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Proclamation 10258 of September 16, 2021

The President

Constitution Day and Citizenship Day, and Constitution Week, 2021

By the President of the United States of America

A Proclamation

For 234 years, America's Constitution has guided our growth, shaped our progress, and defined us as a Nation of sacred laws and fundamental values. When our democracy is tested, we draw strength from the Constitution to see us through. When we look ahead in our uniquely American way—restless, bold, and optimistic—our Constitution is the bedrock we build upon to make our Nation more equal, more just, and more prosperous for all our people.

American democracy requires our constant care, vigilance, and full participation to determine the course and conscience of our Union. As President, I swore an oath to preserve, protect, and defend the Constitution, and I will continue to work tirelessly to ensure that we uphold and strengthen this remarkable system of self-government for future generations ready to put their own shoulders to the wheel.

The Framers of the Constitution understood the extraordinary promise of a democratic system of government—a Nation that could be made a “more perfect Union” by each passing generation to come. They laid out a set of basic principles and equipped the American people with all that was necessary to meet the changing needs and values of our country through the years.

For more than two centuries, women and men have struggled and strived to make good on the promise of our founding document and to expand the promise of America by amending our Constitution in accordance with our growth and progress as a Nation—just as the Framers envisioned they would. Through Civil War, the fight for universal suffrage, and the heroic non-violent resistance of the Civil Rights Movement—from Seneca Falls to Selma and countless acts of civic bravery beyond—courageous Americans have fought, sacrificed, and changed hearts and minds to deliver the full breadth of human dignity to which our Constitution aspires. Fully realizing these ideals and attaining justice for all remains an urgent and enduring imperative.

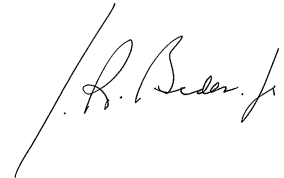
Today, we are in the midst of grave attempts to suppress and subvert the right to vote in free and fair elections—the most sacred right in our democracy and the very heart of our Constitution. We must continue to rebuff these threats to ensure that American democracy remains healthy and strong. My Administration is pursuing an all-of-government effort to protect and expand the fundamental right to vote and make our democracy more equitable and accessible for all Americans.

I have often said that America is the only Nation founded on an idea. Though we have never fully lived up to it, we have never walked away from it. We have never stopped striving to fulfill the founding promise of our Nation—that all of us are created equal and deserve to be treated equally throughout our lives. My Administration is committed to bringing us closer to the fulfillment of that promise.

To honor the timeless principles enshrined in our Constitution, the Congress has, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as “Constitution Day and Citizenship Day” and authorized the President to issue a proclamation calling on United States officials to display the flag of the United States on all Government buildings on that day. By joint resolution of August 2, 1956 (36 U.S.C. 108), the Congress further requested that the President proclaim the week beginning September 17 and ending September 23 of each year as “Constitution Week.”

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 September 17, 2021, as Constitution Day and Citizenship Day, and September 17, 2021, through September 23, 2021, as Constitution Week. On this day and during this week, we celebrate our Constitution and the rights of citizenship that together we enjoy as the people of this proud Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, 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.



Presidential Documents

Proclamation 10259 of September 16, 2021

National POW/MIA Recognition Day, 2021

By the President of the United States of America

A Proclamation

When service members take an oath to defend the Constitution of the United States, they do so knowing that they may be called upon to make great sacrifices to ensure and sustain our shared values. These patriots accept those risks and rush to fulfill the mission, no matter how harsh or dangerous the conditions. They embody the best of the American spirit. For the families and friends who wait at home, anxious for news of their loved ones, these sacrifices can cause great pain. For the families of the more than 81,600 service members who remain missing in action—the pain and grief is compounded by a lack of closure, and the hope that their sons and daughters, sisters and brothers, parents, and grandparents will one day return home.

On National POW/MIA Recognition Day, we remember the debt we owe to them and to their families. We pay tribute to our former prisoners of war and recommit to the difficult but essential task of seeking out answers for the families of those still missing. We will always remember and honor our Nation's prisoners of war and those still missing in action, and keep faith with our promise as a Nation to bring all of our heroes home.

Every day, the iconic black and white flag—a powerful symbol in recognition of the heroism and sacrifice of American POWs and MIAs—is flown above the White House. It is a mark of reverence and of solidarity with all those who await answers. Each day, this flag flies over memorials and cemeteries, on military installations, at local post offices, and on the front lawns of homes across the Nation. This flag remains a symbol of America's commitment to honor the sacrifices of all those who serve.

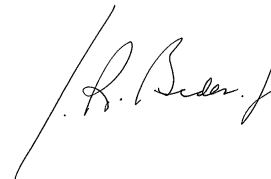
My Administration is committed to recovering and identifying Americans missing from prior conflicts. Our efforts are global, and we are thankful for the continued cooperation of all partner nations who advance these humanitarian efforts on behalf of American families. Loss and grief are hard enough without the added and too often prolonged pain of uncertainty. But this much is certain: the United States will never abandon the search for our service members missing and unaccounted for in overseas wars. They will never be forgotten.

During National POW/MIA Recognition Day, our Nation conveys eternal gratitude to those who endured enemy captivity and those who made the supreme sacrifice and have yet to return home. We will stand with these heroes, who gave their all to protect and preserve our freedoms, and their families, who have kept the faith and longingly pursued answers across these many decades.

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 September 17, 2021, as National POW/MIA Recognition Day. Along with my fellow Americans, I salute our former POWs who overcame unspeakable indignities to return home with honor. For those who made the ultimate sacrifice and never came home, America will work tirelessly to provide their families and our Nation the fullest possible measure of accounting. I urge all Americans

to observe this day of honor and remembrance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, 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.

A handwritten signature in black ink, appearing to read "Joe Biden", is written on the right side of the page. The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Presidential Documents

Executive Order 14046 of September 17, 2021

Imposing Sanctions on Certain Persons With Respect to the Humanitarian and Human Rights Crisis in Ethiopia

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), sections 212(f) and 215(a) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f) and 1185(a)), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, find that the situation in and in relation to northern Ethiopia, which has been marked by activities that threaten the peace, security, and stability of Ethiopia and the greater Horn of Africa region—in particular, widespread violence, atrocities, and serious human rights abuse, including those involving ethnic-based violence, rape and other forms of gender-based violence, and obstruction of humanitarian operations—constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States. I hereby declare a national emergency to deal with that threat.

The widespread humanitarian crisis precipitated by the violent conflict in northern Ethiopia has left millions of people in need of humanitarian assistance and has placed an entire region on the brink of famine. While maintaining pressure on those persons responsible for the crisis, the United States will seek to ensure that appropriate personal remittances to non-blocked persons and humanitarian assistance to at-risk populations can flow to Ethiopia and the greater Horn of Africa region through legitimate and transparent channels, including governments, international organizations, and non-profit organizations. The United States supports ongoing international efforts to promote a negotiated ceasefire and political resolution of this crisis, to ensure the withdrawal of Eritrean forces from Ethiopia, and to promote the unity, territorial integrity, and stability of Ethiopia.

Accordingly, I hereby order:

Section 1. The Secretary of the Treasury is authorized to impose any of the sanctions described in section 2(a) of this order on any foreign person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(a) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(i) actions or policies that threaten the peace, security, or stability of Ethiopia, or that have the purpose or effect of expanding or extending the crisis in northern Ethiopia or obstructing a ceasefire or a peace process;

(ii) corruption or serious human rights abuse in or with respect to northern Ethiopia;

(iii) the obstruction of the delivery or distribution of, or access to, humanitarian assistance in or with respect to northern Ethiopia, including attacks on humanitarian aid personnel or humanitarian projects;

(iv) the targeting of civilians through the commission of acts of violence in or with respect to northern Ethiopia, including involving abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or any conduct that would constitute a violation of international humanitarian law;

- (v) planning, directing, or committing attacks in or with respect to northern Ethiopia against United Nations or associated personnel or African Union or associated personnel;
- (vi) actions or policies that undermine democratic processes or institutions in Ethiopia; or
- (vii) actions or policies that undermine the territorial integrity of Ethiopia;
- (b) to be a military or security force that operates or has operated in northern Ethiopia on or after November 1, 2020;
- (c) to be an entity, including any government entity or a political party, that has engaged in, or whose members have engaged in, activities that have contributed to the crisis in northern Ethiopia or have obstructed a ceasefire or peace process to resolve such crisis;
- (d) to be a political subdivision, agency, or instrumentality of the Government of Ethiopia, the Government of Eritrea or its ruling People's Front for Democracy and Justice, the Tigray People's Liberation Front, the Amhara regional government, or the Amhara regional or irregular forces;
- (e) to be a spouse or adult child of any sanctioned person;
- (f) to be or have been a leader, official, senior executive officer, or member of the board of directors of any of the following, where the leader, official, senior executive officer, or director is responsible for or complicit in, or who has directly or indirectly engaged or attempted to engage in, any activity contributing to the crisis in northern Ethiopia:
 - (i) an entity, including a government entity or a military or security force, operating in northern Ethiopia during the tenure of the leader, official, senior executive officer, or director;
 - (ii) an entity that has, or whose members have, engaged in any activity contributing to the crisis in northern Ethiopia or obstructing a ceasefire or a peace process to resolve such crisis during the tenure of the leader, official, senior executive officer, or director; or
 - (iii) the Government of Ethiopia, the Government of Eritrea or its ruling People's Front for Democracy and Justice, the Tigray People's Liberation Front, the Amhara regional government, or the Amhara regional or irregular forces, on or after November 1, 2020;
- (g) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any sanctioned person; or
- (h) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any sanctioned person.

Sec. 2. (a) When the Secretary of the Treasury, in consultation with the Secretary of State, has determined that a foreign person meets any of the criteria described in section 1(a)–(h) of this order, the Secretary of the Treasury is authorized to select, in consultation with the Secretary of State, one or more of the sanctions set forth in subsections (a)(i)(A)–(E) or (a)(ii)(A)–(B) of this section to impose on that foreign person:

(i) the Secretary of the Treasury shall take the following actions as necessary to implement the selected sanctions:

(A) block all property and interests in property of the sanctioned person that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

(B) prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person;

(C) prohibit any United States financial institution from making loans or providing credit to the sanctioned person;

(D) prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest; or

(E) impose on the leader, official, senior executive officer, or director of the sanctioned person, or on persons performing similar functions and with similar authorities as such leader, official, senior executive officer, or director, any of the sanctions described in subsections (a)(i)(A)–(D) of this section that are applicable.

(ii) the heads of the relevant executive departments and agencies, in consultation with the Secretary of the Treasury, shall take the following actions as necessary and appropriate to implement the sanctions selected by the Secretary of the Treasury:

(A) actions required to deny any specific license, grant, or any other specific permission or authority under any statute or regulation that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person; or

(B) actions required to deny a visa to and exclude from the United States any noncitizen whom the Secretary of the Treasury, in consultation with the Secretary of State, determines is a leader, official, senior executive officer, or director, or a shareholder with a controlling interest in, the sanctioned person.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order. No entity shall be blocked pursuant to this order solely because it is owned in whole or in part, directly or indirectly, by one or more sanctioned persons, unless the entity is itself a sanctioned person and the sanctions in section 2(a)(i)(A) of this order are imposed on the entity.

Sec. 3. The prohibitions in section 2(a) of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. (a) The unrestricted immigrant and nonimmigrant entry into the United States of noncitizens determined to meet one or more of the criteria in section 1 of this order, and for whom the sanctions described in section 2(a)(i)(A) or section 2(a)(ii)(B) of this order have been selected, would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended, except when the Secretary of State or the Secretary of Homeland Security, as appropriate, determines that the person's entry would not be contrary to the interests of the United States, including when the Secretary of State or the Secretary of Homeland Security, as appropriate, so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives.

(b) The Secretary of State shall implement this order as it applies to visas pursuant to such procedures as the Secretary of State, in consultation with the Secretary of Homeland Security, may establish.

(c) The Secretary of Homeland Security shall implement this order as it applies to the entry of noncitizens pursuant to such procedures as the Secretary of Homeland Security, in consultation with the Secretary of State, may establish.

(d) Such persons shall be treated by this section in the same manner as persons covered by section 1 of Proclamation 8693 of July 24, 2011

(Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by section 2 of this order.

