.35B(c)(1)(G) to replace the reference to ''designated percentage'' parameter for the Closing Auction with a 10% price parameter. The Exchange further proposes to delete the chart specifying the designated percentages for the Closing Auction.
- Delete Rule 7.35B(c)(1)(H).
- Delete Commentaries .01(a) and (b) to Rule 7.35A.
- Delete the entirety of Commentary .01 to Rule 7.35B.

The Exchange proposes to maintain Commentary .01(c) to Rule 7.35A, which provides that for a temporary period that begins March 23, 2020, when the Trading Floor facilities have been closed pursuant to Rule 7.1(c)(3), and ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020, the requirement to publish a pre-opening indication pursuant to Rule 7.35A(d) before either a Core Open Auction or Trading Halt Auction is suspended. The Exchange proposes non-substantive amendments to delete subparagraph (c) numbering and move the text of that subparagraph into the body of Commentary .01.[21]

Proposed Changes to Applicable Price Range for Pre-Opening Indications

The Exchange proposes to make permanent that the Applicable Price Range for determining whether to publish a pre-opening indication for a Core Open Auction would be 10% for securities with an Indication Reference Price higher than $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00, which is currently in effect on a temporary basis, as set forth in Commentary .06 to Rule 7.35A. The Exchange further proposes that the Applicable Price Range for determining whether to publish a pre-opening indication for a Trading Halt Auction would be 5% for securities with an Indication Reference Price over $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00.

Rule 7.35A(d)(1)(A) currently provides that a DMM will publish a pre-opening indication before a security opens or reopens if the Core Open or Trading Halt Auction is anticipated to be a change of more than the ''Applicable Price Range,'' as specified in Rule 7.35A(d)(3), from a specified ''Indication Reference Price,'' as specified in Rule 7.35A(d)(2).

Rule 7.35A(d)(3)(A) provides that the Applicable Price Range will be 5% for securities with an Indication Reference Price over $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00. Rule 7.35A(d)(3)(B) further provides that,

> If as of 9:00 a.m., the E-mini S&P 500 Futures are +/−2% from the prior day's closing price of the E-mini S&P 500 Futures, when reopening trading following a market-wide trading halt under Rule 7.12, or if the Exchange determines that it is necessary or appropriate for the maintenance of a fair and order market, the Applicable Price Range for determining whether to publish a pre-opening indication will be 10% for securities with an Indication Reference Price over $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00.

Current Rule 7.35A(1)(A) further provides that a DMM may not effect a Core Open or Trading Halt Auction electronically if a pre-opening indication has been published for the Core Open Auction. Accordingly, Exchange Rules already provide for a correlation between pre-opening indications and whether a DMM may effect a Core Open or Trading Halt Auction electronically. Currently, that is achieved through similar, though not identical, percentage parameters: The price parameter for DMM-facilitated electronic Core Open and Trading Halt Auctions is 4% and the Applicable Price Range for pre-opening indications is 5%. When there is market-wide volatility, both are doubled.

The Exchange believes that because of this existing correlation, in connection with permanently widening the price parameters for DMM-facilitated electronic Core Open Auctions to 10%, the Applicable Price Range for determining whether to publish a pre-opening indication should similarly not only be widened, but also be aligned to 10%. Similarly, because the price parameters for DMM-facilitated electronic Trading Halt Auctions would be 5%, the Applicable Price Range for determining whether to publish a pre-opening indication should be aligned to be 5%. With these proposed changes, if there is a significant enough price movement to require a DMM to effect a Core Open or Trading Halt Auction manually, the DMM would be required to publish a pre-opening indication for such Core Open or Trading Halt Auction. The Exchange notes that if a DMM chooses to facilitate a Core Open Auction or Trading Halt Auction manually (*i.e.,* if there is less than a 10% price movement for a Core Open Auction or 5% price movement for a Trading Halt Auction), a DMM could still choose to publish a pre-opening indication in connection with such Auction, even if the Applicable Price

[19] Market volatility was, on average, lower in February 2020 as compared to July 2020–October 2020. Calculating the price dislocation metric in terms of a security's average spread incorporates the wider spreads in the latter period and allows for a better comparison between the two periods.

[20] Closing Auction price dislocation is generally lower than Core Open Auction price dislocation, due to the relatively lower levels of volatility around the Closing Auction compared to the Core Open Auction.

[21] The Exchange notes that even though the requirement for pre-opening indications has been suspended, since June 17, 2020, when DMMs returned staff to the Trading Floor, DMMs have published pre-opening indications for IPO Auctions and the two Direct Listing Auctions on September 30, 2020.

Range has not been triggered. For example, DMMs generally publish pre-opening indications for IPO Auctions and Direct Listing Auctions regardless of whether the Applicable Price Range has been triggered.

The Exchange does not believe that permanently widening the Applicable Price Range for when a DMM is required to publish a pre-opening indication would reduce transparency in connection with Core Open Auctions. The Exchange currently disseminates Auction Imbalance Information for all Core Open Auctions.[22] Since August 2019, when the Exchange transitioned Exchange-listed securities to the Pillar trading platform, all Floor broker orders for the Core Open Auctions must be entered electronically. Accordingly, all such interest is reflected in the Auction Imbalance Information, which was not the case before the Exchange transitioned to Pillar. Accordingly, the Auction Imbalance Information includes information about all buy and sell orders entered in advance of such Auctions.[23]

To effect this change, the Exchange proposes to combine and amend current Rule 7.35A(d)(3)(A) and (B) to make it a single subparagraph (A) that would provide that the Applicable Price Range for determining whether to publish a pre-opening indication for a Core Open Auction would be 10% for securities with an Indication Reference Price over $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00. The Exchange proposes to delete the introductory text to Rule 7.35A(d)(3)(B) regarding circumstances when the Exchange could widen the Applicable Price Range under the current Rule. The Exchange further proposes new text for Rule 7.35A(d)(3)(B) that would provide that the Applicable Price Range for determining whether to publish a pre-opening indication for a Trading Halt Auction would be 5% for securities with an Indication Reference Price over $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00. The Exchange further proposes to delete Commentary .06 to Rule 7.35A.

Proposed Changes to Floor Broker Interest for the Closing Auction

The Exchange proposes to make permanent that Floor Broker Interest would not be eligible to participate in the Closing Auction, as set forth in Commentary .03 to Rule 7.35B. The term ''Floor Broker Interest'' is defined in Rule 7.35(a)(9) to mean orders represented orally by a Floor broker at the point of sale.

Rule 7.35B(a)(1) currently provides that Floor Broker Interest is eligible to participate in the Closing Auction provided that the Floor broker has electronically entered such interest before the Auction Processing Period for the Closing Auction begins. The Rule further provides that for such interest to be eligible to participate in the Closing Auction, a Floor broker must first, by the end of, but not after, Core Trading Hours, orally represent Floor Broker Interest at the point of sale, including symbol, side, size, and limit price, and then second, electronically enter such interest after the end of Core Trading Hours. Current Rules 7.35B(a)(1)(B) and (C) set forth additional requirements relating to electronic acceptance of such interest by the DMM and circumstances when such interest can be cancelled.

On June 17, 2020, when the Exchange reopened the Trading Floor to limited numbers of DMMs, the Exchange added Commentary .03 to Rule 7.35B. Accordingly, from June 17, 2020 to the present, even though reduced numbers of DMMs and Floor brokers are present on the Trading Floor, Floor Broker Interest has not been eligible to participate in the Closing Auction.

During this period, the Exchange has observed that even in the absence of Floor Broker Interest, Floor broker participation in Closing Auctions has returned to similar levels of Floor broker participation in the Closing Auction for the period before March 23, 2020. For example, in February 2020, 34.5% of Auction-Only Orders for the Closing Auction were entered as Closing D Orders, which are available only to Floor brokers.[24] In October 2020, 38.8% of the Auction-Only Orders for the Closing Auction were Closing D Orders, which demonstrates that Floor broker participation in the Closing Auction has not only returned since the Trading Floor reopened, but has actually increased as compared to February 2020. Moreover, in February 2020, only 0.1% of total Floor broker orders for the Closing Auction was represented as Floor Broker Interest, and that Floor Broker Interest represented less than 0.01% of the total interest that participated in the Closing Auction. Based on both the relatively small levels of Floor Broker Interest that was participating in the Closing Auction before the Trading Floor closed and the ongoing availability of Closing D Orders for Floor brokers, the Exchange does not believe that eliminating Floor Broker Interest for the Closing Auction would materially impact the ability of Floor brokers to represent customer orders for the Closing Auction.

Based on this experience, the Exchange proposes to make permanent Commentary .03 to Rule 7.35B. To effect this change, the Exchange proposes to amend Rule 7.35B(a)(1) to provide that Floor Broker Interest would not be eligible to participate in the Closing Auction. To provide clarity that a Floor broker would not be permitted to represent verbal interest intended for the Closing Auction, the Exchange further proposes to provide that Floor brokers must enter any orders for the Closing Auction, as defined in Rule 7.31, electronically during Core Trading Hours. The Exchange believes that the cross-reference to Rule 7.31 in the Rule would provide notice to Floor brokers and their customers of which order types are available for electronic entry by Floor brokers for the Closing Auction, which include both Auction-Only Orders described in Rule 7.31(c) and other orders that may be resting on the Exchange Book that are eligible to participate in the Closing Auction. The Exchange also proposes to delete Commentary .03 to Rule 7.35B.

The Exchange proposes to make related changes by deleting the clause ''and Floor Broker Interest intended for the Closing Auction as defined in Rule 7.35B(a)(1)'' from Rule 7.32. Similarly, the Exchange proposes to delete the text

[22] Pursuant to Commentaries .01 and .02 to Rule 7.35, for the temporary period that ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on December 31, 2020, the Exchange includes IPOs and Direct Listings in the Auction Imbalance Information. The Exchange has filed a separate proposed rule change to include IPOs and Direct Listings in the Auction Imbalance Information on a permanent basis. *See* Securities Exchange Act Release No. 90387 (November 10, 2020) (SR–NYSE–2020–93) (Notice of Filing).

[23] Rule 7.35(a)(4) provides that DMM Auction Liquidity is never included in Auction Imbalance Information. By its terms, DMM Auction Liquidity, as defined in Rule 7.35(d)(8)(A), is entered by the DMM either manually or electronically as part of the DMM unit's electronic message to conduct an Auction. For an Auction effected electronically by the DMM, DMM Auction Liquidity is entered simultaneously with the DMM facilitating the Auction, which is why it is not included in the Auction Imbalance Information leading up to such Auction. For an Auction effected manually by the DMM, the DMM can factor such interest into the pre-opening indication price range. DMM Orders, as defined in Rule 7.35(d)(8)(B), that may be entered by the DMM in advance of such Auctions would be included in the Auction Imbalance Information.

[24] For Exchange-listed securities, Auction-Only Orders are defined in Rule 7.31 to mean a Limit or Market Order that is to be traded only in an auction pursuant to the Rule 7.35 Series. The Exchange accepts the following Auction-Only Orders for the Closing Auction: Limit-on-Close Order (''LOC Order''), Market-on-Close Order (''MOC Order''), Closing D Order, and Closing Imbalance Offset Orders. All four types of Auction-Only Orders are available to Floor brokers.

set forth in Rule 7.35C(a)(2) relating to Floor Broker Interest that provides that ''Floor Broker Interest that has been electronically accepted by the DMM and that has not been cancelled as provided for in Rule 7.35B(a)(1)(C) will be eligible to participate in an Exchange-facilitated Closing Auction.'' The Exchange proposes to designate that sub-paragraph as ''Reserved.'' [25]

In addition, the Exchange proposes to delete Rule 46B and amend Rule 47(b). Under Rule 47, Floor Officials have the authority to ''supervise and regulate active openings and unusual situations that may arise in connection with the making of bids, offers or transactions on the Floor.'' The Exchange recently amended its rules to add Regulatory Trading Officials (''RTO''), which are defined in Rule 46B.[26] As described in the RTO Approval Order, unusual situations that may arise in connection with Floor Broker Interest for the Closing Auction could be ''if the Floor broker hand-held device malfunctions or ceases to work or if a Floor broker is physically impeded, as a result of a crowd condition beyond that of normal traffic flow on the Exchange's trading Floor or some other circumstance beyond the Floor broker's control, in his or her ability to be present at a post before the DMM closes the security.'' [27] The Exchange amended Rule 47 to add subparagraph (b), which provides that RTOs, instead of Floor Officials, would be responsible for supervising and regulating situations regarding whether a verbal bid or verbal offer is eligible for inclusion in the Closing Auction by the DMM.

Because the Exchange proposes to eliminate verbal bids or verbal offers for the Closing Auction, the Exchange proposes to delete the last clause of Rule 47(a) and subparagraph (b) to Rule 47.[28] As proposed, Rule 47 would revert to the rule text in effect prior to the RTO Approval Order and would provide that ''Floor Officials shall have power to supervise and regulate active openings and unusual situations that may arise in connection with the making of bids, offers or transactions on the Floor.'' With this proposed change, RTOs would no longer have a role under Exchange rules. Therefore, the Exchange proposes to delete Rule 46B.

The Exchange also proposes to delete Commentary .02 to Rule 7.35B. This Commentary is obsolete because it has not been in effect since May 22, 2020.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act,[29] in general, and furthers the objectives of Sections 6(b)(5) of the Act,[30] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to, and perfect the mechanisms of, a free and open market and a national market system and, in general, to protect investors and the public interest and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Proposed Changes to Parameters for DMM-Facilitated Electronic Auctions

The Exchange believes that the proposed change to make permanent the parameters for DMM-facilitated electronic Core Open Auctions and Closing Auctions that are currently in effect on a temporary basis as set forth in Commentaries .01(a) and (b) to Rule 7.35A and Commentary .01 to Rule 7.35B would remove impediments to and perfect the mechanism of a free and open market and a national market system because the Exchange believes that these updated parameters would promote fair and orderly Auctions on the Exchange. These temporary parameters have been in effect not only during the period when the Trading Floor was closed in full, but also for the period when the Trading Floor has partially reopened to reduced staff of DMM and Floor brokers firms. In addition, these temporary parameters have been in effect during periods of both extreme volatility and high trading volumes. Accordingly, DMMs have had over six months' of experience of electronically facilitating Auctions within these temporary parameters and applying them during varying market conditions.

During this period, the Exchange has observed that with these temporary parameters, a higher number of Core Open Auctions and Closing Auctions have been electronically facilitated by the DMM, which has resulted in a greater number of Core Open Auctions and Closing Auctions occurring shortly after 9:30 a.m. or 4:00 p.m., respectively. The Exchange has further observed that there have been modest improvements in auction price dislocation during the period when these temporary parameters have been in place. Accordingly, the Exchange believes that making these parameters permanent would promote the continued fair and orderly operation of Auctions for Exchange-listed securities.

In addition, the Exchange further believes that the proposed 5% percentage parameter for DMM-facilitated electronic Trading Halt Auctions would remove impediments to and perfect the mechanism of a free and open market and a national market system because this percentage parameter would be aligned with the initial collars applicable to electronic reopening auctions following a MWCB Halt or trading pause on the automated primary listing exchanges that do not have trading floors.[31] On the Exchange, DMMs are required to facilitate manually a Trading Halt Auction following a regulatory halt issued under Section 2 of the Listed Company Manual. Accordingly, the proposed 5% percentage parameter would be applicable only to DMM-facilitated electronic Trading Halt Auctions following a trading pause or MWCB Halt. This proposed 5% percentage parameter would not require such Trading Halt Auctions to be priced within that range. Rather, if the Trading Halt Auction were to occur outside of that percentage parameter, the DMM would be required to facilitate such Trading Halt Auction manually. Regardless of whether a Trading Halt is facilitated by a DMM manually or electronically, the DMM would be required to determine the Auction Price as provided for in Rule 7.35A(g) and orders would be allocated as provided for in Rule 7.35A(h).

Proposed Changes to Applicable Price Range for Pre-Opening Indications

The Exchange believes that the proposed change to make permanent that the Applicable Price Range for determining whether to publish a pre-opening indication for a Core Open Auction would be 10% for securities with an Indication Reference Price

[25] The Exchange has a pending proposed rule change to amend Rule 7.35C(a). *See* (SR–NYSE–2020–89).

[26] *See* Securities Exchange Act Release No. 88765 (April 29, 2020), 85 FR 26771 (May 5, 2020) (SR–NYSE–2020–03) (''RTO Approval Order'').

[27] *Id.* at 26772.

[28] RTOs were approved when the Trading Floor was temporarily closed. *Id.* Because Commentary .03 to Rule 7.35B was implemented when DMMs returned to the Trading Floor, there has not been any Floor Broker Interest for Closing Auctions since RTOs were created and therefore RTOs have not had to perform the functions as described in Rule 46(b).

[29] 15 U.S.C. 78f(b).

[30] 15 U.S.C. 78f(b)(5).

[31] *See, e.g.,* NYSE Arca, Inc. Rule 7.35–E(e)(7) (specifying initial Auction Collars for Trading Halt Auctions).

higher than $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00, which are currently in effect on a temporary basis, and to provide for an Applicable Price Range for Trading Halt Auctions of 5% for securities with an Indication Reference Price higher than $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00 would remove impediments to and perfect the mechanism of a free and open market and a national market system because the Exchange believes that these updated Applicable Price Ranges would promote fair and orderly Auctions on the Exchange.

Exchange rules already provide for a correlation between the parameters for when a DMM may facilitate an Auction electronically and the Applicable Price Range for determining whether to disseminate a pre-opening indication. The Exchange believes that the proposed Applicable Price Ranges should be aligned with the Exchange's proposed parameters for when a DMM may facilitate an Auction electronically. Specifically, with this proposed change, if there is a significant enough price movement to require a DMM to effect a Core Open or Trading Halt Auction manually, the DMM would be required to publish a pre-opening indication for such Core Open or Trading Halt Auction. The Exchange notes that if a DMM chooses to facilitate a Core Open Auction or Trading Halt Auction manually (*i.e.,* if there is less than a 10% price movement for a Core Open Auction or 5% for a Trading Halt Auction), a DMM could still choose to publish a pre-opening indication in connection with such Auction, even if the Applicable Price Range has not been triggered.

The Exchange does not believe that permanently widening the Applicable Price Range for when a DMM is required to publish a pre-opening indication would reduce transparency in connection with Core Open Auctions. The Exchange currently disseminates Auction Imbalance Information for Core Open Auctions and Trading Halt Auctions. Since August 2019, when the Exchange transitioned Exchange-listed securities to the Pillar trading platform, all Floor broker orders for the Core Open and Trading Halt Auctions must be entered electronically. Accordingly, all such interest is reflected in the Auction Imbalance Information, which was not the case before the Exchange transitioned to Pillar. Accordingly, the Auction Imbalance Information includes information about all buy and sell orders entered in advance of such Auctions.

Proposed Changes to Floor Broker Interest for the Closing Auction

The Exchange believes that the proposed change to make permanent that Floor Broker Interest would not be eligible to participate in the Closing Auction, which is currently in effect on a temporary basis as set forth in Commentary .03 to Rule 7.35B, would remove impediments to and perfect the mechanism of a free and open market because it would promote fair and orderly Closing Auctions on the Exchange.

The Exchange has observed that even in the absence of Floor Broker Interest, Floor broker participation in the Closing Auction has returned, and indeed increased, as compared to the level of Floor broker participation in the Closing Auction for February 2020. Moreover, even when Floor Broker Interest was available to participate in Closing Auctions, such interest represented only 0.1% of total Floor broker orders that participated in Closing Auctions. Accordingly, the Exchange does not believe that the proposed change would materially alter Floor brokers' ability to meaningfully participate in the Closing Auction. Moreover, in the absence of Floor Broker Interest, the Exchange was able to move the time for DMM-facilitated electronic Closing Auctions from 4:02 p.m. to shortly after 4:00. By making this change permanent, DMM-facilitated electronic Closing Auctions would continue to occur shortly after 4:00.

The Exchange further believes that the proposed amendments to Rules 7.32, 7.35, 46B, and 47(b) would remove impediments to and perfect the mechanism of a free and open market and a national market system because such rules would no longer be necessary in the absence of Floor Broker Interest for the Closing Auction. Accordingly, these proposed rule changes would promote transparency and clarity by removing references that would be obsolete.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[32] 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. The proposed change is not designed to address any competitive issues. Instead, the proposed rule changes are designed to make permanent changes that have been implemented on a temporary basis relating to the functions of Auctions on the Exchange and that have contributed to the fair and orderly Auction process during the period that they have been in effect. The proposed rule change does not have any effect on intermarket competition because these proposed changes relate to Auctions in Exchange-listed securities for which the Exchange is the primary listing exchange.

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. Order Instituting Proceedings

In the Order Instituting Proceedings, the Commission requested comment on, among other things: (1) Whether the primary listing exchanges should harmonize their respective processes for reopening trading by fully automated auction after a limit-up/limit-down (''LULD'') pause or a Level 1 or Level 2 market-wide circuit breaker (''MWCB'') halt;[33] (2) whether the NYSE should further harmonize its proposed Trading Halt Auction process for fully automated auctions facilitated electronically by DMMs to align with Nasdaq, NYSE Arca, and Cboe BZX regarding the establishment of permitted price bands, and/or the limit (or lack thereof) on price band adjustments; (3) whether the Exchange should permit a DMM to reopen a security up to 10% away from the reference price immediately after an LULD pause or MWCB halt without human intervention; (4) whether there are characteristics of the NYSE market structure that warrant divergence from the price parameters in place for other exchanges' fully automated reopening auctions immediately following an LULD pause or MWCB halt; and (5) whether the price parameters within which DMMs are permitted to electronically facilitate auctions should be the same for Core Open Auctions, Trading Halt Auctions, and Closing

[32] 15 U.S.C. 78f(b)(8).

[33] As originally proposed by the Exchange, Trading Halt Auctions facilitated electronically by DMMs would differ from other primary listing markets' reopening processes after LULD pauses and MWCB halts in that they would permit a fully automated reopening of trading at prices up to 10% away from the auction reference price immediately after trading pauses or halts, whereas Nasdaq, NYSE Arca, and Cboe BZX establish 5% price bands for reopening and then widen those price bands in increments of 5%, with additional auction extension messages associated with each widening, until market interest can be satisfied.

Auctions.[34] In response to the questions raised in the Order Instituting Proceedings, the Exchange submitted Amendment No. 2, which changed the percentage parameter that would be applicable to when a DMM may electronically facilitate a Trading Halt Auction or would be required to publish a pre-opening indication from 10%, as originally proposed, to 5%.

IV. Discussion and Commission Findings

After careful review, the Commission is approving the proposed rule change, as modified by Amendment No. 2, for the reasons discussed below.[35] The Commission finds that the proposed rule change, as modified, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, including Section 6(b)(5) of the Exchange Act,[36] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest; and are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Parameters for DMM-Facilitated Electronic Auctions

The Commission finds that the proposed change to establish wider permanent parameters for DMM-facilitated electronic Core Open Auctions and Closing Auctions is reasonably designed to promote fair and orderly Auctions on the Exchange. The Commission notes that DMMs have had over six months of experience of electronically facilitating Auctions within these parameters under temporary rules of the Exchange and that the Exchange's proposal includes statistics indicating that, during this six-month period, a higher percentage of Core Open Auctions and Closing Auctions have occurred shortly after 9:30 a.m. or 4:00 p.m., respectively, and that this increase has not been accompanied by an increase in auction price dislocation, but has instead been accompanied by a modest improvement.

The Commission also finds that the proposed 5% percentage parameter for DMM-facilitated electronic Trading Halt Auctions is reasonably designed to remove impediments to and perfect the mechanism of a free and open market and a national market system because this change would align the percentage parameters for immediate electronic reopening auctions after a MWCB halt or trading pause with the initial collars applicable to electronic reopening auctions on the other primary listing exchanges.[37]

Applicable Price Range for Pre-Opening Indications

The Exchange proposes to make permanent that the Applicable Price Range for determining whether to publish a pre-opening indication for a Core Open Auction would be 10% for securities with an Indication Reference Price higher than $3.00 and $0.30 for securities with an Indication Reference Price equal to or lower than $3.00. The Exchange also proposes to change its rules to provide for an Applicable Price Range for Trading Halt Auctions of 5% for securities with an Indication Reference Price higher than $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00. The Commission finds that these changes are reasonably designed to remove impediments to and perfect the mechanism of a free and open market and a national market system by promoting fair and orderly Auctions on the Exchange because they would align the parameters within which a DMM may facilitate an Auction electronically and the Applicable Price Range for determining whether to disseminate a pre-opening indication (which, under the Exchange's rules, prevents a DMM from facilitating an auction electronically). Additionally, the Commission does not believe that widening the Applicable Price Range that governs when a DMM is required to publish a pre-opening indication would reduce transparency in the market because all buy and sell orders entered in advance of Core Open and Trading Halt Auctions are already reflected in Auction Imbalance Information.