Sec. 7. For the purposes of this order:

(a) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term “Government of Ethiopia” means the Government of Ethiopia, any political subdivision, agency, or instrumentality thereof, including the National Bank of Ethiopia, and any person owned, controlled, or directed by, or acting for or on behalf of, the Government of Ethiopia;

(c) the term “Government of Eritrea” means the Government of Eritrea, any political subdivision, agency, or instrumentality thereof, including the Bank of Eritrea, and any person owned, controlled, or directed by, or acting for or on behalf of, the Government of Eritrea;

(d) the term “noncitizen” means any person who is not a citizen or noncitizen national of the United States;

(e) the term “person” means an individual or entity;

(f) the term “sanctioned person” means a foreign person that the Secretary of the Treasury, in consultation with the Secretary of State, has determined meets any of the criteria described in section 1 of this order and has selected, in consultation with the Secretary of State, one or more of the sanctions set forth in section 2(a) of this order to impose on that foreign person; and

(g) the term “United States person” means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 8. For those persons whose property and interests in property are blocked or affected by this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds and other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 9. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All executive departments and agencies of the United States shall take all appropriate measures within their authority to implement this order.

Sec. 10. Nothing in this order shall prohibit transactions for the conduct of the official business of the Federal Government by employees, grantees, and contractors thereof.

Sec. 11. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to submit recurring and final reports to the Congress

on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

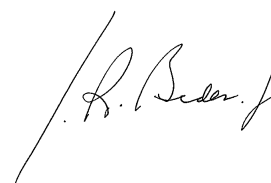
Sec. 12. (a) Nothing in this order shall be construed to impair or otherwise affect:

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

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

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

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
September 17, 2021.

Rules and Regulations

Federal Register

Vol. 86, No. 180

Tuesday, September 21, 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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 315

RIN 3206-AM76

Noncompetitive Appointment of Certain Military Spouses

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing final regulations to modify the provisions governing the recruitment and employment of certain military spouses in Federal agencies to conform to statutory mandates affecting the rules governing this hiring authority and to carry out certain provisions of an Executive order of May 9, 2018, *Enhancing Noncompetitive Civil Service Appointments of Military Spouses*. OPM is revising the current text to conform to the eligibility criteria for appointment of military spouses to intervening statutory requirements and add agency reporting requirements. The intent of this hiring authority is to enhance the recruitment and noncompetitive appointment of certain military spouses for permanent Federal positions in the competitive service.

DATES: This rule is effective October 21, 2021.

FOR FURTHER INFORMATION CONTACT: Michelle Glynn, telephone: 202-606-1571, fax: 202-606-3340, TDD: 202-418-3134, or email: michelle.glynn@opm.gov.

SUPPLEMENTARY INFORMATION: On May 29, 2020, the Office of Personnel Management (OPM) published proposed regulations in the **Federal Register** at 85 FR 32304 to modify the provisions governing the hiring authority for certain military spouses. OPM made these changes to effect provisions contained in the Fiscal Year (FY) 2013 National Defense Authorization Act

(NDAA), Public Law 112-239, section 566, subsequently codified at 5 U.S.C. 3330d; the FY 2017 NDAA, Public Law 114-328, section 1131, which amended 5 U.S.C. 3330d(c); and the FY 2019 NDAA, Public Law 115-232, section 573, which temporarily amends 5 U.S.C. 3330d and imposes a temporary reporting requirement on OPM; as well as certain provisions of E.O. 13832 of May 9, 2018, *Enhancing Noncompetitive Civil Service Appointments of Military Spouses*, imposing permanent agency reporting requirements. OPM received one comment on the proposed rule from an individual.

The individual recommends that OPM use the term “temporary” in conjunction with “noncompetitive” when describing or referring to this hiring authority. OPM is not adopting this suggestion. Agencies may appoint eligible spouses to positions on a permanent, term, or temporary basis under this authority. The regulations in 5 CFR part 316 currently provide for noncompetitive appointment of certain military spouses on a term or temporary basis (§ 316.301.302(b)(3) for term employment and § 316.402(b)(3) for temporary limited employment).

OPM is adopting the proposed regulation with one minor change to the email address for submission of agency’s yearly reports to Department of Labor.

Regulatory Flexibility Act

The Office of Personnel Management Director certifies that this regulation will not have a significant economic impact on a substantial number of small entities because it applies only to Federal agencies and employees.

E.O. 13563 and E.O. 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with E.O. 13563 and 12866.

E.O. 13132, Federalism

This regulation will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications

to warrant preparation of a Federalism Assessment.

E.O. 12988, Civil Justice Reform

This regulation meets the applicable standard set forth in section 3(a) and (b)(2) of Executive Order 12988.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local or tribal governments of more than \$100 million annually. Thus, no written assessment of unfunded mandates is required.

Congressional Review Act

The Congressional Review Act (5 U.S.C. 801 *et seq.*) requires rules (as defined in 5 U.S.C. 804) to be submitted to Congress before taking effect. OPM will submit to Congress and the Comptroller General of the United States a report regarding the issuance of this action before its effective date, as required by 5 U.S.C. 801. OMB’s Office of Information and Regulatory Affairs has determined that this is not a “major rule” as defined by the Congressional Review Act (5 U.S.C. 804(2)).

Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

This final regulatory action will not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects in 5 CFR Part 315

Government employees.

Office of Personnel Management

Alexys Stanley,

Regulatory Affairs Analyst.

Accordingly, OPM is amending 5 CFR part 315 as follows:

PART 315—CAREER AND CAREER- CONDITIONAL EMPLOYMENT

■ 1. The authority citation for part 315 is revised to read as follows:

Authority: 5 U.S.C. 1302, 2301, 2302, 3301, and 3302; E.O. 10577, 19 FR 7521, 3 CFR, 1954-1958 Comp., p. 218; and E.O. 13162, 65 FR 43211, 3 CFR, 2000 Comp., p. 283, unless otherwise noted.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under E.O. 12034, 43 FR 1917, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 30 FR 6381, 3 CFR, 1964–1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2560.

Sec. 315.608 also issued under E.O. 12721, 55 FR 31349, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(c). Sec. 315.611 also issued under 5 U.S.C. 3304(f).

Sec. 315.612 also issued under E.O. 13473, 73 FR 56703, 3 CFR, 2008 Comp., p. 241; Sec. 566, Pub. L. 112–239, 126 Stat. 1632 (5 U.S.C. 3330d); Sec. 1131, Pub. L. 114–328, 130 Stat. 2000 (5 U.S.C. 3330d(c)); Sec. 573, Pub. L. 115–232, 132 Stat. 1636 (5 U.S.C. 3330d); and E.O. 13832, 83 FR 22343, 3 CFR, 2018 Comp., p. 808.

Sec. 315.708 also issued under E.O. 13318, 68 FR 66317, 3 CFR, 20043 Comp., p. 265.

Sec. 315.710 also issued under E.O. 12596, 52 FR 17537, 3 CFR, 1987 Comp., p. 229; E.O. 13832, 83 FR 22343, 3 CFR, 2018 Comp., p. 808; and Sec. 573, Pub. L. 115–232, 132 Stat. 1636 (5 U.S.C. 3330d).

Subpart F—Career or Career Conditional Appointment Under Special Authorities

■ 2. In § 315.612, revise paragraphs (a) through (e) and add paragraph (h) to read as follows:

§ 315.612 Noncompetitive appointment of certain military spouses.

(a) *Agency authority.* In accordance with the provisions of this section, an agency head may appoint noncompetitively a spouse of a member of the armed forces serving on active duty, a spouse of a 100 percent disabled service member injured while on active duty, or the un-remarried widow or widower of a service member who was killed while performing active duty.

(b) *Definitions.*—(1) *Active duty* means full-time duty in the armed forces, including full-time National Guard duty, except that for Reserve Component members the term “active duty” does not include training duties or attendance at service schools.

(2) *Armed forces* has the meaning given that term in 10 U.S.C. 101.

(3) *Duty station* means the permanent location to which a member of the armed forces is assigned for duty as specified on the individual’s permanent change of station (PCS) orders.

(4) *Member of the armed forces or service member* means an individual who:

(i) Is serving on active duty in the armed forces or serving under orders specifying the individual is called or ordered to active duty for more than 180 consecutive days;

(ii) Retired or was released or discharged from active duty in the armed forces and has a disability rating of 100 percent as documented by the Department of Veterans Affairs; or

(iii) Was killed while serving on active duty in the armed forces.

(5) *Spouse* means the husband or wife of a member of the armed forces.

(c) *Eligibility.* (1)(i) A spouse of a member of the armed forces as defined in paragraph (b)(4)(i) of this section must be currently married to the member of the armed forces on active duty.

(ii) For appointments made on or after August 13, 2023, the following additional criteria must be met for eligibility for appointment (for appointments made prior to or on August 12, 2023, the criteria in this paragraph (c)(1)(ii) does not apply):

(A) The member of the armed forces must have received orders authorizing a permanent change of station.

(B) The spouse must have married the member of the armed forces on, or prior to, the date of such orders authorizing the permanent change of station.

(C) The spouse must have relocated or is relocating with the member of the armed forces to the new duty station specified in the documentation ordering the permanent change of station.

(2) A spouse of a member of the armed forces as defined in paragraph (b)(4)(ii) of this section must be currently married to the member of the armed forces.

(3) A spouse of a member of the armed forces as defined in paragraph (b)(4)(iii) of this section must be the un-remarried widow or widower of the member of the armed forces killed on active duty in the armed forces.

(4) Except as indicated in paragraph (c)(5) of this section, noncompetitive appointment of eligible spouses under this section are not restricted to a geographical location.

(5) Beginning August 13, 2023, the noncompetitive appointment of a relocating spouse of a member of the armed forces as defined in paragraph (b)(4)(i) of this section is limited to the geographic area of the permanent duty station of the member of the armed forces, unless there is no agency with a position within the geographic area of the permanent duty station of the member of the armed forces.

(d) *Conditions.* (1) In accordance with the provisions of this section, a spouse is eligible for noncompetitive appointment:

(i) From the date of documentation verifying the spouse’s marriage to a member of the armed forces as defined in paragraph (b)(4)(i) of this section, where the spouse seeks appointment based upon marriage to an active duty member of the armed forces;

(ii) From the date of documentation verifying that the member of the armed

forces is 100 percent disabled, where the spouse seeks appointment based upon marriage to a member defined in paragraph (b)(4)(ii) of this section; or

(iii) From the date of documentation verifying that the member of the armed forces was killed while on active duty where the spouse seeks appointment as the widow or widower of a member defined in paragraph (b)(4)(iii) of this section.

(2) The spouse of a member of the armed forces as defined in paragraph (b)(4)(i) of this section may receive unlimited noncompetitive appointments under this section to permanent positions through August 12, 2023. Beginning August 13, 2023, the spouse of such a member may receive a noncompetitive appointment under this section if the member receives permanent change of station orders and is limited to one such appointment per permanent change of station.

(3) A spouse of a member of the armed forces as defined in paragraph (b)(4)(ii) or (iii) of this section may receive only one noncompetitive appointment under this section to a permanent position.

(4) Any law, Executive order, or regulation that disqualifies an applicant for appointment also disqualifies a spouse for appointment under this section.

(e) *Proof of eligibility.* (1)(i) Prior to appointment, the spouse of a member of the armed forces as defined in paragraph (b)(4)(i) of this section must submit to the employing agency copies of:

(A) Documentation verifying active duty status; and

(B) Documentation verifying marriage to the member of the armed forces (*i.e.*, a marriage certificate or other legal documentation verifying marriage).

(ii) For appointments made on or after August 13, 2023, the spouse must also submit to the employing agency a copy of the service member’s orders reflecting a permanent change of station, dated August 13, 2023, or later. (For appointments made on or before August 12, 2023, the requirement of this paragraph (e)(1)(ii) does not apply.)

(2) Prior to appointment, the spouse of a member of the armed forces as defined in paragraph (b)(4)(ii) of this section must submit to the employing agency copies of:

(i) Documentation showing the member of the armed forces retired, or was released or discharged from active duty, with a disability rating of 100 percent; and

(ii) Documentation verifying marriage to the member of the armed forces (*i.e.*,

a marriage license or other legal documentation verifying marriage).

(3) Prior to appointment, the spouse of a member of the armed forces as defined in paragraph (b)(4)(iii) of this section must submit to the employing agency copies of:

(i) Documentation showing the member was released or discharged from active duty due to his or her death while on active duty;

(ii) Documentation verifying the member of the armed forces was killed while serving on active duty;

(iii) Documentation verifying the widow or widower's marriage to the member of the armed forces (*i.e.*, a marriage license or other legal documentation verifying marriage); and

(iv) A statement certifying that the individual seeking to use the authority is the un-remarried widow or widower of the service member.

* * * * *

(h) *Agency reporting requirements.* (1) As required by Executive Order 13832, each agency shall report annually (by December 31st of each year) to OPM and the Department of Labor on:

(i) The number of positions made available under the military spouse hiring authority;

(ii) The number of applications submitted under the military spouse hiring authority;

(iii) The number of military spouses appointed under the military spouse hiring authority during the preceding fiscal year; and

(iv) Actions taken to advertise the military spouse hiring authority, and any other actions taken to promote the hiring of military spouses.