Proposed Changes to Floor Broker Interest for the Closing Auction

The Commission finds that the proposal to make permanent that Floor Broker Interest—orders represented orally by a Floor broker at the point of sale—would not be eligible to participate in the Closing Auction is reasonably designed to remove impediments to and perfect the mechanism of a free and open market by promoting fair and orderly Closing Auctions on the Exchange, because precluding participation by Floor Broker Interest has enabled the exchange to hold DMM-facilitated electronic Closing Auctions more quickly after the 4:00 p.m. scheduled close of trading and because Floor brokers will remain able to participate in the Closing Auction through the use of Closing D Orders.[38]

For the reasons discussed above, the Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with the requirements of the Act and in particular Section 6(b)(5) because it is reasonably designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

V. Solicitation of Comments on Amendment No. 2 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether Amendment No. 2 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NYSE–2020–95 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2020–95. 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

[34] *See* Order Instituting Proceedings, *supra* note 6, 86 FR at 12993.

[35] In approving this proposed rule change, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[36] 15 U.S.C. 78f(b)(5).

[37] *See, e.g.,* NYSE Arca, Inc. Rule 7.35–E(e)(7) (specifying initial Auction Collars for Trading Halt Auctions).

[38] In fact, the Exchange represents that Floor broker participation in the Closing Auction has increased despite the absence of Floor Broker Interest, as compared to the level of Floor broker participation in the Closing Auction for February 2020.

internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2020–95 and should be submitted on or before August 19, 2021.

VI. Accelerated Approval of Amendment No. 2

As noted above, in Amendment No. 2, as compared to the original proposal,[39] the Exchange proposes to: (i) Amend Rule 7.35A(c)(1)(H) to provide a 5% price parameter and eliminate the volume restrictions for DMM-facilitated Trading Halt Auctions; and (ii) amend Rule 7.35A(d)(3)(B) to provide that the Applicable Price Range for determining whether to publish a pre-opening indication for a Trading Halt Auction would be 5% for securities with an Indication Reference Price over $3.00 and $0.15 for securities with an Indication Reference Price equal to or lower than $3.00. The Commission believes that the proposed 5% price parameter for DMM-facilitated Trading Halt Auctions is consistent with the Act because this percentage parameter would be aligned with the initial collars applicable to electronic reopening auctions following a MWCB Halt or trading pause on the automated primary listing exchanges that do not have trading floors. The Commission believes it is reasonable to also align the price parameter for DMM-facilitated Trading Halt Auctions with the parameter for publishing a pre-opening indication because Rule 7.35A(c)(1)(A) prohibits a DMM from effecting a Core Open or Trading Halt Auction electronically if a pre-opening indication has been published for the Core Open Auction.

Therefore, the Commission finds that Amendment No. 2 to the proposal raises no novel regulatory issues, that it is reasonably designed to protect investors and the public interest, and that it is consistent with the requirements of the Act. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[40] to approve the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

VII. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[41] that the proposed rule change (SR–NYSE–2020–95), as modified by Amendment No. 2, be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[42]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–16122 Filed 7–28–21; 8:45 am]

BILLING CODE 8011–01–P

[39] *See* Notice, *supra* note 3.

[40] 15 U.S.C. 78s(b)(2).

[41] 15 U.S.C. 78s(b)(2).

[42] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17050 and #17051; ALABAMA Disaster Number AL–00122]

Administrative Declaration of a Disaster for the State of ALABAMA

AGENCY: Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of ALABAMA dated 07/22/2021.

Incident: Tropical Storm Claudette.

Incident Period: 06/19/2021.

DATES: Issued on 07/22/2021.

Physical Loan Application Deadline Date: 09/20/2021.

Economic Injury (EIDL) Loan Application Deadline Date: 04/22/2022.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Escambia, Tuscaloosa.

Contiguous Counties:

Alabama: Baldwin, Bibb, Conecuh, Covington, Fayette, Greene, Hale, Jefferson, Monroe, Pickens, Walker.

Florida: Escambia, Okaloosa, Santa Rosa.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	3.250
Homeowners without Credit Available Elsewhere	1.625
Businesses with Credit Available Elsewhere	5.760
Businesses without Credit Available Elsewhere	2.880
Non-Profit Organizations with Credit Available Elsewhere	2.000
Non-Profit Organizations without Credit Available Elsewhere	2.000
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	2.880
Non-Profit Organizations without Credit Available Elsewhere	2.000

The number assigned to this disaster for physical damage is 17050 8 and for economic injury is 17051 0.

The States which received an EIDL Declaration # are Alabama, Florida.

(Catalog of Federal Domestic Assistance Number 59008)

Isabella Guzman,

Administrator.

[FR Doc. 2021–16203 Filed 7–28–21; 8:45 am]

BILLING CODE 8026–03–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

AGENCY: Small Business Administration.

ACTION: 60-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) is publishing this notice in compliance with the Paperwork Reduction Act (PRA) of 1995, as amended, to solicit public comments on the information collection described below. The PRA requires

publication of this notice before submitting the information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Submit comments on or before September 27, 2021.

ADDRESSES: Comments should refer to the information collection by title or OMB Control Number (3245–0417) and submitted by the deadline above to: *PPP_Info_Collections@sba.gov.*

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Agency Clearance Officer, Curtis Rich, at (202) 205–7030, or *curtis.rich@sba.gov,* or from Adrienne Grierson, Program Manager, Office of Financial Program Operations, at 202–205–6573, or *adrienne.grierson@sba.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic Aid Act also allowed certain eligible borrowers that previously received a PPP loan to receive a second draw PPP loan (''Second Draw PPP Loan Program'') and amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

This information collection is used for the Second Draw PPP Loan Program. Since the initial approval of this information collection on January 8, 2021, the information collection has been amended twice to meet the ever-evolving needs of the PPP program, as necessitated by a statutory program amendments, public feedback, or other factors. The information collection is currently approved under the emergency procedures authorized by 5 U.S.C. 3507(j) and 5 CFR 1320.13; this approval is set to expire on September 30, 2021.

Although SBA's program authority has expired, this information collection may still be needed in connection with pending litigation. Therefore, as required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond September 30, 2021. There are no proposed changes to any of the forms.

Summary of Information Collection

Title: Paycheck Protection Loan Program—Second Draw.

OMB Control Number: 3245–0417.

(I) SBA Form 2483—Paycheck Protection Program Second Draw Application

Estimated Number of Respondents: 2,103,200.

Estimated Annual Responses: 2,103,200.

Estimated Annual Hour Burden: 280,427.

(II) SBA Form 2483–SD–C—Paycheck Protection Program Second Draw Application for Schedule C Filers Using Gross Income

Estimated Number of Respondents: 501,800.

Estimated Annual Responses: 501,800.

Estimated Annual Hour Burden: 66,907.

(III) SBA FORM 2484–SD—Paycheck Protection Program Second Draw Lender's Application for 7(A) Guaranty

Estimated Number of Respondents: 5,506.

Estimated Annual Responses: 2,605,000.

Estimated Annual Hour Burden: 1,085,417.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

Curtis Rich,

Management Analyst.

[FR Doc. 2021–16015 Filed 7–28–21; 8:45 am]

BILLING CODE 8026–03–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

AGENCY: Small Business Administration

ACTION: 60-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) is publishing this notice in compliance with the Paperwork Reduction Act (PRA) of 1995, as amended, to solicit public comments on the information collection described below. The PRA requires publication of this notice before submitting the information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Submit comments on or before September 27, 2021.

ADDRESSES: Comments should refer to the information collection by title or OMB Control Number (3245–0407) and submitted by the deadline above to: *PPP_Info_Collections@sba.gov.*

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Agency Clearance Officer, Curtis Rich, at (202) 205–7030, or *curtis.rich@sba.gov,* or from Adrienne Grierson, Program Manager, Office of Financial Program Operations, at 202–205–6573, or *adrienne.grierson@sba.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic

Aid Act also allowed certain eligible borrowers to receive a second draw PPP loan and amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

Subject to certain limitations, proceeds of a PPP loan may be used for payroll costs, costs related to the continuation of group health care, life, disability, vision or dental benefits during periods of paid sick, medical or family leave and group health care, life, disability, vision, or dental insurance premiums, mortgage interest payments, rent payments, utility payments, interest payments on other debt incurred prior to February 15, 2020, refinancing of an eligible SBA Economic Injury Disaster Loan, covered operations expenditures, covered property damage costs, covered supplier costs, and covered worker protection expenditures. Under section 7A of the Small Business Act, a PPP loan may be forgiven in full or in part if the PPP borrower used the proceeds for the eligible purposes during the loan forgiveness covered period.

Since the initial approval on April 6, 2020, this information collection has been amended multiple times to meet the ever-evolving needs of the program, as necessitated by statutory program amendments, public feedback, or other factors. The information collection is currently approved under the emergency procedures authorized by 44 U.S.C. 3507(j) and 5 CFR 1320.13; this approval is set to expire on September 30, 2021. As required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond September 30, 2021.

SBA has received multiple comments on this information collection. A substantial number of the commenters focused almost exclusively on SBA Form 3509, ''Loan Necessity Questionnaire (For-Profit Borrowers)'' and SBA Form 3510, ''Loan Necessity Questionnaire (Non-Profit Borrowers)'' and urged SBA to remove them from the collection and not impose additional reporting requirements on Borrowers. After extensive evaluation, SBA is discontinuing the use of these two forms.

Because SBA's authority to guarantee PPP loans expired on June 30, 2021, SBA will no longer be approving new lenders to participate in PPP. For that reason, SBA is removing SBA Form 3506, ''CARES Act Section 1102 Lender Agreement'' and SBA Form 3507, ''CARES Act Section 1102 Lender Agreement—Non-Bank and Non-Insured Depository Institution Lenders.''

Except for the four forms identified above, all other components of this information collection will still be needed for various reasons, including reporting by lenders, ongoing loan reviews and requests for loan forgiveness. SBA is proposing to make the following amendments to the information to be collected after expiration of the program authority:

(A) SBA Form 3508, ''Paycheck Protection Program, Loan Forgiveness Application Form 3508'' and Instructions; SBA Form 3508EZ ''Paycheck Protection Program, PPP Loan Forgiveness Application Form 3508EZ'' and Instructions; and SBA Form 3508S, ''Paycheck Protection Program, PPP Loan Forgiveness Application Form 3508S'' and Instructions:

- Revise to reflect changes made to the calculation of payroll costs by Schedule C filers under the interim final rule titled ''Business Loan Program Temporary Changes; Paycheck Protection Program Revisions to Loan Amount Calculation and Eligibility'' (86 FR 13149, March 8, 2021).
- Revise to incorporate payroll cost exclusions required by the American Rescue Plan Act.
- Add fields to capture the amount and date of a loan increase.
- Delete the question (and related instructions) asking if the borrower together with affiliates has $2 million or more in PPP loans.
- Add Individual Taxpayer Identification Number (ITIN) to the header of the ''Business TIN'' field.
- Relocate the optional demographic information collection box to earlier in the form.

(B) SBA Form 3508S, ''Paycheck Protection Program, PPP Loan Forgiveness Application Form 3508S'' and Instructions only:

- Identify data fields that will be pre-populated when a PPP borrower submits an electronic version of the SBA Form 3508S via SBA's Paycheck Protection Platform (SBA's Platform).
- Add instructions regarding submission of an electronic version of the SBA Form 3508S via SBA's Platform.
- Add information about use of a COVID Revenue Reduction Score.

(C) SBA Form 3508D, ''Paycheck Protection Program, Borrower's Disclosure of Certain Controlling Interests'':

- Revise to allow for direct borrower submission of the form via SBA's Platform.

(D) [No Form Number] ''Lender Reporting Requirements Concerning Requests for Loan Forgiveness'':

- Provide an optional process for lenders to allow their PPP borrowers to submit an electronic version of SBA Form 3508S through SBA's Platform.
- Provide an optional process for lenders to use SBA's Platform to perform reviews of, issue forgiveness decisions on, and request forgiveness payments on SBA Form 3508S forgiveness applications submitted by their PPP borrowers.
- Provide an optional process for lenders to obtain and use a COVID Revenue Reduction Score to confirm revenue reduction for certain Second Draw PPP Loan borrowers.

(E) [No Form Number] ''Lender Reporting Requirements for Loan Review'':

- Delete requirement for SBA to review all loans of $2 million or more.

Summary of Information Collection

Title: Paycheck Protection Loan Program Borrower Information Form and Lender's Application for Loan Guaranty.

OMB Control Number: 3245–0407.

(I) SBA FORM 2483—PAYCHECK PROTECTION PROGRAM BORROWER APPLICATION

Estimated Number of Respondents: 9,279,434.

Estimated Annual Responses: 9,279,434.

Estimated Annual Hour Burden: 1,237,258.

(II) SBA FORM 2483–C—PAYCHECK PROTECTION PROGRAM BORROWER APPLICATION FOR SCHEDULE C FILERS USING GROSS INCOME

Estimated Number of Respondents: 239,160.

Estimated Annual Responses: 239,160.

Estimated Annual Hour Burden: 31,888.

(III) SBA FORM 2484—PAYCHECK PROTECTION PROGRAM LENDER'S APPLICATION FOR 7(A) GUARANTY

Estimated Number of Respondents: 5,467.

Estimated Annual Responses: 9,218,594.

Estimated Annual Hour Burden: 3,841,081.

(IV) SBA FORM 3508—PAYCHECK PROTECTION PROGRAM—LOAN FORGIVENESS APPLICATION

Estimated Number of Respondents: 591,180.
Estimated Annual Responses: 591,180.
Estimated Annual Hour Burden: 1,773,539.

(V) SBA FORM 3508S, PAYCHECK PROTECTION PROGRAM—PPP LOAN FORGIVENESS APPLICATION FORM 3508S

Estimated Number of Respondents: 9,458,875.
Estimated Annual Responses: 9,458,875.
Estimated Annual Hour Burden: 2,364,719.

(VI) SBA FORM 3508EZ—PAYCHECK PROTECTION PROGRAM—PPP LOAN FORGIVENESS APPLICATION

Estimated Number of Respondents: 1,773,539.
Estimated Annual Responses: 1,773,539.
Estimated Annual Hour Burden: 591,180.

(VII) [FORM NUMBER N/A] LENDER REPORTING REQUIREMENTS CONCERNING REQUESTS FOR LOAN FORGIVENESS

Estimated Number of Respondents: 5,467.
Estimated Annual Responses: 11,823,594.
Estimated Annual Hour Burden: 2,107,121.

(VIII) [FORM NUMBER N/A] LENDER REPORTING REQUIREMENTS FOR SBA LOAN REVIEWS

Estimated Number of Respondents: 5,467.
Estimated Annual Responses: 2,000,000.
Estimated Annual Hour Burden: 1,000,000.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

Curtis Rich,
Management Analyst.

[FR Doc. 2021–16014 Filed 7–28–21; 8:45 am]

BILLING CODE 8026–03–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 1093 (Sub-No. 2X)]

C&NC Railroad, LLC—Discontinuance Exemption—in Wayne and Henry Counties, Ind.

On July 9, 2021, C&NC Railroad, LLC (C&NC), filed a petition under 49 U.S.C. 10502 for exemption from the prior approval requirements of 49 U.S.C. 10903 to discontinue service over approximately 21 miles of rail line extending from milepost CB 5.4 at Beesons, Ind., to milepost 25.30 at New Castle, Ind., and from milepost R 0.1 to milepost R 1.16 at New Castle (the Line). The Line traverses U.S. Postal Service Zip Codes 47327, 47357, 47362, 47366, 47331, and 47387.

C&NC states that it provides service on the Line pursuant to a lease with Norfolk Southern Railway Company (NSR), which owns the Line. (Pet. 1.) *See also C&NC R.R.—Lease Exemption Containing Interchange Commitment—Norfolk S. Ry.,* FD 35858 (STB served Nov. 5, 2014). According to C&NC, NSR has notified C&NC that the lease is being terminated and that NSR will resume rail operations over the Line as a common carrier upon the discontinuance of service by C&NC. (Pet. 1.) C&NC states that there currently is one shipper on the Line, and that no interruption in rail service will result from the proposed discontinuance. (*Id.* at 4.)

C&NC states that it has no information indicating that the Line contains federally granted rights-of-way and, if it discovers any information regarding federally granted rights-of-way, it will be made available to those requesting it. (*Id.* at 2.) C&NC states that discontinuance authority it seeks covers the ''entire system'' operated by C&NC, and it therefore requests that the Board decline to impose employee protective conditions. (*Id.* at 6.)

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by October 27, 2021.

Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Because there will be environmental review during any subsequent abandonment, this discontinuance does not require an environmental review. *See* 49 CFR 1105.6(c)(5), 1105.8(b).

Any offer of financial assistance (OFA) for subsidy under 49 CFR 1152.27(b)(2) will be due no later than 120 days after the filing of the petition for exemption, or 10 days after service of a decision granting the petition for exemption, whichever occurs sooner.[1] Persons interested in submitting an OFA must first file a formal expression of intent to file an offer by August 6, 2021, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(1)(i).

All filings in response to this notice must refer to Docket No. AB 1093 (Sub-No. 2X) and should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on C&NC's representative, William H. Stewart III, Vuono & Gray, LLC, 310 Grant St., Suite 2310, Pittsburgh, PA 15219. Replies to the petition are due on or before August 18, 2021.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0238 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

Board decisions and notices are available at *www.stb.gov.*

Decided: July 26, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2021–16271 Filed 7–28–21; 8:45 am]

BILLING CODE 4915–01–P

[1] The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Meeting/Notice of Availability for Proposed Air Tour Management Plans at Mount Rainier National Park; Death Valley National Park; Everglades National Park; and Olympic National Park

AGENCY: Federal Aviation Administration (FAA), Transportation.

ACTION: Public meeting/notice of availability for draft Air Tour Management Plans at Mount Rainier National Park; Death Valley National Park; Everglades National Park; and Olympic National Park.

SUMMARY: The FAA, in cooperation with the National Park Service (NPS), has initiated development of Air Tour Management Plans (ATMPs) for Mount Rainier National Park, Death Valley National Park, Everglades National Park, and Olympic National Park (collectively referred to as the Parks) pursuant to the National Parks Air Tour Management Act of 2000 and its implementing regulations. This notice announces the public availability of the proposed ATMPs for comment and public meetings for each of the Parks. The purpose of these meetings is to review the proposed ATMPs and further ATMP development with the public. The proposed ATMPs provide acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands. In accordance with Section 106 of the National Historic Preservation Act, the FAA and the NPS are also seeking public comment on the potential of the proposed ATMPs to cause adverse effects to historic properties.

DATES: *Comment Period:* Comments must be received on or before 30 days from this notice.

Comments will be received on the NPS Planning, Environment and Public Comment System (PEPC) website. Each park's website link is below:

- Mount Rainer National Park—*https://parkplanning.nps.gov/MountRainierATMP*
- Death Valley National Park—*https://parkplanning.nps.gov/DeathValleyATMP*
- Everglades National Park—*https://parkplanning.nps.gov/EvergladesATMP*
- Olympic National Park—*https://parkplanning.nps.gov/OlympicATMP*

Meetings: The meetings will be held at the following dates and times:

- Monday, August 16, 2021 (4:30–6:00 p.m. PT)—Mount Rainier National Park Livestream: *https://youtu.be/dVqpZ_X5vww*
- Tuesday, August 17, 2021 (4:30–6:00 p.m. PT)—Death Valley National Park Livestream: *https://youtu.be/mqWiaVorP3Y*
- Thursday, August 19, 2021 (6:30–8:00 p.m. ET)—Everglades National Park Livestream: *https://youtu.be/YED_w6Bkztg*
- Wednesday, August 25, 2021 (5:30–7:00 p.m. PT)—Olympic National Park Livestream: *https://youtu.be/lSW9867qHiA*

ADDRESSES: The meetings will be held virtually. Members of the public who wish to observe the virtual meetings can access the livestream from either of the following FAA social media platforms on the day of the event, *https://www.facebook.com/FAA, https://twitter.com/FAANews* or *https://www.youtube.com/FAAnews.*

Contact: Any request for reasonable accommodations should be sent to the person listed on the parks' PEPC sites.

SUPPLEMENTARY INFORMATION: The FAA is issuing this notice pursuant to the National Parks Air Tour Management Act of 2000 (Pub. L. 106–181) and its implementing regulations contained in Title 14, Code of Federal Regulations, Part 136, Subpart B, National Parks Air Tour Management. The objectives of the ATMPs are to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural resources, cultural resources, and visitor experiences of the Parks and any tribal lands within or abutting the Parks. The FAA and the NPS are inviting comment from the public, Federal and state agencies, tribes, and other interested parties on the proposed ATMPs for Mount Rainier National Park, Death Valley National Park, Everglades National Park, and Olympic National Park.

The FAA and the NPS have determined that each ATMP constitutes a Federal undertaking subject to compliance with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR part 800). The FAA and the NPS are consulting with tribes, State and Tribal Historic Preservation Officers, and other interested parties to identify historic properties and assess the potential effects of ATMPs on them.

The meetings will be open to the public and livestreamed. Members of the public who wish to observe the virtual meetings can access the livestream from either of the following FAA social media platforms on the day of the event, *https://www.facebook.com/FAA, https://twitter.com/FAANews* or *https://www.youtube.com/FAAnews.* The U.S. Department of Transportation is committed to providing equal access to the meetings for all participants. If you need alternative formats or services because of a disability, such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

The FAA and the NPS request that comments be as specific as possible in response to actions that are being proposed under this notice. All written comments become part of the official record. Written comments on the proposed ATMPs can also be submitted via PEPC or sent to the mailing addresses listed in the **FOR FURTHER INFORMATION CONTACT** sections provided on the parks' PEPC sites.

Documents that describe each Park's ATMP project in greater detail are available at the following locations:

- FAA Air Tour Management Plan Program website, *http://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/*
- NPS Planning, Air Tours website, *https://home.nps.gov/subjects/sound/airtours.htm*

Issued in Washington, DC. On July 23, 2021.

Kevin Welsh,

Executive Director, FAA Office of Environment & Energy.

[FR Doc. 2021–16182 Filed 7–28–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2021–0046]

Notice of Availability of a Final General Conformity Determination for the California High-Speed Rail System, Bakersfield to Palmdale Section

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: FRA is issuing this notice to advise the public that it is issuing a Final General Conformity Determination (FCD) for the Bakersfield to Palmdale Section of the California High-Speed Rail (HSR) System.

FOR FURTHER INFORMATION CONTACT: Andréa Martin, Senior Environmental Protection Specialist, Office of Railroad Policy and Development (RPD), telephone: (202) 493–6201, email:

Andrea.Martin@dot.gov; or Marlys Osterhues, Chief Environment and Project Engineering, RPD, telephone: (202) 493–0413, email: *Marlys.Osterhues@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 23 U.S.C. 327 (Section 327), the California High-Speed Rail Authority (CHSRA or Authority) has assumed FRA's environmental review responsibilities under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). However, under Section 327, FRA remains responsible for compliance with the Clean Air Act General Conformity requirements. In compliance with NEPA and the California Environmental Quality Act (CEQA), the Authority published a Final Environmental Impact Record/Final Environmental Impact Statement (EIR/EIS) for the Bakersfield to Palmdale Section of the California High-Speed Rail (HSR) System on June 25, 2021. The Final EIR/EIS is available at *https://hsr.ca.gov/programs/environmental-planning/project-section-environmental-documents-tier-2/bakersfield-to-palmdale-draft-environmental-impact-report-environmental-impact-statement/.*

FRA prepared a Draft General Conformity Determination, pursuant to 40 CFR part 93, subpart B, which establishes the process for complying with the General Conformity requirements of the Clean Air Act. FRA published a notice in the **Federal Register** on May 13, 2021 advising the public of the availability of the Draft Conformity Determination for a 30-day review and comment period. The Draft Conformity Determination was published at *http://www.regulations.gov,* Docket No. FRA–2021–0046. The comment period of the Draft Conformity Determination closed on June 14, 2021. FRA received one comment regarding *Coccidioides immitis,* or more commonly known as the Valley Fever fungus, and a letter of support from the San Joaquin Valley Air District. Both letters were responded to in the Final EIR/EIS and in the Final General Conformity Determination.