(2) As required by section 573(d) of Public Law 115-232, each agency shall report annually until August 13, 2023, and separate from the report required in paragraph (h)(1) of this section on the following:

(i) The number of relocating and non-relocating spouses of current military members appointed under this authority;

(ii) The types of positions filled (by title, series, and grade level); and

(iii) The effectiveness of this hiring authority.

(3) Agencies should send their reports electronically to OPM's Employee Services, VETS Office at militaryspouse@opm.gov.

(4) Agencies are also required to send their reports separately and directly to Department of Labor (DOL) at milspouse@dol.gov.

[FR Doc. 2021-20308 Filed 9-20-21; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1205

[Doc. No. AMS-CN-20-0097A]

Cotton Research and Promotion Program: Procedures for Conduct of Sign-Up Period

AGENCY: Agricultural Marketing Service (AMS), Department of Agriculture (USDA).

ACTION: Direct final rule.

SUMMARY: This direct final rule reopens the voting period and amends rules and regulations regarding dates for a sign-up period for eligible cotton producers and importers to request a continuance referendum on the 1991 amendments to the Cotton Research and Promotion Order (Order) provided for in the Cotton Research and Promotion Act (Act) amendments of 1990.

DATES: This direct rule is effective October 18, 2021, without further action or notice, unless significant adverse comment is received by October 6, 2021. If significant adverse comment is received, AMS will publish a timely withdrawal of the amendment in the **Federal Register**.

ADDRESSES: Written comments may be submitted to the addresses specified below. All comments will be made available to the public. Please do not include personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the internet and can be retrieved by most internet search engines. Comments may be submitted anonymously.

Comments, identified by AMS-CN-20-0097A, may be submitted electronically through the *Federal eRulemaking Portal* at <http://www.regulations.gov>. Please follow instructions for submitting comments. In addition, comments may be submitted by *mail or hand delivery* to Cotton Research and Promotion, Cotton and Tobacco Program, AMS, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia 22406. Comments should be submitted in triplicate. All comments received will be made available for public inspection at Cotton and Tobacco Program, AMS, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia 22406. A copy of this document may be found at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Shethir M. Riva, Director, Research and

Promotion, Cotton and Tobacco Program, AMS, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia 22406; telephone (540) 361-2726, facsimile (540) 361-1199, or email at CottonRP@usda.gov.

SUPPLEMENTARY INFORMATION:

A. Background

The Cotton Research and Promotion Order (7 CFR part 1205) was amended in 1991, following a referendum that July. These amendments provided for: (1) Importer representation on the Cotton Board by an appropriate number of persons, to be determined by USDA, who import cotton or cotton products into the U.S. and who USDA selects from nominations submitted by importer organizations certified by USDA; (2) assessments levied on imported cotton and cotton products at a rate determined in the same manner as for U.S. cotton; (3) increased amount USDA can be reimbursed for conducting a referendum from \$200,000 to \$300,000; (4) reimbursement of government agencies that assist in administering the collection of assessments on imported cotton and cotton products; and (5) termination of producers' right to demand a refund of assessments.

On December 18, 2020, USDA issued a determination based on its review (85 FR 82426) not to conduct a referendum regarding the 1991 amendments to the Order; however, the Act provides that USDA shall nevertheless conduct a referendum at the request of 10 percent or more of the total number of eligible producers and importers that voted in the most recent referendum. Furthermore, the Act provides for a sign-up period during which eligible cotton producers and importers may request that USDA conduct a referendum on continuation of the 1991 amendments to the Order.

Pursuant to section 8(c) of the Act, USDA provided all eligible Upland cotton producers and importers of cotton and cotton-containing products an opportunity to sign up and request a continuance referendum regarding the 1991 amendments to the Order from June 21, 2021, until July 2, 2021 (86 FR 20255). During the counting and verification of sign-up requests, the AMS learned that the United States Postal Service (USPS) erroneously closed the Post Office Box AMS used to receive sign-up requests, and USPS returned mail contained within the box. Given this error by the USPS and not knowing how many pieces of mail were contained in the box, the AMS determined it is necessary to reopen the sign-up period to allow for any eligible

importers and producers to submit a request in the event any sign-ups submitted during the original sign-up were not received by AMS. Sign-up requests from both sign-up periods will be considered.

Section 8(c)(2) of the Act provides that if USDA determines, based on results of the sign-up, that 10 percent (*i.e.*, 4,622) or more of the total number of eligible producers and importers that voted in the most recent 1991 referendum request a continuance referendum on the 1991 amendments, a referendum will be held within 12 months after the end of the sign-up period. In counting such requests, however, not more than 20 percent may be from producers from any one state or from importers of cotton. For example, when counting requests, AMS Cotton and Tobacco Program would determine the total number of valid requests from all cotton-producing states and from importers. Not more than 20 percent of the total requests will be counted from any one state or from importers toward reaching the 10 percent or 4,622 total signatures required to call for a referendum. If USDA determines that 10 percent or more of the number of producers and importers who voted in the most recent referendum favor a continuance referendum, a referendum will be held.

This direct final rule amends dates to conduct of the current sign-up period. In §§ 1205.27, 1205.28, and 1205.29 sign-up period dates and Farm Service Agency (FSA) reporting dates have been updated.

A 15-day comment period is determined to be appropriate because these eligibility and participation requirements are substantially the same as the eligibility and participation requirements that were used in previous referenda and sign-up periods; participation is voluntary; and this rule, if adopted, should be made effective as soon as possible in order to conduct the sign-up at the earliest possible dates.

B. Regulatory Analyses

Executive Order 13175

This action has been reviewed in accordance with requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this regulation would not have substantial and direct effects on Tribal governments and would not have significant Tribal implications.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and

benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review.

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have retroactive effect.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 12 of the Act, any person subject to an order may file with the Secretary of Agriculture (Secretary) a petition stating that the order, any provision of the plan, or any obligation imposed in connection with the order is not in accordance with law and requesting a modification of the order or to be exempted therefrom. Such person is afforded the opportunity for a hearing on the petition. After the hearing, the Secretary would rule on the petition. The Act provides that the District Court of the United States in any district in which the person is an inhabitant, or has his principal place of business, has jurisdiction to review the Secretary's ruling, provided a complaint is filed within 20 days from the date of the entry of the Secretary's ruling.

Regulatory Flexibility Act and Paperwork Reduction Act

In accordance with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has examined the economic impact of this rule on small entities. The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such action so that small businesses will not be unduly or disproportionately burdened. The Small Business Administration (SBA) defines, in 13 CFR 121.201, small agricultural producers as those having annual receipts of no more than \$1,000,000, and small “Other Farm Product Raw Material Merchant Wholesalers” (cotton merchants/importers) as having no more than 100 employees. The Cotton Board estimates 12,000 producers and 40,000 importers are subject to the rules and regulations issued pursuant to the Cotton Research and Promotion Order.

According to the United States Census Bureau's “2016 Survey of SUSB Annual Data Tables by Establishment Industry,” most importers are considered small entities as defined by the SBA. The majority of these producers and importers are small businesses under the criteria established by the SBA.

There are no Federal rules that duplicate, overlap, or conflict with this rule.

This rule is voluntary and only affects producers and importers wishing to participate in the sign-up under the Cotton Research and Promotion Order. Only those eligible persons who are in favor of conducting a referendum would need to participate in the sign-up period. Of the 46,220 total valid ballots received in the 1991 referendum, 27,879, or 60 percent, favored the amendments to the Order, and 18,341, or 40 percent, opposed the amendments to the Order. This rule provides those persons who are not in favor of the continuance of the Order amendments an opportunity to request a continuance referendum.

The eligibility and participation requirements for producers and importers are substantially the same as the rules that established the eligibility and participation requirements for previous sign-up periods. Amendments in this action update dates to reopen the sign-up.

Sign-up procedures do not impose a substantial burden or have a significant impact on persons subject to the Order because participation is not mandatory, not all persons subject to the Order are expected to participate, and USDA will determine producer and importer eligibility. Information collection requirements under the Paperwork Reduction Act are minimal.

Paperwork Reduction Act

Information collections in this rule will be carried out under the OMB Control Number 0581–0093. This rule does not add to the overall burden currently approved by OMB and assigned OMB Control Number 0581–0093 under provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). This OMB Control Number is referenced in § 1205.541 of the regulations.

A 15-day comment period is provided to comment on date changes to the Cotton Board Rules and Regulations herein.

List of Subjects in 7 CFR Part 1205

Advertising, Agricultural research, Cotton, Marketing agreements, Reporting and recordkeeping requirements.

For reasons stated in the preamble, AMS amends 7 CFR part 1205 as follows:

PART 1205—COTTON RESEARCH AND PROMOTION

■ 1. The authority citation for part 1205 continues to read as follows:

Authority: 7 U.S.C. 2101–2118; 7 U.S.C 7401.

■ 2. Section 1205.27 is revised to read as follows:

§ 1205.27 Participation in the sign-up period.

The sign-up period will be from June 21, 2021, until July 2, 2021, and October 18, 2021, until October 29, 2021. Those persons who favor the conduct of a continuance referendum and who wish to request that Department of Agriculture (USDA) conduct such a referendum may do so by submitting such request in accordance with this section. All requests must be received by the appropriate USDA office by October 29, 2021.

(a) Before the sign-up period begins, FSA shall establish a list of known, eligible, Upland cotton producers in the county that it serves during the representative period, and AMS shall also establish a list of known, eligible Upland cotton importers.

(b) Before the start of the sign-up period, Agricultural Marketing Service (AMS) will post sign-up information, including sign-up forms, on its website: <http://www.ams.usda.gov/Cotton>. Importers who favor the conduct of a continuance referendum can download a form from the website, or request a sign-up form by contacting CottonRP@usda.gov or (540) 361–2726 and one will be provided to them. Importers may participate in the sign-up period by submitting a signed, written request for a continuance referendum, along with a copy of a U.S. Customs and Border Protection form 7501 showing payment of a cotton assessment for calendar year 2020. The USDA, AMS, Cotton and Tobacco Program, Attention: Cotton Sign-Up, P.O. Box 23181, Washington, DC 20077–8249 shall be considered the polling place for all cotton importers. All requests and supporting documents must be received by October 29, 2021.

(c) Each person on the county FSA office lists may participate in the sign-up period. Eligible producers must date and sign their name on the “County FSA Office Sign-up Sheet.” A person whose name does not appear on the county FSA office list may participate in the sign-up period. Such person must be identified on FSA–578 during the representative period or provide

documentation that demonstrates that the person was a cotton producer during the representative period. Cotton producers not listed on the FSA–578 shall submit at least one sales receipt for cotton they planted during the representative period. Cotton producers must make requests to the county FSA office where the producer’s farm is located. If the producer’s land is in more than one county, the producer shall make request at the county office where FSA administratively maintains and processes the producer’s farm records. It is the responsibility of the person to provide the information needed by the county FSA office to determine eligibility. It is not the responsibility of the county FSA office to obtain this information. If any person whose name does not appear on the county FSA office list fails to provide at least one sales receipt for the cotton they produced during the representative period, the county FSA office shall determine that such person is ineligible to participate in the sign-up period, and shall note “ineligible” in the remarks section next to the person’s name on the county FSA office sign-up sheet. In lieu of personally appearing at a county FSA office, eligible producers may request a sign-up form from the county FSA office where the producer’s farm is located. If the producer’s land is in more than one county, the producer shall make the request for the sign-up form at the county office where FSA administratively maintains and processes the producer’s farm records. Such request must be accompanied by a copy of at least one sales receipt for cotton they produced during the representative period. The appropriate FSA office must receive all completed forms and supporting documentation by October 29, 2021.

■ 3. In § 1205.28, the first sentence is revised to read as follows:

§ 1205.28 Counting.

County FSA offices and FSA, Deputy Administrator for Field Operations (DAFO), shall begin counting requests no later than October 29, 2021. * *

■ 4. Section 1205.29 is revised to read as follows:

§ 1205.29 Reporting results.

(a) Each county FSA office shall prepare and transmit to the state FSA office, by November 5, 2021, a written report of the number of eligible producers who requested the conduct of a referendum and the number of ineligible persons who made requests.

(b) DAFO shall prepare, by November 5, 2021, a written report of the number of eligible importers who requested the

conduct of a referendum and the number of ineligible persons who made requests.

(c) Each state FSA office shall, by November 5, 2021, forward all county reports to DAFO. By November 12, 2021, DAFO shall forward its report of the total number of eligible producers and importers that requested a continuance referendum, through the sign-up period, to the Deputy Administrator, Cotton and Tobacco Program, Agricultural Marketing Service, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia 22406.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2021–20061 Filed 9–20–21; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 950

[Docket No. 210909–0180]

RIN 0648–BK67

Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services

AGENCY: National Environmental Satellite, Data and Information Service (NESDIS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Final rule.

SUMMARY: In this final rule, NESDIS establishes a new schedule of fees for special access to NOAA data, information, and related products and services. NOAA continues to make its environmental data available to the public without any fee in most instances, primarily via NOAA’s Comprehensive Large Array-Data Stewardship System (CLASS). NESDIS is revising the fee schedule that has been in effect since 2019 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services. NESDIS is authorized to assess fees, up to fair market value, depending upon the user and intended use, for access to environmental data, information, and products derived from, collected, and/or archived by NOAA.

DATES: This rule is effective October 21, 2021.

FOR FURTHER INFORMATION CONTACT: Kelli Walters (202) 650–1129.

SUPPLEMENTARY INFORMATION:

Background

NESDIS operates NOAA’s National Centers for Environmental Information (NCEI). Through NCEI, NESDIS provides and ensures timely access to global environmental data from satellites and other sources, provides information services, and develops science products.

NESDIS maintains some 1,300 databases containing over 2,400 environmental variables at NCEI and 7 World Data Centers. These centers respond to over 2,000,000 requests for these data and products annually from over 70 countries, the vast majority of which are fulfilled at no fee to the requestor via NOAA CLASS. This collection of environmental data and products is growing rapidly, both in size and sophistication, and as a result the associated costs have increased.

If CLASS is unable to meet a user’s need, users have the ability to access the special data products described in the table below offline, online and through the NESDIS e-Commerce System (NeS) online store. Our ability to provide these special data, information, products and services depends on user fees.

New Fee Schedule

In this final rule, NESDIS establishes a new schedule of fees for access to these special data, information, and related products and services. NESDIS is revising the fee schedule that has

been in effect since 2019 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services. The new fee schedule lists both the current fee charged for each item and the new fee to be charged to users that will take effect October 21, 2021. The schedule applies to the listed services provided by NESDIS on or after this date, except for products and services covered by a subscription agreement in effect as of this date that extends beyond this date. In those cases, the increased fees will apply upon renewal of the subscription agreement or at the earliest amendment date provided by the agreement.

NESDIS will continue to review these user fees periodically, and will revise such fees as necessary. Any future changes in the user fees and their effective date will be announced through notice in the **Federal Register**.

Classification

This rule has been determined to be not significant for purposes of E.O. 12866. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public participation are inapplicable because this rule falls within the public property exception of subparagraph (a)(2) of section 553, as it relates only to the assessment of fees, as authorized by 15 U.S.C. 1534. Further, no other law

requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no Regulatory Flexibility Analysis is required and none has been prepared.

List of Subjects in 15 CFR Part 950

Organization and functions (Government agencies).

Dated: September 14, 2021.

James Donnellon,

Chief, Financial Officer (CFO/CAO), National Environmental Satellite, Data and Information Service.

For the reasons set forth above, 15 CFR part 950 is amended as follows:

PART 950—ENVIRONMENTAL DATA AND INFORMATION

■ 1. The authority citation for part 950 continues to read as follows:

Authority: 15 U.S.C. 1534.

■ 2. Revise Appendix A to Part 950 to read as follows:

Appendix A to Part 950—Schedule of User Fees for Access to NOAA Environmental Data

Name of Product/Data/Publication/Information/Service	Current fee	New fee
NOAA National Center for Environmental Information		
Department of Commerce Certification	\$119.00	\$153.00
General Certification	103.00	133.00
Paper Copy	8.00	10.00
Data Poster	17.00	15.00
Shipping Service	8.00	10.00
Rush Order Fee	63.00	65.00
Super Rush Order Fee	105.00	109.00
Foreign Handling Fee	45.00	47.00
NEXRAD Doppler Radar Color Prints	22.00	27.00
Paper Copy from Electronic Media	8.00	10.00
Offline In-Situ Digital Data	127.00	113.00
Microfilm Copy (roll to paper) per frame from existing film	20.00	(*)
Satellite Image Product	61.00	75.00
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte)	388.00	455.00
Conventional CD–ROM/DVD	79.00	94.00
Specialized CD–ROM/DVD	175.00	204.00
CD–ROM/DVD Copy, Offline	62.00	76.00
CD–ROM/DVD Copy, Online Store	28.00	34.00
Facsimile Service	89.00	(*)
Order Handling	20.00	23.00
Non-Digital Order Consultation	9.00	13.00
Digital Order Consultation	26.00	31.00
Single Orbit OLS & Subset	20.00	19.00
Single Orbit OLS & Subset, Additional Orbits	6.00	7.00
Global Nighttime Lights Monthly Composite—one satellite	8,705.00	9,508.00
Research Data Series CD–ROM/DVD	25.00	20.00
High Definition Geomagnetic Model	22,540.00	24,129.00
High Definition Geomagnetic Model—Real Time (HDGM–RT)	29,059.00	30,915.00
Provision of Global Nighttime VIIRS day/night band data in geotiff format	56,130.00	(*)

Name of Product/Data/Publication/Information/Service	Current fee	New fee
NOAA National Center for Environmental Information		
Provision of Global Nighttime VIIRS day/night band data in HDF5 format	29,975.00	(*)
Provision of regional data from the VIIRS instrument on a daily basis	14,720.00	(*)

* Indicates a product no longer offered.

[FR Doc. 2021-20194 Filed 9-20-21; 8:45 am]

BILLING CODE 3510-HR-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 10, 20, 25, 500, and 510

[Docket No. FDA-2001-N-0075 (formerly Docket No. 2001N-0284)]

RIN 0910-AF78

Import Tolerances for Residues of Unapproved New Animal Drugs in Food

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA, the Agency, we) is issuing a final rule that establishes procedures by which we may establish, amend, or revoke tolerances for residues of new animal drugs in any edible portion of any animal imported into the United States (import tolerances). These import tolerances provide a basis for the legal marketing of such animal-derived food.

DATES: This rule is effective January 19, 2022. Submit written comments (including recommendations) on information collection issues under the Paperwork Reduction Act of 1995 (PRA) by October 21, 2021 (see section IX, the “Paperwork Reduction Act of 1995” section of this document).

ADDRESSES: To ensure that comments on the information collection are received, the Office of Management and Budget (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. All comments should be identified with the OMB control number 0910-NEW. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT:

With regard to the final rule: Charli Long-Medrano, Center for Veterinary

Medicine (HFV-150), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 240-402-0850, charli.long-medrano@fda.hhs.gov.

With regard to the information collection: JonnaLynn Capezzuto, Office of Operations, Food and Drug Administration, Three White Flint North, 10A-12M, 11601 Landsdown St., North Bethesda, MD 20852, 301-796-3794, PRAStaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

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I. Executive Summary

A. Purpose of the Final Rule

This rule codifies procedures and food safety criteria by which tolerances for residues of unapproved new animal drugs in any edible portion of any animal imported into the United States (import tolerances) may be established or amended. These import tolerances provide a basis for the legal marketing of such animal-derived food. The regulation also specifies procedures by which import tolerances may be revoked.

B. Summary of the Major Provisions of the Final Rule

This final rule codifies procedures and food safety criteria pertaining to the

establishment, amendment, and revocation of import tolerances in new subpart C of part 510 of the Code of Federal Regulations (21 CFR part 510). Major provisions include:

- The scope and definitions;
- who may initiate proceedings to establish an import tolerance;
- contents of a submission requesting establishment of an import tolerance;
- sources of data and information supporting the safety of a proposed import tolerance;
- Agency procedures for establishment, amendment, or revocation of an import tolerance;
- public disclosure of import tolerance-related actions (actions under consideration, establishment, amendment, or revocation); and
- environmental impact assessment of import tolerance-related actions.

In addition, conforming amendments are being made in §§ 10.25, 20.100, 25.20, 500.80, 500.82, 500.88, and 500.92 (21 CFR 10.25, 20.100, 25.20, 500.80, 500.82, 500.88, and 500.92). A technical amendment is being made in § 10.25 (21 CFR 10.25) to include food additive petitions under 21 CFR 571.1 in the non-exhaustive list of petitions specified in FDA regulations.

The procedures and food safety criteria in the final rule are fundamentally the same as in the proposed rule; however, the final rule has been minimally reorganized to clarify that import tolerances established at the Commissioner’s initiative follow the same procedures as those established at the request of an interested person. We have also made nonsubstantive wording changes for clarity.

C. Legal Authority

Our authority for issuing this final rule is provided by the new animal drug provisions of the Federal Food, Drug, and Cosmetic Act (FD&C Act) by which we establish tolerances for residues of new animal drugs and under provisions of the FD&C Act that give the Agency general rulemaking authority to issue regulations for the efficient enforcement of the FD&C Act.

D. Costs and Benefits

1. Costs of the Final Rule

All entities affected by this final rule will incur the one-time cost for reading

and understanding this rule. Based on the small number of firms that we estimate could request an import tolerance per year, only about five firms would need to read and understand this

rule over the next 10 years. The total costs for reading and understanding the rule range from around \$530 to around \$660. Table 1 includes a summary of these costs.

TABLE 1—ONE-TIME COSTS FOR READING AND UNDERSTANDING THE RULE
[2020 Dollars]

	Low	Medium	High
Reading time (hours)	0.75	0.85	1
Wage (\$ per hour)	\$140.30	\$140.30	\$140.30
Affected entities	5	5	5
Number of people reading per entity	1	1	1
Total cost	\$530	\$585	\$660

2. Benefits of the Final Rule

The procedures codified herein clarify the import tolerance submission process for the establishment, amendment, and

revocation of these tolerances. This should result in improving the efficiency of the program for both industry and government. However, we

lack data to quantify these efficiency gains.

II. Table of Abbreviations/Commonly Used Acronyms in This Document

Abbreviation	What it means
ADAA	Animal Drug Availability Act of 1996.
ADI	Acceptable Daily Intake.
CFR	Code of Federal Regulations.
CNADA	Application for Conditional Approval of a New Animal Drug.
Codex MRL	MRL established by the Codex Alimentarius Committee.
CVM	Center for Veterinary Medicine.
FAO	Food and Agriculture Organization of the United Nations.
FDA	U.S. Food and Drug Administration.
FD&C Act	Federal Food, Drug, and Cosmetic Act.
GMP	Good Manufacturing Process.
GFI	Guidance for Industry.
JECFA	Joint FAO/WHO Expert Committee on Food Additives.
JMPR	Joint FAO/WHO Meeting on Pesticide Residues.
MRL	Maximum Residue Limit.
NADA	New Animal Drug Application.
US	United States.
VICH	International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products.
WHO	World Health Organization of the United Nations.

III. Background

A. History and Scope of This Rulemaking

In 1996, the President signed into law the Animal Drug Availability Act of 1996 (ADAA) (Pub. L. 104–250), which amended the FD&C Act (21 U.S.C. 360b(a)) to authorize the establishment of import tolerances that would provide a basis for the legal marketing of imported animal-derived food containing residues of new animal drugs neither approved nor conditionally approved in the United States (unapproved new animal drugs).

Without an import tolerance, any amount of residue of an unapproved new animal drug in imported, animal-derived food would cause that food to be adulterated under section 402(a)(2)(C)(ii) of the FD&C Act (21 U.S.C. 342(a)(2)(C)(ii)) because the drug

would be deemed unsafe under section 512 of the FD&C Act (21 U.S.C. 360b). Such food could be denied entry into the United States under section 801(a)(3) of the FD&C Act (21 U.S.C. 381(a)(3)). It remains unlawful to import animal-derived food containing a residue of an unapproved new animal drug, unless an import tolerance has been established for such drug and any residue of the new animal drug in the imported animal-derived food does not exceed that import tolerance. These regulations establish procedures under which the Agency will establish, amend, or revoke import tolerances for residues of unapproved new animal drugs.

The ADAA also specified that in establishing import tolerances, FDA must rely on data sufficient to demonstrate that a proposed tolerance is safe based on similar food safety criteria

used to establish a tolerance under a new animal drug application (NADA). For establishment of import tolerances, food safety data can be submitted by the drug manufacturer or be available from a relevant international organization such as the Codex Alimentarius Commission, provided such data are not inconsistent with criteria used to establish a tolerance for new animal drugs in NADAs.

The regulations make it clear that the Commissioner may start a review process to establish, amend, or revoke an import tolerance on his or her own initiative under § 10.25(b). These regulations also establish when import tolerance-related actions (actions resulting in establishment, amendment, or revocation) and their basis will be publicly disclosed.

B. General Overview of the Final Rule

In issuing this rule, the Agency finalizes the provisions in the January 2012 proposed rule (77 FR 3653, January 25, 2012). This final rule reflects revisions the Agency made after considering all comments received.