The Final General Conformity Determination was prepared in coordination with the Authority, U.S. Environmental Protection Agency (EPA), California Air Resources Board, San Joaquin Valley Unified Air Pollution Control District, and Eastern Kern, and Antelope Valley Air Quality Management Districts. The analysis found that construction period emissions would exceed the General Conformity *de minimis* threshold for Nitrogen Oxides (NO_X) and volatile organic compounds (VOC), a precursor for ozone. However, operation of the Project would result in an overall reduction of regional emissions of all applicable air pollutants and would not cause a localized exceedance of an air quality standard. Since the Project will result in the exceedance of the *de minimis* thresholds for the precursor criteria pollutants listed above during the construction phase, Project conformity with the applicable emission standards will be accomplished through offsets of the NO_X and VOC emissions, consistent with applicable regulatory requirements.

The Final General Conformity Determination is available at *http://www.regulations.gov,* Docket No. FRA–2021–0046, and FRA's website at *https://railroads.dot.gov/environment/environmental-reviews/clean-air-act-california-general-conformity-determinations.*

Issued in Washington, DC.

Jamie P. Rennert,

Director, Office of Infrastructure Investment.

[FR Doc. 2021–16143 Filed 7–28–21; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Comment Request; Appraisal Management Companies

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

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Appraisal Management Companies.''

DATES: You should submit written comments by September 27, 2021.

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

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0324, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 465–4326.

Instructions: You must include ''OCC'' as the agency name and ''1557–0324'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection [1] by the following method:

- Viewing Comments Electronically: Go to *www.reginfo.gov.* Click on the ''Information Collection Review'' tab. Underneath the ''Currently under Review'' section heading, from the drop-down menu select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching by OMB control number ''1557–0324'' or ''Appraisal Management Companies.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, OCC Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

[1] Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the proposed collection of information set forth in this document.

Title: Appraisal Management Companies.

OMB Control No.: 1557–0324.

Affected Public: Business or other for-profit.

Type of Review: Regular review.

Abstract: The OCC, Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), National Credit Union Administration (NCUA), Consumer Financial Protection Bureau (Bureau), and Federal Housing Finance Agency (FHFA) (collectively, Agencies) have rules implementing the minimum requirements in section 1473 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) [2] to be applied by States in the registration and supervision of appraisal management companies (AMCs). The Agencies also have implemented the requirement in section 1473 of the Dodd-Frank Act for States to report to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (FFIEC) the information required by the Appraisal Subcommittee (ASC) to administer the new national registry of appraisal management companies (AMC National Registry or Registry).

State Recordkeeping Requirements

States seeking to register AMCs must have an AMC registration and supervision program. Twelve CFR 34.213(a) requires each participating State to establish and maintain within its appraiser certifying and licensing agency a registration and supervision program with the legal authority and mechanisms to: (i) Review and approve or deny an application for initial registration; (ii) periodically review and renew or deny renewal of an AMC's registration; (iii) examine the books and records of the AMC operating in the State and require the AMC to submit reports, information, and documents; (iv) verify that the appraisers on an AMC's panel hold valid State certifications or licenses; (v) investigate and assess potential violations of appraisal-related laws, regulations, or orders; (vi) discipline, suspend, terminate, or deny registration renewals of AMCs that violate appraisal-related laws, regulations, or orders; and (vii) report violations of appraisal-related laws, regulations, or orders as well as disciplinary and enforcement actions to the ASC.

Twelve CFR 34.213(b) requires each participating State to impose requirements on AMCs that are not owned and controlled by an insured depository institution and regulated by a Federal financial institutions regulatory agency to: (i) Register with and be subject to supervision by a State appraiser certifying and licensing agency in each State in which the AMC operates; (ii) engage only State-certified or State-licensed appraisers for Federally regulated transactions in conformity with any Federally regulated transaction regulations; (iii) establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience to competently complete the appraisal assignment for the particular market and property type; (iv) direct the appraiser to perform the assignment in accordance with Uniform Standards of Professional Appraisal Practices (USPAP); and (v) establish and comply with processes and controls reasonably designed to ensure that the AMC conducts its appraisal management services in accordance with section 129E(a)–(i) of the Truth in Lending Act.

Burden: 1 respondent; 1 response per year; 40 hours per response; 40 total burden hours.

State Reporting Burden

Twelve CFR 34.216 requires that each State electing to register AMCs for purposes of permitting AMCs to provide appraisal management services relating to covered transactions in the State must submit to the ASC the information required to be submitted under subpart H to part 34 and any additional information required by the ASC concerning AMCs that operate in the State.

Burden: 1,158 respondents; 2 responses per year; 1 hour per response; 2,316 total burden hours.

AMC Recordkeeping Requirements

Twelve CFR 34.212(b) provides that an appraiser in an AMC's network or panel is deemed to remain on the network or panel until: (i) The AMC sends a written notice to the appraiser removing the appraiser from the appraiser panel with an explanation of its action; or (ii) receives written notice from the appraiser asking to be removed from the appraiser panel or notice of the death or incapacity of the appraiser.

Burden: 1,239 respondents; 1 response per year; 0.08 hours per response; 99 total burden hours.

Total Estimated Annual Burden: 2,455 hours.

Comments submitted in response to this notice will be summarized and 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 OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the information collection burden;

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

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

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2021–16149 Filed 7–28–21; 8:45 am]

BILLING CODE 4810–33–P

[2] Public Law 111–203, sec. 1473, 124 Stat. 1376, 2190 (2010).

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Quarterly Publication of Individuals, Who Have Chosen To Expatriate, as Required by Section 6039G

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: This notice is provided in accordance with IRC section 6039G of the Health Insurance Portability and

Accountability Act (HIPPA) of 1996, as amended. This listing contains the name of each individual losing United States citizenship (within the meaning of section 877(a) or 877A) with respect to whom the Secretary received information during the quarter ending June 30, 2021. For purposes of this listing, long-term residents, as defined in section 877(e)(2), are treated as if they were citizens of the United States who lost citizenship.

Last name	First name	Middle name/initials
ALTANIAN	KEVORK.	
ABEND	GABRIEL.	
ABERA	NESTOR	AARON
ABERNETHY	COLIN	J
AKIYAMA	YUSUKE	KEVIN
AL HARBI	ALAA	N.
AL-BARGAN	MOAIYED	SALEH
ALBERS	SASCHA.	
ALBREKSTEN	KAREN	ELIZABETH
ALDINGER	BENJAMIN	L.
ALEMANI	MICOL.	
AL-FUTAISI	TAQWA	AHMED
ALPERSTEIN	MELISSA	E.B.
ALTIERI	LAURA	F.
AN	XIUJUAN.	
ANCHEIM	ELLEE	MARCUS
ANDERSEN	LINDA	SUSAN
ANDERSON	LEAH	ANNA MARIE
ANTUNOVIC	ROBERT.	
APPLEBAUM	TAMAR	L.
ARFSTEN-ROMBERG	URSULA.	
Armour	Kellen	B.
ASPINALL	JILLIAN	M.
ATWA	TAMER	MOHAMED
Awford	Nicola	L.
BAKER-UNDERHILL	KALIA	TE KURA MEI OTE
BALL	WAYNE	NICHOLAS
BALLANTYNE-DREWE	CHRISTINE	MICHELLE
BANK-DE ZEEUW	DINA.	
BARCLAY	JOHN	D.
BARLOW	TONI	ANN
BAROUK-HASLER	NANCY	R.
BARTLETT	DEBORAH	D.
BASIC-BEGAGIC	EMINA.	
BAUER	BORIS.	
BAUMANN	ERICH	S.
BAUMANN STETTLER	STEFANIE.	
BAUR	JEANETTE.	
BECK	MARIAH	MANSVELT
BECKER	MARY	ELAINE MARIX
BECKERLE	GERALD	PAUL
BEEKMAN	WILLEM	J.
BEGAGIC	JASMIN.	
BEHNKE	PAULINE.	
BEHNKE	ROBERTO	H.
BELBIN	JAIEUR.	
BERARD	GABRIELLE	CLAIRE LORRAINE
BERARD	ROBERT	NICHOLAS
BERTRAM	BEATRICE	URSULA
BESELIN	ANNE	MARGARETA
BESKAU	GAIL	DARLYNE
BESMEHN	BRIGITTE.	
BHARTIA	AMIT	R.
BILLYARD	CYNTHIA	LOUISE
BIRCH	ANDREW	J.
BIRCH	LUCINDA	J.
BLACK	ELEANOR	JANE GORTHEY
BLASS	THOMAS.	
BLITZER	DAVID.	
BOGUTH	SHARON	N.
BOUMA	JETSKE	A.
BOUWKNECHT	LISA	KAREN
BOWERS	HARRIET	L.
BOWERS	SAMUEL	F.
BOYLAN	ALEXEY	A.
BRADFORD	SOFIA.	
BRANCH	BARBARA.	
BRANDT	WILLEM	R.
BREINGAN	LUCIENNE	E.

Last name	First name	Middle name/initials
BRETTSCHNEIDER	JANE.	
BROECKER	CHRISTOPH	ALEXANDER
BROWN	PETER	DOUGLAS
BRUGGER	ROBIN	LUKAS
BRYDON	EDWARD	W.
BRYMER	CHRIS.	
BURFORD	SUSAN	L.
BURGIN	KARL	E.
BUTCHER	RAYMOND.	
Cacchione	Christine	F.
CAINES	DOUGLAS	R.
CAMP	DAVID	K.
CARD	DANIEL	JOHN
CARNRITE	TED	S.
CARPENTER	THEODORE	P.
Carter	Keith	W.
CARTWRIGHT	CHERYL	JEANNE
CARTWRIGHT	NATHAN	RYAN
CASTAGNA	FAUVE.	
CERAOLO	GIUSEPPE	EMANUELE
CESCATI	VIVIANA	SOPHIE ANGELINA
Chagnon	Sabrina.	
CHAMPION	WANDA	ANN
Chang	Conrad	T.
CHANG	DOROTHEA	JUN YEE
CHANG	YUKO.	
CHARBON	LAUREN	KAYLEEN
CHAVALITTUMRONG	TRIN.	
CHEN	ANGELINA.	
CHEN	CHIN	HSIN
CHEN	CHRISTINA	YI
Chen	Chun-Ren.	
CHEN	CLEMENT	CHENG WEN
CHEN	YING-CHEN.	
CHERRY	ROBERT	J.
CHIANG	MELODY.	
CHIKAMATSU	MIYUKI.	
CHOW	MONICA	LEE
CHOW	RONALD	RONG
CHUANG	JERRY	SI-YIN
CHUASON III	SAMUEL	SHAUN TIMOTHY LIM
CHUN	DAVID	JU YOUNG
Chung	Bonnie	W.
CHUNG WU	JOY	HUI
CICHAN	ANTHONY	M.
CICHAN	MARY	A.
CIPES	EZRA	DANIEL
CLARK	ELIZABETH.	
CLARK	MARGARET.	
CLARK	ROBERT.	
CLASSEN	CORNELIA	U.
CLEMENT	CHRISTINE	G.
CLEMENT	TIMOTHY	P.
Cloes	Francois	D.
Collins	Janell	M.
COLON NEGRON	LYDIA.	
COMEAU	MELANIE.	
CONARD	SABRINA	ST. JOHN
CONVERY	KAREN.	
COOK	BARRY	JAMES
COOK	TIMOTHY.	
COOPER	CECILIA	ANN CRONDAHL
CORKUM	KELLY	L.
CORR	DERMOTT	F.
CORRIGAN	NANCY	ELLEN
COSTE	JEAN-PHILIPPE.	
COTGROVE	CHRISTIE.	
COTZIAS	CONSTANTIN	M.
Cruz	Rui & Barbara	F.
CUI	CHENGDE.	
Currie	David	L.
DAMAPONG	KHEMWIKA.	
DAN	TOMILO.	
DANIELS	CHERYL.	