This final rule amends part 510 by adding sections to establish the scope of new subpart C (§ 510.201 (21 CFR 510.201)); to define certain relevant terms (§ 510.202 (21 CFR 510.202)); to establish who may initiate proceedings to establish or amend an import tolerance (§ 510.203 (21 CFR 510.203)); to describe the content, options for submission, and administration of a request to establish or amend an import tolerance (§ 510.205 (21 CFR 510.205)); and to describe the review of information to establish or amend an import tolerance (§ 510.206 (21 CFR 510.206)). Provisions describing when and how information relating to import tolerances will be publicly disclosed, previously in proposed § 510.205, are now described and organized in redesignated § 510.207 (21 CFR 510.207). Procedures that FDA follows in establishment, denial of a request for establishment, and amendment of an import tolerance are described in redesignated § 510.209 (21 CFR 510.209). Procedures for revocation of an import tolerance are described in redesignated § 510.210 (21 CFR 510.210). Procedures for requesting reconsideration or administrative stay of a decision to establish, amend, or revoke an import tolerance are specified in redesignated §§ 510.212 and 510.213 (21 CFR 510.212 and 510.213), respectively.

IV. Legal Authority

We are issuing these regulations under the legal authority provided by section 512(a)(6) of the FD&C Act (21 U.S.C. 360b(a)(6)) relating to the establishment of import tolerances for unapproved new animal drugs and under section 701(a) of the FD&C Act (21 U.S.C. 371(a)), which gives FDA general rulemaking authority to issue regulations for the efficient enforcement of the FD&C Act.

V. Comments on the Proposed Rule and FDA Response

We received 17 comments on the proposed import tolerance rule by the close of the comment period, each commenting on one or more aspects of the proposed rule. We received comments from a wide array of members of the public, including trade organizations, academia, public advocacy groups, consumers, and government agencies. The comments

addressed numerous provisions of the proposed rule, including our specific requests for comments set forth in the proposed rule. Some comments addressed issues that are outside of the scope of this rule. Because such comments were beyond the scope of this rule, we do not include a discussion of them here.

A. General Comments on the Proposed Rule and FDA Response

(Comment 1) Several comments expressed concern that establishment of import tolerances for unapproved new animal drugs is unfair to domestic producers who cannot legally use these drugs, thereby putting them at a competitive disadvantage.

(Response 1) The ADAA amended the FD&C Act to permit FDA to establish a tolerance for residues of a new animal drug in any edible portion of any animal imported into the United States when the intended use of the new animal drug is not approved for use in the United States. The legislative history notes there may be appropriate instances (*e.g.*, the disease treated does not exist in the United States) in which food-producing animals in other countries are treated with animal drugs that are not approved in the United States. Thus, Congress enacted this provision to provide a legal means by which food that may contain residues of these drugs may be imported into the United States. Under the FD&C Act, lawful use of the same animal drug in the United States requires that the new animal drug be approved or conditionally approved by FDA. This requires additional information and data from the sponsor to establish, among other things, that the drug is effective for its intended use and safe for the animals receiving the drug.

(Comment 2) One comment states that establishing import tolerances would result in an increase in the volume of contaminated seafood into the United States.

(Response 2) FDA notes that one consequence of establishing an import tolerance may be an increase in imported edible tissues from food-producing animals treated with the drug that is the subject of an import tolerance. However, these imported tissues will not be permitted entry if they contain residues above the import tolerance, the maximum concentration of residues of the new animal drug in the edible tissues that is determined to be safe for human consumers.

(Comment 3) A few comments express concern that import tolerances risk exposing U.S. consumers to unsafe tissue residues.

(Response 3) Section 512(a)(6) of the FD&C Act requires that the Agency rely on human food safety criteria similar to those used to establish tolerances for approved new animal drugs when establishing import tolerances. The human food safety criteria and review processes resulting in establishment of tolerances for domestically approved new animal drugs and for import tolerances for unapproved new animal drugs are fundamentally the same. Whether the Agency is establishing an import tolerance or a tolerance in the course of approving or conditionally approving a new animal drug, we require data and information to demonstrate that the residues of the new animal drug in the edible products of treated animals are safe for human consumers. Imported tissues will not be allowed entry into the United States if they contain residues above the import tolerance.

(Comment 4) One comment states that the rule should include a requirement that the country in which the unapproved new animal drug is legally used have an equivalent animal drug regulatory program. In addition, a few comments recommend requiring that the requester submit: A record of the foreign country's approval actions and the approved uses of the new animal drug in other countries; information on alternative treatments or competing new animal drugs and an explanation of why the use of an unapproved new animal drug is necessary in light of alternatives; and an affidavit that there are no FDA-approved new animal drugs to treat the disease or condition for which the unapproved new animal drug is indicated. The comments also recommend that the requester be required to comply with the requirement to report adverse drug events and that food containing such new animal drug residues originate from a country that has approved the drug and is actively monitoring its use.

(Response 4) We disagree. Under the FD&C Act, to establish an import tolerance, FDA only must consider information related to the human food safety of the unapproved new animal drug that is the subject of the import tolerance. The data sufficient to demonstrate that residues of the unapproved new animal drug that is the subject of a proposed import tolerance are safe is based on similar food safety criteria used to establish tolerances for new animal drugs approved in the United States. That is, the human food safety standard for domestically approved new animal drugs and new animal drugs for which an import tolerance is established is the same:

Reasonable certainty of no harm. The data that may be considered include data submitted to appropriate regulatory authorities in any country where the new animal drug is lawfully used and data available from an appropriate international organization, to the extent such data are not inconsistent with the criteria used to establish a tolerance for applications for new animal drugs in the United States.

The FD&C Act does not require the Agency to consider the use of the drug in other countries (including the disease(s) for which the unapproved new animal drug is indicated and whether there are approved drugs or alternative treatments available), or that the country(ies) where the drug is approved have an equivalent regulatory program (e.g., any post-approval monitoring). In addition, the FD&C Act does not impose adverse drug event reporting requirements for the establishment of import tolerances. Once an import tolerance is established, imported animal-derived food that contains residues of the unapproved new animal drug may enter the United States if those residues are below the import tolerance. There is no requirement that the imported food originate from a country that has approved the drug.

(Comment 5) Two comments state that U.S. consumers should be informed at the point of sale or through product labeling that imported edible tissues from food-producing animals may contain residues of new animal drugs that are not approved for use in the United States.

(Response 5) FDA does not agree that such public disclosure is needed to address the safety of residues from drugs for which import tolerances are established. The purpose of the legislation was to ensure that any edible portion of any animal imported into the United States is safe so long as such residues are below the established import tolerance.

(Comment 6) One comment states that establishing import tolerances undermines the new animal drug approval process. The commenter further states that FDA's estimate that an import tolerance review will require 100 hours of a mid-level FDA employee's time is evidence that the import tolerance review will be less stringent.

(Response 6) We disagree that establishment of import tolerances undermines the new animal drug approval process. Congress recognized that there may be appropriate instances in which food-producing animals in other countries are treated with animal

drugs that are not approved in the United States. For example, the disease being treated does not exist in the United States, or the particular animal industry either may not exist in the United States or is very small, resulting in a limited or nonexistent market for the drug in the United States. Nor do we agree that our estimate that an import tolerance review will generally require 100 hours of a mid-level FDA employee's time is evidence that import tolerance review is less stringent than review of proposed tolerances as part of a new animal drug application. The human food safety standard for domestically approved drugs and drugs for which an import tolerance is established is the same: Reasonable certainty of no harm. Whether a person is requesting that the Agency establish an import tolerance or approve an NADA, the requester or sponsor, respectively, is required to furnish FDA with evidence demonstrating that the residues of the new animal drug in the edible products of treated animals are safe for human consumption. In our experience, it requires about 100 hours of a mid-level FDA employee's time to review this evidence, whether submitted under a new animal drug application or a request to establish an import tolerance.

(Comment 7) One comment states that tolerances should only be considered for an unapproved animal drug that is used solely for therapeutic purposes, asserting that the ADAA was intended to establish import tolerances for situations where a drug is used for treating diseases and conditions that do not occur in the United States.

(Response 7) We disagree. The plain language of the statute does not limit the establishment of import tolerances to new animal drugs intended to be used solely for therapeutic purposes. Generally, the reason an animal drug developer does not seek approval of the new animal drug in the United States (with attendant tolerances) is because the particular animal-rearing industry may not exist in the United States at a scale to justify the expense of seeking FDA approval. In some cases, the new animal drug may be used for non-therapeutic purposes.

B. Comments on Information To Support Establishment of an Import Tolerance and FDA Response

(Comment 8) One comment notes that the phrase "some assurance that the drugs are manufactured under GMP conditions," a comment provided by a Veterinary Medicine Advisory Committee during a public meeting held on this topic in January 2002, and

discussed in the preamble to the proposed rule, seems to go beyond the scope of what is necessary to ensure public safety and should be interpreted with broad flexibility.

(Response 8) We agree. As noted previously, section 512(a)(6) of the FD&C Act provides that FDA shall rely on data sufficient to demonstrate that a proposed tolerance is safe based on similar food safety criteria used to establish tolerances for NADAs filed under section 512(b)(1) of the FD&C Act. Section 512(a)(6) of the FD&C Act does not require the Agency to consider other requirements, such as an assurance of good manufacturing processes (GMPs), applicable to the new animal drug approval process in determining whether the Agency should grant a request to establish an import tolerance.

(Comment 9) Two comments assert that conditions of use of unapproved animal drugs do not need to be considered in establishing import tolerances so long as residues in imported tissues are below the import tolerance.

(Response 9) We disagree. Information about the conditions of use of the new animal drug must be considered when deciding to establish or amend an import tolerance so that the relevance of the submitted human food safety data, particularly tissue residues that may result from the lawful dosing regimen, can be determined. The tissue residue concentration is affected by the dosing regimen, *i.e.*, the dose level and duration for which the animal is treated. Knowing that the new animal drug tissue concentrations reported in the human food safety studies are the result of animals dosed under the same conditions of use as described in the request provides FDA with assurance that the residue data are an appropriate basis to make decisions regarding whether to establish or amend an import tolerance.

(Comment 10) One comment expressed concern that proposed § 510.205, now § 510.205(e)(5), which provides that a request for an import tolerance may include other human food safety information as deemed necessary by the Commissioner, is too broad, and that the possibility of ad hoc requirements may serve to curtail the initiation of requests or frustrate the efforts of those who do submit import tolerance requests.

(Response 10) The Agency does not intend to use this provision to require more human food safety information than is necessary to assess whether residues of unapproved new animal drugs in edible tissues of treated animals are safe for human

consumption. The Agency will use similar criteria as for the approval of NADAs in making its determinations, including any other information the Commissioner deems necessary to assure safe and effective use. See section 512(d)(1)(D) of the FD&C Act. Similarly, the Agency must ensure that a request for a particular import tolerance includes all the relevant information needed to make an appropriate human food safety determination. For example, the requester may not have submitted enough information for FDA to adequately assess the toxicity of the new animal drug or the requester may not have provided enough detail about the proposed analytical method. The information requested will not be ad hoc because it must be relevant to the criteria and review standards for human food safety, which are the same for approval of new animal drugs and establishment of import tolerances.

(Comment 11) One comment asks whether the Agency employs analysts to verify the accuracy of translations of materials submitted in a foreign language.

(Response 11) The Agency will rely on the requester's assertion that it is submitting a complete and accurate translation of any materials submitted in a foreign language. As provided for in 18 U.S.C. 1001, any person, in any matter within the jurisdiction of the Agency, who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes any materially false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, may be subject to criminal fines or imprisonment.

(Comment 12) One comment requests that electronic submission of import tolerance request dossiers be an option. There should be no need for paper submissions.

(Response 12) We agree that electronic submission of import tolerance requests should be an option and are providing for electronic submission of requests in § 510.105(b) of this final rule. At present, the Center for Veterinary Medicine (CVM) Office of New Animal Drug Evaluation (ONADE) can receive and process electronic submissions for import tolerance files. Submissions to CVM can be made after first registering with FDA's Electronic Submissions Gateway (ESG) and CVM's Electronic Submission System. Additional information and a user guide on eSubmitter can be obtained at either the "CVM eSubmitter Resource Center"

website or the "Getting Started with eSubmitter" website. Contact ESGHelpDEsk@fda.hhs.gov for help with the ESG or cvmsubmitter@fda.hhs.gov for help using CVM's eSubmitter tool.

(Comment 13) Several comments question how FDA will evaluate an established acceptable daily intake (ADI), especially considering different food consumption patterns of different countries. Comments also question whether FDA considers subpopulations, such as children and immune-compromised people who may be particularly sensitive to the effects of exposure to drug residues. Comments express concerns that safety standards are being loosened and unsafe residues will be allowed in foods.

(Response 13) The ADI established for residues of an unapproved new animal drug in edible tissues of food-producing animals that is used in evaluating an import tolerance request is based on the same toxicity data and information as is used to establish an ADI for a domestically approved new animal drug and is evaluated using the same standards and methodology that is used for a domestic drug approval. The toxicity data that FDA uses to determine the ADI are described in guidances available on our website (<https://www.fda.gov/animal-veterinary/guidance-industry/human-food-safety-guidances>). The guidances for toxicology studies are documents that are internationally harmonized through the International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products (VICH) Expert Working Groups. The ADI, expressed in a micrograms or milligrams of the new animal drug per kilogram of body weight per day ($\mu\text{g}/\text{kg}$ bw/day or mg/kg bw/day), is the amount of drug residue that can be consumed on a daily basis for up to a lifetime without adverse effects or harm to the health of a consumer.

The ADI is meant to be applied to a general population, including sensitive subpopulations. The ADI determination uses conservative procedures to ensure that the final value is protective of a general population, such as application of a safety factor to account for human variability in sensitivity to the toxicity of the new animal drug, and tests for specific subpopulations if needed (asthmatic persons, allergic persons, etc.). Additionally, the application of the ADI to safe concentrations of the drug residues in edible tissues uses a lower average human body weight (60 kg) and conservative estimates of food consumption, such as a high milk

consumption factor of 1.5 liter per day. Therefore, the Agency believes using the same methodology to calculate ADI for import tolerances as U.S.-approved animal drugs is appropriate.

(Comment 14) One comment states that the rule should explicitly prohibit the setting of import tolerances for residues of new animal drugs that induce cancer when ingested by humans or animals.

(Response 14) We disagree that the rule should explicitly prohibit the Agency from considering new animal drugs of carcinogenic concern (new animal drugs that induce cancer when ingested by people or animals). Section 512(a)(6) of the FD&C Act provides FDA the authority to consider requests to establish import tolerances using food safety criteria similar to those that are applied to the approval of new animal drugs. Under section 512(d)(1)(I) of the FD&C Act, the Agency may approve NADAs for drugs of carcinogenic concern as long as the compound does not adversely affect the animals and no residue of a carcinogenic compound will be found in food produced from those animals. Pursuant to section 512(a)(6) of the FD&C Act, FDA will consider requests for import tolerances for animal drugs of carcinogenic concern using similar food safety criteria as it would for a new animal drug application for approval. Thus, if FDA determines that a new animal drug for which an import tolerance request has been submitted is a new animal drug of carcinogenic concern, the requester will be directed to comply with the "no residue" requirements of §§ 500.80 through 500.92 (21 CFR part 500, subpart E, Regulation of Carcinogenic Compounds Used in Food-Producing Animals). Any regulatory method for ascertaining the marker residue in the target tissue will be made publicly available pursuant to § 510.207(b) of the final rule. We have revised §§ 510.205(e) and 510.207(b) of the final rule and made conforming changes to §§ 500.80, 500.82, 500.88, and 500.92 to clarify the process for evaluating a new animal drug of carcinogenic concern under these circumstances.

(Comment 15) One comment states that the rule should specifically prohibit the setting of import tolerances for antimicrobial animal drugs that are in the same classes as drugs used in human medicine.

(Response 15) We disagree. Rather than declining to establish import tolerances for residues of antimicrobial new animal drugs that are in the same classes as drugs used in human medicine, we intend to apply the same

human food safety standard (reasonable certainty of no harm) as we apply to all new animal drugs, including antimicrobial new animal drugs, seeking approval under an NADA or application for conditional approval of a new animal drug (CNADA). For requests for import tolerances for antimicrobials, FDA evaluates the impacts on human health, including the potential transmission of antimicrobial resistant bacteria of human health concern through the consumption of animal-derived food products. To assess these impacts, FDA recommends conducting the qualitative risk assessment described in Guidance for Industry (GFI) #152 entitled "Evaluating the Safety of Antimicrobial New Animal Drugs with Regard to Their Microbiological Effects on Bacteria of Human Health Concern," October 23, 2003.¹ In addition, we recommend that requesters address the step-wise approach outlined in GFI #159 (VICH GL36), "Studies to Evaluate the Safety of Residues of Veterinary Drugs in Human Food: General Approach to Establish a Microbiological ADI," March 5, 2013,² to assure the Agency that any impacts of antimicrobial new animal drug residues on the intestinal flora of human consumers are minimal. By addressing these important human food safety endpoints for antimicrobial new animal drugs, requesters will be able to assure the Agency that the imported animal-derived food products are safe for human consumption.

(Comment 16) A comment stated that the rule should specifically prohibit the setting of import tolerances for veterinary drugs that have extralabel use restrictions in the United States or that are banned from use in domestic livestock enterprises (including aquaculture).

(Response 16) As noted previously, whether a person is requesting the Agency establish an import tolerance or approve an NADA, the requester or sponsor, respectively, is required to furnish FDA with evidence demonstrating that the residues of the new animal drug in the edible products of treated animals are safe for human consumption. If the requester can satisfy the human food safety requirements, the Agency may establish an import tolerance for a food-producing species for which there is no extralabel use restriction, even if an extralabel use

prohibition exists for other food-producing species.

(Comment 17) One comment requests that the requirement that the unapproved animal drug be registered (lawfully used) in another country should be revised to allow a request for an import tolerance to simultaneously progress with registration of the drug in foreign countries.

(Response 17) The statute gives us discretion to "consider and rely on data submitted by the drug manufacturer, including data submitted to appropriate regulatory authorities in any country where the new animal drug is lawfully used." As we noted in the preamble to the proposed rule, the Agency has interpreted this statutory language to mean that we may establish an import tolerance for a new animal drug that is not approved or conditionally approved in the United States but that is lawfully used in another country. Thus, foreign lawful use in at least one country must occur before a request to establish an import tolerance is submitted to the Agency.

(Comment 18) One comment requests that FDA revise the evidentiary standard for revocation of an import tolerance to be "evidence to show a reasonable basis from which serious questions may be inferred about the ultimate safety of the unapproved new animal drug residue and any substance that may be formed as a result of the unapproved new animal drug's use." The comment raises the concern that the proposed rule appears to require consumers to bring conclusive evidence to obtain a review of the import tolerance.

(Response 18) We disagree. The standard for revoking an import tolerance is provided for in section 512(a)(6) of the FD&C Act, which states that the Agency may revoke an import tolerance "if information demonstrates that the use of the new animal drug under actual use conditions results in food being imported into the United States with residues exceeding the tolerance or if scientific evidence shows the tolerance to be unsafe." The final rule reflects this standard in § 510.210(a). An import tolerance can be revoked upon petition or by the initiative of the Commissioner.

C. Comments on Environmental Review and FDA Response

(Comment 19) In the preamble to the proposed rule, the Agency requested comments and supporting information relevant to the issue of whether import tolerances will have a significant effect on the environment in the United States or abroad. FDA received two comments indicating that available information

shows that FDA's establishment of import tolerances should present no appreciable risk to the environment from either the consumption or disposal of edible tissues containing residues of animal drugs. Two comments support creation by FDA of a categorical exclusion from the requirement to prepare an environmental assessment (EA) for an import tolerance request. For example, one comment presents evidence why risks to the environment should not be significant, showing calculations and summarizing information indicating that residues in certain media (e.g., wastewater, soil) would be below threshold criteria already established by FDA in guidance documents or in existing categorical exclusions for other actions. Thus, the basis for establishing a new categorical exclusion for import tolerances is already in place.

(Response 19) We agree with the comments' assessment of the low risk of significant environmental impacts from either the consumption or disposal of edible tissues containing residues of animal drugs. Since the 2012 proposed rule, we have reviewed EAs for several import tolerance requests for new animal drugs used in both aquatic and terrestrial environments (aquatic: Azamethiphos and lufenuron in salmonids, benzocaine in Atlantic salmon and rainbow trout, and emamectin and teflubenzuron in Atlantic salmon; terrestrial: Monensin and monepantel in sheep; see <https://www.fda.gov/AnimalVeterinary/Products/ImportExports/ucm315830.htm>). Regardless of the environment in which the drugs were used, each EA described the introduction of drug residues into the domestic environment as being through the consumption of food resulting in: (1) Excreta entering sewage treatment facilities and (2) waste of edible tissues disposed of in landfills. Each EA resulted in a finding by the Agency of no significant environmental impact; thus, for each import tolerance action a finding of no significant impact was prepared.

In response to comments that FDA create a categorical exclusion from the requirement to prepare an EA for an action on an import tolerance, the Agency is considering proposing a new categorical exclusion specific to establishment, amendment, or revocation of an import tolerance. This would require review by the White House Council on Environmental Quality, as well as additional rulemaking with public notice and comment. The Agency is currently evaluating available information to

¹ Available at: <https://www.fda.gov/media/69949/download>.

² Available at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/cvm-gfi-159-vich-gl36-studies-evaluate-safety-residues-veterinary-drugs-human-food-general-approach>.

determine if this category of actions would individually or cumulatively result in significant effects on the environment and will proceed as appropriate.

(Comment 20) One comment notes that establishment of an import tolerance should also have no appreciable environmental effect outside the United States. If the new animal drug is not expected to have significant environmental impacts in the country where it is registered for use, it is hard to imagine a situation where movement of residues to another country or into the global commons, such as the open ocean, would present a significant environmental risk.

(Response 20) We agree with the comment’s assessment of the low risk of significant environmental effects abroad of residues of new animal drugs appropriately registered in the country they are used based on our experience to date. An analysis of effects abroad is not currently required in the EA for establishment of an import tolerance; however, when necessary, such an analysis will be completed by the Agency.

VI. Effective Date

The rule is effective January 19, 2022.

VII. Economic Analysis of Impacts

We have examined the impacts of the final rule under Executive Order 12866, Executive Order 13563, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). Executive Orders 12866 and 13563 direct us to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). We believe that this final rule is not a significant regulatory action as defined by Executive Order 12866.

The Regulatory Flexibility Act requires us to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because the final rule will simply codify the procedures that are currently used for the import tolerance program, we certify that the final rule will not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (section 202(a)) requires us to prepare a written statement, which

includes an assessment of anticipated costs and benefits, before issuing “any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year.” The current threshold after adjustment for inflation is \$158 million, using the most current (2020) Implicit Price Deflator for the Gross Domestic Product. This final rule would not result in an expenditure in any year that meets or exceeds this amount.

Summary of Cost and Benefits

Firms are currently able to request that we establish or amend an import tolerance. The final rule will not change the current procedures for these requests. Thus, we include only the incremental costs of reading and understanding the final rule on import tolerance procedures.

In table 2, FDA provides the Regulatory Information Service Center and Office of Information and Regulatory Affairs Consolidated Information Center accounting information.

TABLE 2—ECONOMIC DATA: COSTS AND BENEFITS STATEMENT

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
Benefits:							
Annualized, Monetized \$millions/year .....	.....	.....	.....	.....	7	.....
.....	.....	.....	.....	.....	3	.....
Annualized Quantified .....	.....	.....	.....	.....	7	.....
.....	.....	.....	.....	.....	3	.....
Qualitative	Codifying current practices of the import tolerance program could improve the efficiency of the program.						
Costs:							
Annualized, Monetized \$millions/year	<\$0.0001	<\$0.0001	<\$0.0001	2020	7	10	
.....	<\$0.0001	<\$0.0001	<\$0.0001	2020	3	10	
Annualized .....	.....	.....	.....	.....	7	.....
Quantified .....	.....	.....	.....	.....	3	.....
Qualitative .....	.....	.....	.....	.....	.....	.....
Transfers:							
Federal Annualized Monetized \$millions/year .....	.....	.....	.....	.....	7	.....
.....	.....	.....	.....	.....	3	.....
From/To	From:			To:			
Other .....	.....	.....	.....	.....	7	.....
Annualized, Monetized \$millions/year .....	.....	.....	.....	.....	3	.....
From/To	From:			To:			

Effects:

State, Local or Tribal Government: No Effect.

Small Business: The final rule will not have a significant impact on a substantial number of small entities that manufacture unapproved drugs that are the subject of an import tolerance request.

Wages: No effect.

Growth: No effect.

We have developed a comprehensive Economic Analysis of Impacts that assesses the impacts of the final rule. The full analysis of economic impacts is available in the docket for this final rule (FDA-2001-N-0075) and at <https://www.fda.gov/about-fda/reports/economic-impact-analyses-fda-regulations>.

VIII. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.30(h) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor environmental impact statement is required.

IX. Paperwork Reduction Act of 1995

This final rule contains information collection provisions that are subject to review by OMB under the PRA (44 U.S.C. 3501-3521). The title, description, and respondent description of the information collection provisions are shown in the following paragraphs with an estimate of the annual reporting burden. Included in the estimate is the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing each collection of information.