Last name	First name	Middle name/initials
DANIELS	JOSHUA	ARTHUR
DANZE CERAULO	ROSA	MARIA
DARLING	HARRISON	T.
DAVAS	ANDERS.	
Davies	Christine.	
Davies	Timothy	C.
DAWSON	CELIA	PENELOPE
DE MAIO	SEAN	N.
DE MENEGHI	VICKI	LYNN
DEGEL	FLORENTINA	e.
DELAHAYE	OLIVIER.	
DELAPERCHE-WALKER	HELENE.	
Delaporte	Thierry	D.
DENHOED	JEREMIAH	JACOB
DESBAILLETS	SABINA	KATHARINA
DEVENISH-MEARES	SUSAN	E.
DeWITT	CHRISTOPHER	ROBERT JAMES
DIBBEN	CHRISTOPHER	D.
DIJK	HENDRIK	J.
DITTRICH	MARCO.	
DODD	ROSE	ELIZABETH
DOEPKE	NATALIE	ANN
DOHM	FAITH	A.
DRILLING	JANE	MARIE
DULAC	MARIO.	
DULAC	RENE.	
DUNN	PATRICIA	A.
EAGLE	ROBERT	SAMUEL
EBERLE	FRANK	D.
EDWARDS	MAIR.	
EL WANNI	SHARRIFF	I.
ELLERMANN	ANDREE	WILHELM AUGUST
ELLIOTT	MARTIN	J.
ELLIS	JANE	A.
ELRAWAS	KARIM	MOHAMED SAYED
ENSSLIN	SIMONE.	
EVANS	CHRISTINA	JOANNE
FAKLA	PETER.	
FALLENTIN	MAGNUS	GLEERUP
FALLENTIN	MIA	GLEERUP
FALLENTIN	NILS.	
FATIMA	TASHBIH.	
FAYMAN	JOEL.	
FAYMAN	PAUL	IGNACY
FELHABER	TARYL	A.
FERDOWS	DENIS	R.
FERDOWS	DESIREE	M.
FERMI	OLIVIA	ALICE WEINER CATON
FERNANDEZ	VIRGINIA.	
FERNANDEZ TORRES	ELIA.	
FERSZT	DOMINIC	K.
FESTA	MARIA	CAROLINA
FIELD	DAVID	ASHWORTH
FIRKINS	JENNIFER	L.
Fisher	Isabelle	A.
FISHER	PATRICIA.	
FISHER	SHERI	A.
FOLAWIYO	ABDULLATEEF	OLUWAFEYISAYO
FOLINO	CRISTIAN.	
FRANCE	SEBASTIAN	HAN
FRANKS	TANYA	C.
FRASA-ODOK	SELMA.	
FRAUKE	LIEROP.	
FROEHLICH	GESA	CORINNA
FULLER	MIMI	G.
FURUYA	NANASE.	
FURUYA	YUKI.	
GABALA	DESIRE.	
Gaehwiler	Nigel	M.
GAGE	SHELLY	R.
GAILLE	SARAH	LYSE
GARLAND	ALLAN	BRUCE
GARLINGE	KATHERINE	PERRY
GASTON-THIERY	PAIGE	SALYER

Last name	First name	Middle name/initials
GEKOSKI	RICHARD	A.
GEMMEL	ROGER	DIRK
GERICK	BEVERLY	J.
GERNAND	MICHELLE.	
GERTSCH	RUBY	CHRLOTTA
GILBERT	KRISTIN	LEE
GILGEN	THOMAS	M.
Glaeseman	Robert	A.
GLECKMAN	BRIAN	KEITH
GLOOR	JANINE	M.
GOLAZ	RAPHAELLE	LUCE
GOLD	DIANE.	
GOLDMAN	MA'AYAN.	
GONZALEZ	JUAN	A.
GONZALEZ GARCIA	MARIA	TERESA
GOODALL	KATIE	E.
GOOSSEN	PAMELA.	
GORCZYNSKI	KRZYSZTOF	JERZY
Gore	Dhananjay	A.
GOTO	CHIYOMI.	
Gottlieb	Lindsey.	
GRAHAM	DAVID	HAROLD
GRANHEIM	SARA	M.
GREBELDINGER	BRUCE.	
GREEN	JOYCE	N.
GREEN	LESLIE	JOHN EDWARD
GREENE	ROBERTO	LEON
Greve	Todd..	
GREVSKOTT	SVERRE.	
GROSS	ALEXANDRA.	
GROSS	DANIEL	PIERRE
GUEHR	MARKUS.	
GULKA	KATHLEEN	E.
GULKA	OREST	N.
GUNADI	ERIKA.	
GUPTA	ANSHU	M.
GUPTA	RAJAT.	
GUT	ROBERT	DVID
HAAC	VICTORIA	S.
Haensel	Georg G	J.
HAGEN DEGONDA	LYNN	KATHERINE
HAGERMAN	CYNTHIA	E.
HAHN	DEBORAH	JOSEPHINE
HAILPERIN	VEIT	NIKOLAUS
HALL	BROCK.	
HAMILTON	EVA	M.
HANG	LINGBING.	
HANO	CAMILLE	D.
HARDIN	CHRISTIAN	A.
HARRIS	SIMON.	
HASEGAWA	KIMIKO.	
HASSAM	OMAR.	
HASSIBI	BEHZAD.	
HE	HOUSHENG.	
HEESE	MARLON	F.
HEFFERNAN	JOHN	FRANCIS
HEIN	MARY	C.
HEIN	JULIA	W.
HEIN	ROBERT	SCOT
Hellstrom	Lars	O.
Hellstrom	Susanne	H.
HERITIER	THOMAS	ETIENNE
HEROLD	JOHN	MICHAEL
HESOVA	ZUZANA.	
Heusser	Andrea	C.
HEZKY	ZDENEK.	
HILL	ROBERT	J.
HO	TECH-HUA.	
HOLLOWAY	JULIAN.	
HOMAN	NANCY	L.
HOOPER	RICHARD	MARK
HOYNE	PAUL	R.
HSIEH	KEVIN	KWAN-TAI
HUANG	ELLEN	YIHJING

Last name	First name	Middle name/initials
HUFFMAN	EWEN	M.
HUGHES	ANNABEL.	
HUITEMA	HELENA	T.
HUTCHENS	GORDON	BRUCE
HUTNIK	KENNETH.	
HWANG	TINA.	
IKEDA	KAYOKO.	
ILIEV	COLLEEN	HEDI
ILIFF	JOHN	C.
ILLMAN	INGE	MARIE
ILYN	DAVID	A.
IMBACH	FRANCESCA	N.
IMGRUND	CLAUDETTE	ANNE
Ishida	Akira.	
ITAKURA	DAISUKE.	
ITAKURA	TAKAKO.	
ITO	MAYUMI.	
IWEMA	PIETER.	
JANG	EUN	KYUNG
JEFFERSON	GILLIAN.	
Jensen	Anne.	
JOHNSTON	SUSAN	L.
JOSEPH	NICHOLAS	ALEXANDER
JUNGLING	THOMAS.	
KANATA	TAMIE.	
KANG	YONG.	
KARATO	YUKAKO.	
KASTING	NORMAN	WILLIAM
KAUS	MICHAEL	R.
KAUS	ORTRUN	L.
KEES	MICHAEL	N.
KEISER	MARC.	
KESSLER	BARBARA	J.
KIM	JOHN	TAEHUN
KIM	SUNG UP.	
KISH	JENNIFER	L.
KISH	JULIA.	
KISH	STEPHEN.	
KLASSEN	JOSIAH	STEPHEN CF
KLESNER	MARGARET	ANN
KLUCKER	NORMA	JEAN
KOCH	DORIS	BARBARA
KOCHENDOERFER	ANDREA	S.
KOENING	IRENE	URSULA
KOLMAN	LOUIS.	
KONCHAK	LORELEI	JUNE
KOU	HENRY	JAU-JUNG
KOU	WILLIAM	JAU-HAO
KOZUMA	HIROYUKI.	
KOZUMA	NAOKO.	
KOZUMA	TSUGMI.	
KRAPIVIN	YURY.	
KRAUTER	HOLLY	E.
KRAYENHOFF VAN DE LEUR	REBECCA	LEE
KUEHNE	BIANCA	SHARON
KWOK	SHARMAINE.	
KWOK	SHIRLENE.	
KYLE	DAVID	STUART
LAEMMLI	CAROLINE	M
LAM	NICHOLAS	CHUEK FOONG
LAMBETH	DEAN	A.
LANDERS	MORAG	H.
LANDERS	PETER	C.
LANDRY	KATHERINE	M.
LANGLEY	BRIAN.	
LANGLEY	MELANIE	N.
LASKIN	MATTHEW	DAVID
LAWSON	BELINDA.	
LEA	MARGARET	LYNN
Lea	Rachel.	
LEACOCK	BIANCA	MARIE
LEBORGNE	CHARLES.	
LECOMPTE	ALAIN.	
LEE	DAVID	JONATHAN

Last name	First name	Middle name/initials
LEE	ERIC.	
LEE	FIONA.	
LEE	MING-SHIH.	
LEE	SOYOUNG.	
LEE	YA-TING.	
LEGER	MELANIE	J.
LEI	DAVID.	
LEVINE	MAX	ALEXANDER
LEWIS	MARY JANE	J.
LI	XUE	NING
LIANG	JIANGANG.	
LIM-KONG	CLAIRE	K.
LIM-KONG	GERARD	S.
LIN	FANG	L.
LIN	JERRY.	
LIN	JIUN-YIH.	
LIPP	ANNA	M.
LIU	MICHAEL.	
LLOYD	CHRISTINE	ROSE
LOKE	WENG	KHEONG
LOW	ZHIWEN.	
LOWRY	CHRISTINA	D.
Lu	Po-Yen.	
LUCAS	ASJES.	
MACALALAD	VANESSA	K.
MacDONALD	TONI	RAE
MACFABE	SCOTT	A.
MACINTOSH	CATHERINE	E.
MACINTOSH	RODERICK	W.
MACKAY	ALLISON	E.
MACKEY	CONNOR	TEMPLETON
MAEMORI	KENICHIRO.	
MAHEUX	ANNE	F.
MAIER	STEFAN	M.
MAJIC	XAVIER	GEORGE
MALKI	FAWAZ.	
MAMMEM	GEORGE	J.
MAPSON	GEORGE	K.
Marcuson	T Alexander	G.
MARLOW	CATHLEEN.	
MARTIN	DINO	E.
MARTIN	EDWARD	C.
MATTHEWS	ROGER	D.
MAUNDER	JOANNA	L.
MCCLEMENT	JAY.	
McCORMICK	MARTHA	KELLY
McEWEN	CHELSEY	DEE ANN
MCKAY	ALISON	B.
MCKAY	CAMERON.	
MCKAY	SCOTT	A.
MCLAREN	HEATHER.	
MCMORLAND	IRENE.	
McQUILLAN	CHRISTOPHER	THOMAS
MECKEL	ASTRID	VIKTORIA
MEDEIROS	STEVEN	JOSEPH
MEDRI	DANTE.	
MEID	MICHAEL	C.
Meier	Renate	E.
MELTON	STEVEN	C.
MENGES	JUDITH	A.
MEURRENS	CELESTE.	
MEURRENS	FABIENNE.	
MEURRENS	FLEUR.	
MIDWINTER	ANNE	CAMILLA
MILNE	EDWARD	L.
MINTO	RACHAEL	M.
MITCHELL	TYSON	JAMES
MIURA	RYOUAUKE	LeROY
MIZUNO	MAYUMI.	
MOATE	PETER	J.
MOHAMMED	JAWAR	SIRAJI
MOLINA	ANTONIO	PASCUA
MOLTZ	KAREN.	
MONARDO FULLER	SHERYL	DIANNE