Title: Reporting Requirements to Establish, Amend, or Revoke an Import Tolerance (21 CFR 510.205)

Description: The FD&C Act, as amended by the ADAA, authorizes the establishment and revocation of tolerances for unapproved new animal drugs where edible portions of animals imported into the United States may contain residues of such drugs (import tolerances) (section 512(a)(6) of the FD&C Act). Import tolerances provide a basis for the legal marketing of imported animal-derived food containing residues of new animal drugs neither approved nor conditionally approved in the United States (unapproved new animal drugs). Without an import tolerance, any amount of residue of an unapproved new animal drug in imported, animal-

derived food would cause that food to be adulterated under section 402(a)(2)(C)(ii) of the FD&C Act because the drug would be deemed unsafe under section 512 of the FD&C Act. Such food could be denied entry into the United States under section 801(a)(3) of the FD&C Act (21 U.S.C. 381(a)(3)). It remains unlawful to import animal-derived food containing a residue of an unapproved new animal drug, unless an import tolerance has been established for such drug and any residue of the new animal drug in the imported animal-derived food does not exceed that import tolerance.

This final rule amends our regulations in part 510 to establish new information collection provisions regarding requests to establish, amend, or revoke import tolerances for residues of unapproved new animal drugs in food. This final rule establishes procedures by which a person may make such requests, as well as procedures for reconsideration of action or an administrative stay of action to establish, amend, or revoke an import tolerance. The regulations make it clear that the Commissioner may start a review process to establish, amend, or revoke an import tolerance on his or her own initiative under § 10.25(b). These regulations also establish when import tolerance-related actions (actions resulting in establishment, amendment, or revocation) and their basis will be publicly disclosed.

The information required to be submitted in a request to establish an import tolerance is set forth in § 510.205(e). The request must identify the drug; describe the conditions of use; describe the proposed import tolerance(s) for residues of the new animal drug; provide human food safety information to support the proposed import tolerance(s); provide other human food safety information as deemed necessary by the Commissioner; describe practicable methods for determining the quantity, if any, of the new animal drug in or on food, and any substance formed in or on food because of its use; include an environmental assessment; and provide any

information required under §§ 500.80 through 500.92, where applicable. The information required to be submitted in a request to amend an import tolerance is set forth in § 510.205(f) and the information required to be submitted in a withdrawal of a request is set forth in § 510.205(g).

The information submitted to us in a request to establish, amend, or revoke import tolerances is necessary to allow us to establish import tolerances that would provide a basis for the legal marketing of imported animal-derived food containing residues of new animal drugs neither approved nor conditionally approved in the United States (unapproved new animal drugs). We will use the information collected through the import tolerances procedure to complete our evaluation.

Comments regarding the information collection topics solicited in the proposed rule are discussed in the preamble in section V. See, in particular, comments 4, 9, 10, 12, 18, and 19. None of the comments suggested we modify the estimated annual burden associated with the information collection. However, we have revised the analysis of the information collection provisions to accurately reflect the final rule. We added a row to table 3 to report the new burden of § 510.205(g) (withdrawal of a request), and we removed a row from table 3 to reflect that the collections of information in our procedural regulations at 21 CFR part 10 (in particular, 21 CFR 10.20, 10.30, 10.33, and 10.35) already are approved under OMB control number 0910-0191.

Description of Respondents: Respondents to the collection of information are: manufacturers of the unapproved new animal drug that is the subject of the request, foreign producers who use the unapproved new animal drug and their trade associations, and importers of animal-derived food bearing or containing residues of the unapproved new animal drug.

We estimate the burden of this information collection as follows:

TABLE 3—ESTIMATED ANNUAL REPORTING BURDEN ¹

21 CFR Section; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
510.205(e)(1) through (8); contents of request	2	1	2	1	2
510.205(a) through (e); request to establish an import tolerance based on permanent Codex MRL ²	2	1	2	50	100
510.205(a) through (e); request to establish an import tolerance not based on permanent Codex MRL ²	1	1	1	80	80
510.205(f), request to amend an import tolerance	1	1	1	32	32
510.205(g), withdrawal of a request	1	1	1	1	1

TABLE 3—ESTIMATED ANNUAL REPORTING BURDEN ¹—Continued

21 CFR Section; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Total	215

¹ There are no capital costs or operating and maintenance costs associated with this collection of information.

² A Codex MRL is a permanent maximum residue limit (MRL) that has been established by the Codex Alimentarius Committee.

We base our estimate of the number of respondents and number of responses per respondent in table 3 on our experience since the passage of the ADAA and the number of actual requests received. We base our estimate of the average burden per response on our experience with the human food safety technical section of an NADA, as discussed previously in this document.

A request to establish or amend an import tolerance must include human food safety data and other information. The information submitted is similar to that submitted to establish a tolerance under an NADA. The collection of information required for submission of NADAs has been reviewed under the PRA. A proportion of the time estimated in that proposed extension for the paperwork associated with the human food safety technical section of an NADA was used to estimate the time (hours per response) presented in table 3 for the preparation of a request to establish or amend an import tolerance not based on a permanent Codex MRL, approximately 80 hours. We believe a request to establish or amend an import tolerance based on a permanent Codex MRL will be less burdensome, approximately 50 hours. Based on the Agency's experience with establishing tolerances for approved new animal drugs, the Agency believes that requests to revoke an import tolerance, as well as petitions for reconsideration of an action or for an administrative stay of an action, will be infrequent occurrences.

If there is a permanent Codex MRL for a new animal drug, the final rule requires the requester to provide the permanent Codex MRL and monographs and reports from the Joint FAO/World Health Organization of the United Nations (WHO) Expert Committee on Food Additives (JECFA) and/or the Joint FAO/WHO Meeting on Pesticide Residues (JMPR) that support the development of the Codex MRL.

If there is not a permanent Codex MRL, or upon notification by FDA, the final rule requires the requester to provide full reports of investigations made with respect to the human food safety of the new animal drug including data submitted to the appropriate regulatory authority in any country in

which the new animal drug is lawfully used. We may regard a request as incomplete unless it includes full reports of adequate tests by all methods reasonably applicable to show whether or not food derived from animals receiving the new animal drug will be safe for human consumption.

The information collection provisions of this final rule have been submitted to OMB for review as required by section 3507(d) of the PRA. Before the effective date of this final rule, FDA will publish a notice in the **Federal Register** announcing OMB's decision to approve, modify, or disapprove the information collection provisions in this final rule. 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.

X. Federalism

We have analyzed this final rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the rule does not contain policies that 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. Accordingly, we conclude that the rule does not contain policies that have federalism implications as defined in the Executive Order and, consequently, a federalism summary impact statement is not required.

XI. Consultation and Coordination With Indian Tribal Governments

We have analyzed this rule in accordance with the principles set forth in Executive Order 13175. We have determined that the rule does not contain policies that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. Accordingly, we conclude that the rule does not contain policies that have tribal implications as defined in the

Executive Order and, consequently, a tribal summary impact statement is not required.

List of Subjects

21 CFR Part 10

Administrative practice and procedure, News media.

21 CFR Part 20

Confidential business information, Courts, Freedom of information, Government employees.

21 CFR Part 25

Environmental impact statements, Foreign relations, Reporting and recordkeeping requirements.

21 CFR Part 500

Animal drugs, Animal feeds, Cancer, Labeling, Packaging and containers, Polychlorinated biphenyls (PCBs).

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act, and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 10, 20, 25, 500, and 510 are amended as follows:

PART 10—ADMINISTRATIVE PRACTICES AND PROCEDURES

- 1. The authority citation for part 10 continues to read as follows:

Authority: 5 U.S.C. 551–558, 701–706; 15 U.S.C. 1451–1461; 21 U.S.C. 141–149, 321–397, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b, 264.

- 2. In § 10.25, revise paragraph (a)(1) to read as follows:

§ 10.25 Initiation of administrative proceedings.

* * * * *
(a) * * *

(1) In the form specified in other applicable FDA regulations, e.g., the form for a color additive petition in § 71.1, for a food additive petition in § 171.1 or § 571.1, for a new drug application in § 314.50, for a request to establish or amend an import tolerance

in § 510.205, for a new animal drug application in § 514.1, or

* * * * *

PART 20—PUBLIC INFORMATION

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

Authority: 5 U.S.C. 552; 18 U.S.C. 1905; 19 U.S.C. 2531–2582; 21 U.S.C. 321–393, 1401–1403; 42 U.S.C. 241, 242, 242a, 242l, 242n, 243, 262, 263, 263b–263n, 264, 265, 300u–300u–5, 300aa–1.

■ 4. In § 20.100, add paragraph (c)(47) to read as follows:

§ 20.100 Applicability; cross-reference to other regulations.

* * * * *

(c) * * *

(47) Requests to establish or amend import tolerances, in § 510.205 of this chapter.

PART 25—ENVIRONMENTAL IMPACT CONSIDERATIONS

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

Authority: 21 U.S.C. 321–393; 42 U.S.C. 262, 263b–264; 42 U.S.C. 4321, 4332; 40 CFR parts 1500–1508; E.O. 11514, 35 FR 4247, 3 CFR, 1971 Comp., p. 531–533, as amended by E.O. 11991, 42 FR 26967, 3 CFR, 1978 Comp., p. 123–124 and E.O. 12114, 44 FR 1957, 3 CFR, 1980 Comp., p. 356–360.

■ 6. In § 25.20, add paragraph (q) to read as follows:

§ 25.20 Actions requiring preparation of an environmental assessment.

* * * * *

(q) Establishment, amendment, or revocation of an import tolerance in accordance with subpart C of part 510 of this chapter.

PART 500—GENERAL

■ 7. The authority citation for part 500 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 342, 343, 348, 351, 352, 353, 360b, 371, 379e.

■ 8. In § 500.80, in paragraph (a), add a new fourth sentence; and revise paragraph (c) to read as follows:

§ 500.80 Scope of this subpart.

(a) * * * The requirements of this subpart shall also apply to a request for an import tolerance under § 510.205 of this chapter. * * *

* * * * *

(c) If FDA concludes on the basis of the threshold assessment or at a later time during the approval process or during the review of a request for an import tolerance that the data show that the sponsored compound and its metabolites should not be subject to this

subpart, FDA will continue to consider the compound for approval under the general safety provisions of the Federal Food, Drug, and Cosmetic Act for risks other than cancer or continue its review of the import tolerance request under the provisions of §§ 510.201 through 510.213 of this chapter (Subpart C—Import Tolerances for Residues of Unapproved New Animal Drugs in Food).

* * * * *

■ 9. In § 500.82(b), revise the definition of “Sponsor” to read as follows:

§ 500.82 Definitions.

* * * * *

(b) * * *

Sponsor means the person or organization proposing or holding an approval by FDA for the use of a sponsored compound or the person initiating a request for an import tolerance under § 510.205 of this chapter.

* * * * *

■ 10. In § 500.88, add paragraph (d) to read as follows:

§ 500.88 Regulatory method.

* * * * *

(d) If the sponsor initially submitted a request for an import tolerance under § 510.205 of this chapter, FDA will make the complete regulatory method for ascertaining the marker residue in the target tissue publicly available pursuant to § 510.207(b) of this chapter.

■ 11. In § 500.92, revise paragraph (a) to read as follows:

§ 500.92 Implementation.

(a) This subpart E applies to all new animal drug applications, food additive petitions, color additive petitions, and requests for import tolerances concerning any compound intended for use in food-producing animals (including supplemental applications and amendments to petitions).

* * * * *

PART 510—NEW ANIMAL DRUGS

■ 12. The authority citation for part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

■ 13. Add subpart C to read as follows:

Subpart C—Import Tolerances for Residues of Unapproved New Animal Drugs in Food Sec.

510.201 Scope.

510.202 Definitions.

510.203 Initiation of a proceeding to establish or amend an import tolerance.

510.205 Content and administration of a request.

510.206 Review of information supporting actions to establish or amend an import tolerance.

510.207 Disclosure of information submitted in a request.

510.209 Establishment, denial, or amendment of an import tolerance.

510.210 Revocation of an import tolerance.

510.212 Administrative reconsideration of action.

510.213 Administrative stay of action.

Subpart C—Import Tolerances for Residues of Unapproved New Animal Drugs in Food

§ 510.201 Scope.

This subpart applies to tolerances for residues of new animal drugs not approved or conditionally approved for use in the United States, but lawfully used in another country and present in imported, animal-derived food and food products.

§ 510.202 Definitions.

The following definitions of terms apply when used in this subpart:

CNADA means an application for conditional approval of a new animal drug submitted under section 571 of the Federal Food, Drug, and Cosmetic Act, and includes all amendments and permissible supplements.

Import tolerance means a tolerance for a residue of a new animal drug not approved or conditionally approved for use in the United States, but present in any imported edible portion of any animal.

NADA means a new animal drug application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act, including all amendments and permissible supplements, for approval of a new animal drug.

Request means a request to establish or amend an import tolerance.

§ 510.203 Initiation of a proceeding to establish or amend an import tolerance.