Last name	First name	Middle name/initials
MONEY	JOHN	STEPHEN
MONGEON BUDHRAM	DIANNE.	
MONK	CHRISTOPHER	BRAIN
MONSON	ALEXANDER	Y.
MONTGOMERY	IAN	MACKAY
MOORE	CHARLOTTE.	
MORAN	STEVEN	C.
MORETTI STOLFI	MARIA	ANGELA
MORIN	JEAN.	
MOSELEY	ANDREW.	
MOSELEY	CHERYL	J.
MUCCIOLI	IVANA	TONINA
MUCCIOLI	MARIA	LYDIA
MULLER	DORIS	INGEBORG
MULLER	JULIA	KATINA
MUMA	KATHERINE	E
MUNOZ	DAVID.	
MURAI	KIYOKO.	
MURAI	TOSHIAKI.	
MURDOCK	JOHN	THOMAS
MURDOCK	JOHN	T.
MURPHY	ERIN.	
MUTCH	KEVIN	F.
Nabeshima	Hiroko.	
NAGAMINE	YOSHITAKE.	
NASH	JANINE	DEPPER
NEAVE	EDWIN	H.
NESS	SARA	ALICIA
NEUMAYR	EMILY	J.
Newbatt	Victoria	M.
NEWSOME	CATHERINE	H.
NEZU	NOBIYUKI.	
NG	HOCK	WEE JEREMY
NG	VIVIAN	TIN-YEE
NICHOLAS	JOHNSTON	J.
NICHOLS	VALERIE	JOY
Nishigahara	Makoto.	
NITSCHE	FELICIA	EMILY
NOBLE	MARY.	
NYSEN	MARK	PAUL
O'Brien	Lois	A.
O'CONNOR	SIMON	P.
OLDALE	BARBARA	ALLISON
ONO WIER	KATSUYO.	
ORENT	PETRA.	
OSTVIK	MARGARET	CHRISTINE
OUDMAN	ROBERT	S.
OZSAHIN	ESAT	M.
PALANI	JAYABARATHY.	
PALUMBO	CRISTIANA.	
PANGBORN	LAUREN	MICHELLE
PARK	JISUN.	
PARK	JONG	HWA
PARRA DAVILA	DENYS	C.
PATEL	TARA.	
PATERAS	SUSAN	NAOMI
PATTERSON	KIRK	R.
PATY	BEVERLY	BEHENNA
PEARSON	BRIAN	J.
PEDLER	NICOLE	DAWN
PEGLER	BENJAMIN	JOS
PENAS	MARTA	FREIRE
Pennell	Corlienne	A.
PETER	DEANNE	RUTH
PETROFF	BRYAN	JAMES
PHILLIPS	IAN	D.
PIERA	LEWIS	B.
PIKE	ROBERT.	
POIESZ	LEONARDUS	A.
POLLOCK	MARA.	
PRAVITRA	KALAYANARAK.	
PRECHT	ELISABETH.	
PRECHT	MAGNUS.	
PRICE	CARLA	J.

Last name	First name	Middle name/initials
Primmer	David	E.
QUADROS	GARY	WESLEY
QUINIAN	MATTHEW.	
RABY	JULIAN	A.
Raine-Eliades	Sarah	L.
RAMPA	TAMARA	D.
RANDO	BRIAN	PHILIP
RANNEY	LOUANNE	KAY
RAPAPORT	JARED	DANIEL
RAUTERT	THOMAS.	
REGAN	THOMAS	D.
RENNICKS	JOHN	MALCOLM
RENZI	RENALDO	CIRO
RENZI	ROBERTO	SERAFINO
RHODES	JULIAN	D.
RIBARSCH	THOMAS.	
RICHES	ROMANITA.	
RIEDL	LINDA	MARIE
ROBINSON	LISA	J.
ROBINSON	NANCY	J.
ROCHET	OLIVER	LUC
ROSENBERG	HEIDI.	
ROSS	GREGORY	E.
ROTTE	THORSTEN.	
RUDHART	ALEXANDRA.	
RUNNELLS	JOANNA	LEE
RUTGERS	AMANDA.	
RUTGERS	TANNER.	
RYAN	GAIL	I.
RYAN	PHOEBE	H.
SABEAN	SHELLY	R.
SAKOWSKI	ROLAND	ARTHUR FRANKLIN
SANDERSON	BARBARA.	
SARTORI	CRISTINA.	
SAUTHIER	MARC	L.
SBROCCHI	STEPHANIE.	
SCHACHTE	KIM	ALISON
SCHILLER-BIRCH	JULIE	GAYE
SCHMID	EDITH	M.
SCHMITT	TERRY	G.
SCHNURR	ANNALEE.	
SCHOCH	PETER.	
SCHOUMAKERS	FRANK	J.
SCHREIER	FLORIAN	S.
Schroeder	Sam.	
SCHROETER	CODY	HANS-WILLIAM
SCHUDEL	EMILY	JANE
SCIOSCIA	LINDA.	
SCOTT	DEBORAH	SUSAN
SCRATCH	KIMBERLY	ALISON
SEGERBERG	ANITA.	
SEGGERMAN	ALEXANDER	FREDERICK ELLSWORTH
SEGGERMAN	NATALIA	CARRIE ATHA
SEHGAL	SARITA	DANUTE
SEO	JUN	YOUNG
SEO	MINJAE.	
SERWA	THERESA	MARIE
SEVENSTER	MERLIJN.	
SEVENSTER MEIJER	MARTINE	J.
SHAMBAYATI	SHABNAM.	
SHANDRO	SUSAN	CATHERINE
SHAPIRO	DAVID.	
SHAW	CHRIS	J.
SHAW	DESMOND	J.
SHEEHAN	DAVID	AUGUSTINE JOSEPH
SHERRINGTON	GILLIAN.	
SHERRINGTON	SIMON	R.
SHIGENO	DYANNE	K.
SHILONI	ASSAF.	
SHIUE	JOHNSON	H.
SHORTER	MATTHEW	BARRALET
SHU	ANDREW.	
SIGNORINI	GIOVANNI	FRANCESCO
Silver	Susan	C.

Last name	First name	Middle name/initials
SIROTNIK	GARETH	S.
Sissons	Jennifer	Ann
SKEATE	ROBERT	C.
SMALL	PATRICIA	HAZEL
Smith	Bruce	P.
SMITH	Christine	P.
SMITH	CHRISTOPHER.	
SMITH	KELLY	R.
SMITH	LAUREN	D.
SMITH	MALCOLM.	
SMRSTIK GENTNER	CAROLINE	ELIZABETH
SNARY	KEYTH	ALEXANDER
SOLMSSEN	HANS	DAVID
SOMERFILED	ELAINE	MARY
SPALINGER	GRETCHEN	ALTMAN LUTZ
SPANIER	FREDERIC	A.
SPEAL	EDWARD.	
SPILLMANN	REBECCA	JULIA
SPRINGATE	JILL.	
STANKOWSKI	AGNIESZKA.	
STELLA	FRANK.	
STELLA	WENDY	A.
STENNES	CAROL	L.
STORK	FRANCOIS	G.
Strand	Marika.	
STRANGIS	JEAN-LOUIS.	
STRUB	JOSHUA	SAMUEL
STRUTHERS	LISE	JOANNE OWENS
STRUTHERS	LISE.	
Stueckelberger	Anna	L.
SU	KOUNG-MING.	
SUN	EDWARD.	
SVENDSEN	KATHLEEN	JUNE
SWANSON	DENISE	CLAIRE
SWIBOLD	DAWN	MARIE
TACHIBANA	KAYOKO.	
TACHIBANA	AKIHIRO.	
TAKASHIMA	HIDETOSHI.	
TAKASHIMA	KAZUMI.	
TAKASHIMA	KOICHIRO.	
TAMAYOSHE	AKIKO.	
TAN	LING	HUI
TANORI	MARGARITA	MEDRANO
TANSLEY	ROBERT	H.
TEATHER	DAVID.	
TELLER	MARCUS	W.
TEMPLE	LAURICE	E.
TENENBAUM	TODY	MARCIA
TESSIER	ALEXANDRE	JOSEPH
TESTORI	MICHAEL	LODOVICO
THEODOR	FRANCES	BARBARA
THIOLLIER	ALEXANDRE.	
THOMPSON	I.	WAYAN BIMA
Thomson	Barbara	Joan
THORNE	GLEN	RICHARD
TISSOT	ALEXANDER	G.
TOMLINSON	TOBIAS	JOHN ALAN
TRACY JR	GALEN	L.
TREMBLAY	NICOLE	MARIE
TREPANIER	RACHEL.	
TSCHANZ-RYAN	ELIZABETH	DESFOSSE
TUNHEIM	ALLEN.	
TUNINGA	LUCA.	
TURNBULL	DAVID	F.
TUTUIAN	ALEXANDRA	CHRISTINE
UCHIYAMA	KANJI.	
UPCHURCH III	CHARLES	W.
VALCKE	PATRICIA	ANNE
VALEZ	MICHEAL	S.
VAN DER GEER	ROGIER.	
VAN DOMSELAAR	BASTIAAN	M.
VAN MIDDLESWORTH	RICHARD	WILSON
VANDER KOOI	WILLIAM	KENNETH
VARON	JEAN	PIERRE LOUIS

Last name	First name	Middle name/initials
Verver	Ida	Elisabeth
VICKERS	BARRON.	
VICKERS	REBECCA	J.
VILLALOBOS-BLASER	KARIN.	
VLIEG	HEDWICH	C.
VOLLMER	JULIANE.	
VOLOSIN	CLAIRE	H.
VRUZEKOVA-FALKA	JANA.	
WAGNER	KELLY	A.
WALKER	JANET.	
WALKER	VANESSA	EILEEN
WALTHAM	JOHN	ROBERT
WANG	JEFFREY.	
WANG	JEFFREY.	
WANG	SHAINN-WEI.	
WANG	WEN	YIN
WANG	YING.	
WARD	MARY	JANE
WARDEN	WILLIAM	THOMAS
Warnsby	Stephen	P.
WASSMER	MARTINA	L.
WATLER	WALT	STEVEN
WEAVER	WILLIAM	ALLEN
WEIBEL	ADAM	R. F.
WEIBEL	ANNELIESE.	
WEINKAM	JAMES	LAWRENCE
WEIR	DULCE	C.
Wells	Kristen	K.
WENGER	RUTH.	
WESTBERG NEHM	KARIN	C.
WESTMAN	MEGAN	EMILY
Wheatley	Anthony	P.
WHITE	DUSTIN	MICHAEL
WIERKS	TAMARA	G.
WILD	ANDREW.	
WILD	BARBARA.	
WILLARD	GILLIAN	MARY
WILLERT	RALPH	M.
WILMOT	E GAYLE.	
WILSON	GAIL	OLIVIA
WILSON	HJELEN.	
WINCKLER	MICHELE.	
WINN	SHARON	ANN
WINTON	NICOLE	JENNIFER
WIRTZ	KATHRYN.	
WITT	CHRISTIANE	M.
WOERNER	DAVID	MICHAEL
WONG	BRANDON	WEI LUN
WOODSWORTH	ANNE.	
WOOLGAR	GARY	JOHN
Wright	John	M.
WU	E	TSAI
WU	JOY	HUI CHUNG
Wu	Wenxiang.	
YAMADA	NOBUHIKO.	
YEANDLE	MICHAEL	JAMES
YELLEN	PENNY.	
YERMOLITSKAYA	YEKATERINA.	
YICHUN LIN	SAMANTHA.	
YING	DA.	
YOKOMORI	MAMORU.	
YOKOMORI	MICHIE.	
YOU	HIS	YEUAN ERIC
YOULE	JILLIAN.	
YOULE	ROBERT	J.
YOUNG	ANN	M.
YOW	VIVIAN	MAY WING
ZHOU	JEFFREY	YOU
ZHOU	REN	QIU
ZUBER	JENNIFER	A.
ZWEIFEL	PAUL	H.
ZWICKEL	JONATHAN	PAUL

Dated: July 26, 2021.

Godofredo Burgos-Rodriguez,

Manager Classification Team 82413, Examinations Operations—Philadelphia Compliance Services.

[FR Doc. 2021–16201 Filed 7–28–21; 8:45 am]

BILLING CODE 4830–01–P

FEDERAL REGISTER

Vol. 86 Thursday,

No. 143 July 29, 2021

Part II

The President

Memorandum of July 23, 2021—Delegation of Authority Under Section 506(a)(2) of the Foreign Assistance Act of 1961

Presidential Determination No. 2021–09 of July 23, 2021—Unexpected Urgent Refugee and Migration Needs

Federal Register
Vol. 86, No. 143
Thursday, July 29, 2021

Presidential Documents

Title 3—

The President

Memorandum of July 23, 2021

Delegation of Authority Under Section 506(a)(2) of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

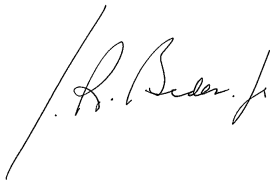
By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, subject to fulfilling the requirements of section 652 of the Foreign Assistance Act of 1961 (FAA), and in order to provide assistance for refugees, victims of conflict, and other persons at risk as a result of the situation in Afghanistan, including applicants for Special Immigrant Visas, I hereby delegate to the Secretary of State:

(1) the authority under section 506(a)(2) of the FAA to direct the drawdown of up to $200,000,000 in articles and services from the inventory and resources of any agency of the United States Government and military education and training from the Department of Defense for the purposes and under the authorities of the Migration and Refugee Assistance Act of 1962;

(2) the authority to make the determination under section 506(a)(2) of the FAA to direct such drawdown; and

(3) the authority under section 652 of the FAA to make, before any such drawdown, the required notifications to the Congress.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, July 23, 2021

[FR Doc. 2021–16379
Filed 7–28–21; 11:15 am]
Billing code 4710–10–P

Presidential Documents

Presidential Determination No. 2021–09 of July 23, 2021

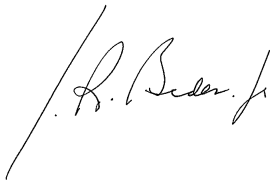
Unexpected Urgent Refugee and Migration Needs

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 2(c)(1) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)(1)) (MRAA), I hereby determine, pursuant to section 2(c)(1) of the MRAA, that it is important to furnish assistance under the MRAA in an amount of up to $100 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected urgent refugee and migration needs, victims of conflict, and other persons at risk as a result of the situation in Afghanistan, including applicants for Special Immigrant Visas. Such assistance may be provided on a bilateral or multilateral basis as appropriate, including through contributions to international organizations and through funding to other nongovernmental organizations, governments, and United States departments and agencies.

This determination supersedes Presidential Determination 2021–08 of June 11, 2021.

You are authorized and directed to submit this determination to the Congress, along with the accompanying Justification, and to publish this determination in the *Federal Register*.



THE WHITE HOUSE,
Washington, July 23, 2021

[FR Doc. 2021–16382
Filed 7–28–21; 11:15 am]
Billing code 4710–10–P

Reader Aids

Federal Register

Vol. 86, No. 143

Thursday, July 29, 2021

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids	**202–741–6000**
Laws	**741–6000**

Presidential Documents

Executive orders and proclamations	**741–6000**
The United States Government Manual	**741–6000**

Other Services

Electronic and on-line services (voice)	**741–6020**
Privacy Act Compilation	**741–6050**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.govinfo.gov.**

Federal Register information and research tools, including Public Inspection List and electronic text are located at: **www.federalregister.gov.**

E-mail

FEDREGTOC (Daily Federal Register Table of Contents Electronic Mailing List) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new**, enter your email address, then follow the instructions to join, leave, or manage your subscription.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html and select** *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

FEDERAL REGISTER PAGES AND DATE, JULY

34905–35216 1
35217–35382 2
35383–35594 6
35595–36060 7
36061–36192 8
36193–36482 9
36483–36632 12
36633–36986 13
36987–37212 14
37213–37668 15
37669–37890 16
37891–38206 19
38207–38406 20
38407–38536 21
38537–38904 22
38905–39938 23
39939–40140 26
40141–40298 27
40299–40756 28
40757–40916 29

CFR PARTS AFFECTED DURING JULY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
10231 35385
10232 38207
10233 38535
10234 40757
10235 40759
10236 40761

Administrative Orders:
Memorandums:
Memorandum of June 29, 2021 35383
Memorandum of July 19, 2021 39939
Memorandum of July 23, 2021 40913
Notices:
Notice of July 7, 2021 ..... 36479, 36481
Notice of July 20, 2021 ..... 38901, 38903
Presidential Determinations:
No. 2021–08 of June 11, 2021 (superseded by Presidential Determination No. 2021–09) 40915
No. 2021–09 of July 23, 2021 40915

Executive Orders:
14036 36987

5 CFR
890 36872

6 CFR
Ch. I 38209

7 CFR
274 40763
457 38537
925 37213
1218 37669
1291 39941
1710 36193
1714 36193
1717 36193
1718 36193
1721 36193
1726 36193
1730 36193
1767 36193

Proposed Rules:
986 35409
1218 38590

8 CFR
212 37670
214 37670
245 37670
274a 37670

Proposed Rules:
214 35410
248 35410
274a.12 35410

9 CFR
352 ..... 37216, 40299

Proposed Rules:
327 ..... 37251, 40369
351 ..... 37251, 40369
354 ..... 37251, 40369
355 ..... 37251, 40369
381 ..... 37251, 40369
500 ..... 37251, 40369
592 ..... 37251, 40369

10 CFR
50 ..... 38905, 40764
52 34905
70 40764
110 40141
431 ..... 37001, 40765

Proposed Rules:
2 39980
52 ..... 34999, 35023
171 39980
429 36018
430 ..... 35660, 35668, 37687, 38594
431 ..... 36018, 37069, 37708

12 CFR
204 38905
655 37671
702 34924
1022 35595
Ch. XII 36199

Proposed Rules:
43 38607
244 38607
373 38607
1234 38607

13 CFR
120 40775
121 38537
124 38537

14 CFR
1 39942
25 ..... 37013, 37015
39 ..... 34933, 35217, 35387, 35599, 35601, 36061, 36064, 36202, 36205, 36207, 36483, 36485, 36487, 36491, 36633, 36635, 36638, 37017, 37019, 37219, 37221, 37224, 37226, 37229, 37231, 37891, 38209, 38212, 38214, 38218, 38220, 38223, 38225, 38407, 38410, 38538, 38541, 38907, 38909,

38912, 38914, 39942, 40299, 40779
61.....36493, 39942
71 .....34937, 35221, 36210, 36212, 37234, 37235, 37238, 37672, 38229, 38916, 39918, 38919, 39949, 39952, 39953, 39956, 39957, 39958, 40143, 40145, 40146, 40306, 40307, 40782, 40783
95.....37893
97 .....34938, 34941, 36641, 36642, 37897, 37899
101.....39942
107.....39942
141.....36493
Proposed Rules:
39 .....35027, 35410, 35413, 35416, 35690, 35692, 35695, 35697, 36241, 36243, 36516, 37087, 37255, 27258, 37936, 38239, 38242, 38608, 38613, 38615, 38941, 38943, 38946, 38949, 38950, 39984, 40371, 40373, 40376, 40378, 40379, 40381, 40384
71 .....35233, 35235, 35237, 35419, 35420, 37090, 37939, 37941, 38245, 38419, 38617, 38953, 38954, 39986, 40386, 40790
259.....38420
260.....38420

15 CFR

744 .....35389, 36496, 37901

16 CFR

0.....38542
1.....38542
323.....37022
Proposed Rules:
Ch. I.....35239

17 CFR

232.....40308
Proposed Rules:
246.....38607

18 CFR

Proposed Rules:
35.....40266

19 CFR

Ch. I.....38554, 38556
10.....35566
102.....35566
132.....35566
134.....35566
145.....38553
163.....35566
182.....35566
190.....35566
Proposed Rules:
102.....35422
177.....35422

20 CFR

200.....35221
295.....34942
404.....38920
416.....38920
Proposed Rules:
404.....40387
416.....40387

21 CFR

573.....37035, 37037
1141.....36509
1305.....38230
1308.....37672
Proposed Rules:
1308.....37719, 38619

24 CFR

11.....35391
92.....34943
Proposed Rules:
267.....38607

25 CFR

48.....34943
224.....40147

26 CFR

54.....36872
Proposed Rules:
1.....39910
53.....39910
54.....36870, 39910
301.....39910

27 CFR

9.....34952, 34955
70.....34957
Proposed Rules:
9.....37260, 37265

28 CFR

50.....37674
Proposed Rules
16.....38624, 38955

29 CFR

1910.....37038, 38232
2590.....36872
4000.....36598
4262.....36598
Proposed Rules:
10.....38816
23.....38816
1402.....38627
1910.....36073

30 CFR

550.....38557
926.....37039

31 CFR

1.....35396
589 .....37904, 37907, 40310, 40316
Proposed Rules:
33.....35156
520.....35399

32 CFR

169.....37676
169a.....37676
199.....36213
310.....38560

33 CFR

Ch. I.....37238
100 .....35399, 35604, 37045, 37239, 38233, 39959
117 .....35402, 39961, 39963
165 .....34958, 34960, 34961, 34963, 34964, 35224, 35225, 35403, 36066, 36067, 36068, 36070, 36646, 37047, 37049, 37051, 37242, 37244, 37677, 37910, 37911, 37914, 37916, 38236, 38238, 38925, 38926, 40149, 40328, 40331
210.....35225
214.....35226
273.....37053
274.....37249
326.....37246
Proposed Rules:
100.....35240, 37270
117.....40388
165 .....35242, 40184, 40390
166.....40791
167.....40791

34 CFR

31.....40332
32.....40332
Ch. II.....36217, 36220, 36222, 36510, 36648, 37679
Ch. III.....36656, 39965
686.....36070

36 CFR

Proposed Rules:
7.....37725
60.....40392
63.....40392

37 CFR

1.....35226, 35229
2.....35229
Proposed Rules:
1.....35429
385.....40793

38 CFR

Proposed Rules:
1.....38958

39 CFR

20.....40153
111.....35606
233.....38413
Proposed Rules:
Ch. III.....36246

40 CFR

51.....37918
52 .....35404, 35608, 35610, 36227, 36665, 37053, 37918, 38562, 38928, 38931, 39978, 40335, 40336, 40784
62.....35406
80.....37681
81.....37683
180 .....36666, 37055, 40338
228.....38563
300.....40234
Proposed Rules:
52 .....35030, 35034, 35042, 35244, 35247, 36673, 37942, 38433, 38627, 38630, 38643, 38652, 39988, 40392, 40395, 40793, 40796
62.....35044
81.....35254
141.....37948

41 CFR

Proposed Rules:
51-1.....38960
51-2.....38960
51-3.....38960
51-4.....38960
51-5.....38960
51-6.....38960
51-7.....38960
51-8.....38960
51-9.....38960
51-10.....38960

42 CFR

414.....38569
510.....36229
600.....35615
Proposed Rules:
403.....39104
405.....39104
409.....35874
410.....39104
411.....39104
413.....36322
414.....39104
415.....39104
423.....39104
424.....35874, 39104
425.....39104
484.....35874
488.....35874
489.....35874
498.....35874
512.....36322

45 CFR

144.....36872
147.....36872
149.....36872
155.....36071
156.....36872
Proposed Rules:
147.....35156
155.....35156
156.....35156

46 CFR

Ch. I.....37238

47 CFR

Ch. I.....37061
54.....37058, 38570
64 .....35632, 40340, 40682
73 .....34965, 35231, 37058, 37935, 38934, 38935, 38936, 38937
74.....37060
Proposed Rules:
1.....37972, 40398
2.....35700, 37982
4.....40801
15 .....35046, 35700, 37982, 38969
64.....40416
73.....37972, 37982
74.....35046, 37982
90.....35700, 37982
95.....35700, 37982

48 CFR

204.....36229
212.....36229
252.....36229
501.....34966
552.....34966
570.....34966
Proposed Rules:
615.....35257
652.....35257

49 CFR

236 40154
381 35633
382 35633
383 35633
384 ....35633, 38937
385 35633
390 35633
391 35633
Ch. XII 38209

Proposed Rules:

385 35443
393 35449

50 CFR

17 ....34979, 38570, 38572
20 37854
300 ....35653, 38415
622 ....38416, 40787
635 36669
648 ....36671, 38586, 40353
660 ....36237, 37249, 40182
665 36239
679 ....36514, 38418, 38588, 40788

Proposed Rules:

17 ....35708, 36678, 37091, 37410, 38246, 40186
218 37790
635 38262
648 36519
665 37982

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List July 27, 2021

Public Laws Electronic Notification Service (PENS)

PENS is a free email notification service of newly enacted public laws. To subscribe, go to *https://listserv.gsa.gov/cgi-bin/wa.exe?SUBED1=PUBLAWS-L&A=1*

Note: This service is strictly for email notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.