(a) Any interested person may request that the Commissioner establish or amend an import tolerance. Such a request must be in the form specified in § 510.205 of this chapter.

(b) The Commissioner may initiate a proceeding to establish or amend an import tolerance on his or her own initiative pursuant to § 10.25(b) of this chapter.

§ 510.205 Content and administration of a request.

(a) Pertinent information previously submitted to and currently retained in the files of the Food and Drug Administration (FDA) may be incorporated in, and will be considered as part of, a request on the basis of specific reference to such information. If

the requester refers to any nonpublic information other than its own, the requester shall obtain a written right of reference to that nonpublic information and submit the right of reference with the request. Any reference to published information offered in support of a request should be accompanied by reprints or copies of such references.

(b) Requests shall be submitted and addressed to the Document Control Unit (HFV-199), Center for Veterinary Medicine, Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855. Requests may be submitted in an electronic format as authorized by FDA. See FDA's Electronic Submissions Gateway website: <https://www.fda.gov/industry/electronic-submissions-gateway>.

(c) Any material submitted in a foreign language shall be accompanied by a complete and accurate English translation. Translations of literature printed in a language other than English shall be accompanied by copies of the original publication.

(d) The request must be dated and must be signed by the requester or by his or her authorized attorney, agent, or official and shall state the requester's correspondence address. If the requester or such authorized representative does not reside or have a place of business within the United States, the requester must also furnish the name and post office address of, and the request must be countersigned by, an authorized attorney, agent, or official residing or maintaining a place of business within the United States.

(e) The request must include the following information:

(1) The established name and all pertinent information concerning the new animal drug, including chemical identity and composition of the new animal drug, and its physical, chemical, and biological properties;

(2) The conditions of use for the new animal drug, including the route of administration and dosage, together with all labeling, directions, and recommendations regarding the uses in countries in which the new animal drug is lawfully used;

(3) The proposed import tolerance(s) for residues of the new animal drug;

(4) Human food safety information to support the proposed import tolerance(s) in either of the following forms:

(i) If a permanent maximum residue limit (MRL) has been established by the Codex Alimentarius Committee (Codex MRL), the requester shall provide the permanent Codex MRL and monographs and reports from the Joint Expert Committee on Food Additives (JECFA)

of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) of the United Nations and/or monographs and reports from the Joint FAO/WHO Meeting on Pesticide Residues (JMPR) that support the development of the permanent Codex MRL. FDA may request additional information as needed.

(ii) If no permanent Codex MRL has been established, or upon notification by FDA, the requester must provide full reports of investigations made with respect to the human food safety of the new animal drug. A request may be regarded as incomplete unless it includes full reports of adequate tests by all methods reasonably applicable to show whether or not any imported edible portion of any animal receiving the new animal drug will be safe for human consumption. The reports must include detailed data derived from appropriate animal and other biological experiments in which the methods used and the results obtained are clearly set forth, including data submitted to the appropriate regulatory authority in any country where the new animal drug is lawfully used. The request must also include a statement that all such reports have been submitted or contain an explanation of why such reports were not submitted. With respect to each nonclinical laboratory study contained in the request, the requestor must submit either a statement that the study was conducted in compliance with the good laboratory practice regulations set forth in part 58 of this chapter, or, if the study was not conducted in compliance with such regulations, a brief statement of the reason for the noncompliance, and how this may have impacted the study;

(5) Other human food safety information as deemed necessary by the Commissioner;

(6) A description of practicable methods for determining the quantity, if any, of the new animal drug in or on food, and any substance formed in or on food because of its use;

(7) An environmental assessment under § 25.40 of this chapter; and

(8) Any information required under §§ 500.80 through 500.92 of this chapter (Subpart E, Regulation of Carcinogenic Compounds Used in Food-Producing Animals), where applicable.

(f) A request to amend an established import tolerance must contain information to support each proposed change. The request may omit statements made in the original request for which no change is proposed.

(g) The requester may withdraw the request at any time before the

notification provided for in § 510.207(a) of this chapter has been made publicly available.

§ 510.206 Review of information supporting actions to establish or amend an import tolerance.

In establishing or amending an import tolerance, the Commissioner shall rely on data sufficient to demonstrate that a proposed tolerance is safe based on similar food safety criteria used by the Commissioner to establish tolerances for applications for new animal drugs filed under section 512(b)(1) of the Federal Food, Drug, and Cosmetic Act. In establishing or amending an import tolerance, the Commissioner will give appropriate consideration to the anticipated residue concentrations and conditions of use of the new animal drug specified.

§ 510.207 Disclosure of information submitted in a request.

(a) When a request is determined to be complete for FDA's consideration, the Commissioner will provide public notification of the request containing the name of the requester and a brief description of the request in general terms. A copy of the notification will be sent to the requester at the time the information is made available to the public.

(b) Any notification establishing, amending, or revoking an import tolerance will be made publicly available. A summary of the basis for the decision will be publicly released in accordance with the provisions of part 20 of this chapter. If FDA determines that the new animal drug referred to in the request is a new animal drug that induces cancer when ingested by people or animals, and the requester complies with the requirements of §§ 500.80 through 500.92 of this chapter (Subpart E, Regulation of Carcinogenic Compounds Used in Food-Producing Animals), the regulatory method for ascertaining the marker residue in the target tissue will be made publicly available. All information and safety data submitted with the request, or previously submitted information incorporated in, and considered as part of, a request on the basis of specific reference to such information, shall be available for public disclosure, also in accordance with the provisions of part 20 of this chapter. Trade secrets and confidential commercial or financial information are exempted from release under § 20.61 of this chapter.

§ 510.209 Establishment, denial, or amendment of an import tolerance.

(a) If an import tolerance is established or amended, the

Commissioner will provide public notification of the action, which will be effective from the date of public notification. A copy of the notification will be sent to any requestor at the time the information is made available to the public.

(b) If a request to establish or amend an import tolerance is denied, a notification of the denial will be made publicly available, and a copy of the denial letter, including the reasons for such action, will be sent to the requester.

(c) A tolerance established in an approved NADA or conditionally approved CNADA will supersede an existing import tolerance. In the event the conditionally approved CNADA is not renewed or is withdrawn, or such drug does not achieve approval under section 512 of the Federal Food, Drug, and Cosmetic Act within 5 years following the date of the conditional approval, the Agency will reinstate the import tolerance unless § 510.210(a)(1) or (a)(2) is applicable at that time.

§ 510.210 Revocation of an import tolerance.

(a) The Commissioner, on his or her own initiative or on the petition of an interested person, under § 10.25 of this chapter, may revoke an import tolerance if:

- (1) Scientific evidence shows an import tolerance to be unsafe; or
- (2) Information demonstrates that the use of a new animal drug under actual use conditions results in food being imported into the United States with residues exceeding the import tolerance.

(b) The Commissioner will provide public notification under § 510.207(b) that will specify the basis for the decision and will be effective at the time the information is made available to the public.

(c) A petition for revocation must be submitted in the form specified in § 10.30 of this chapter.

§ 510.212 Administrative reconsideration of action.

(a) The Commissioner may at any time, on his or her own initiative or on the petition of an interested person under part 10 of this chapter, reconsider part or all of a decision to establish, not establish, amend, or revoke an import tolerance.

(b) A petition for reconsideration must be submitted in accordance with § 10.20 of this chapter and in the form specified in § 10.33 of this chapter no later than 30 days after the date of public notification of the decision involved. The Commissioner may, for good cause, permit a petition to be filed

more than 30 days after public notification of the decision. The petition for reconsideration must demonstrate that relevant information contained in the administrative record was not previously or not adequately considered by the Commissioner. No new information may be included in a petition for reconsideration.

(c) An interested person who wishes to rely on information not included in the administrative record shall submit either a petition to amend an import tolerance under § 510.205 or to revoke an import tolerance under § 510.210 and § 10.25 of this chapter.

§ 510.213 Administrative stay of action.

(a) The Commissioner may at any time, on his or her own initiative or on the request of an interested person under part 10 of this chapter, stay or extend the effective date of a decision to establish, not establish, amend, or revoke an import tolerance.

(b) A request for stay must be submitted in accordance with § 10.20 of this chapter and in the form specified in § 10.35 of this chapter no later than 30 days after public notification of the decision involved. The Commissioner may, for good cause, permit a petition to be filed more than 30 days after public notification of the decision.

Dated: September 10, 2021.

Janet Woodcock,

Acting Commissioner of Food and Drugs.

[FR Doc. 2021-19967 Filed 9-20-21; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF LABOR

Wage and Hour Division

29 CFR Part 791

RIN 1235-AA37

Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule: Delay of Effective Date

AGENCY: Wage and Hour Division (WHD), Department of Labor (DOL).

ACTION: Final rule; delay of effective date.

SUMMARY: This action delays until October 5, 2021, the effective date of the rule titled “Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule,” published in the **Federal Register** on July 30, 2021, to conform to the effective date requirements of the Congressional Review Act.

DATES: The effective date of the rule published at 86 FR 40939 on July 30, 2021, is delayed to October 5, 2021.

FOR FURTHER INFORMATION CONTACT:

Amy DeBisschop, Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this final rule may be obtained in alternative formats (Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, large print, braille, audiotape, compact disc, or other accessible format), upon request, by calling (202) 693-0675 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1-877-889-5627 to obtain information or request materials in alternative formats.

Questions of interpretation and/or enforcement of the agency’s regulations may be directed to the nearest WHD district office. Locate the nearest office by calling WHD’s toll-free help line at (866) 4US-WAGE ((866) 487-9243) between 8 a.m. and 5 p.m. in your local time zone, or logging onto WHD’s website for a nationwide listing of WHD district and area offices at <http://www.dol.gov/whd/america2.htm>.

SUPPLEMENTARY INFORMATION: On July 30, 2021, the Department published a final rule titled “Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule” (Joint Employer Rescission Final Rule) to rescind the final rule titled “Joint Employer Status Under the Fair Labor Standards Act,” which had been published on January 16, 2020. 86 FR 40939 (July 30, 2021). The effective date set forth in the Joint Employer Rescission Final Rule is September 28, 2021, 60 days after publication.

Pursuant to the Congressional Review Act (CRA), the Department submitted the required report and information on the Joint Employer Rescission Final Rule to each House of the Congress and the Comptroller General. 5 U.S.C. 801(a)(1)(A)–(B). The Department has been informed that the Senate did not receive the submission until August 6, 2021. The Office of Information and Regulatory Affairs (OIRA) designated the Joint Employer Rescission Final Rule as a major rule, as defined by 5 U.S.C. 804(2). Accordingly, in order to conform to the effective date requirements of the CRA, the Department in this final rule is extending the effective date of the Joint Employer Rescission Final Rule to October 5, 2021, 60 days after the Senate received the Department’s submission. 5 U.S.C. 801(a)(3).

Section 553(b)(3)(B) of the Administrative Procedure Act (APA)

provides that an agency is not required to publish a notice of proposed rulemaking in the **Federal Register** and solicit public comments when the agency has good cause to find that doing so would be “impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(3)(B). The Department finds that good cause exists to dispense with the notice and public comment procedures for this final rule, as it concludes that such procedures are unnecessary because this rule merely extends the effective date of the Joint Employer Rescission Final Rule by 7 days in order to comply with the effective date requirements of the CRA for major rules. Moreover, the Joint Employer Rescission Final Rule was promulgated pursuant to notice and comment rulemaking, and this rule does not make any changes to that rule other than the brief delay of the effective date. 86 FR 40939 (July 30, 2021). Therefore, the Department is issuing this delay of effective date as a final rule.

Section 553(d) of the APA also provides that substantive rules should take effect not less than 30 days after the date they are published in the **Federal Register** unless “otherwise provided by the agency for good cause found[.]” 5 U.S.C. 553(d)(3). Since this rule merely delays the effective date of the Joint Employer Rescission Final Rule by 7 days as required by the CRA, and makes no other changes to that rule, the Department finds that it is unnecessary to delay the effective date of this action by 30 days. Accordingly, the Department finds that good cause exists to make this delay of effective date action effective on the date of publication.

Section 808 of the CRA provides that a rule shall take effect at the time determined by the promulgating agency when the agency for good cause finds that “notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 808(2). The Department finds that good cause exists to dispense with notice and public procedure for this final rule, as it concludes that such procedures are unnecessary. As noted above, the Joint Employer Rescission Final Rule was published on July 30, 2021, with an effective date of September 28, 2021, and this rule merely delays the effective date of that rule by 7 days to comply with the requirements of the CRA. Therefore, the Department finds that good cause exists to make this delay of effective date effective on the date of publication. However, consistent with the CRA, the Department will submit to Congress and the Comptroller General the reports

required by the Act. 5 U.S.C. 801(a)(1)(A)–(B).

Signed on September 10, 2021.

Jessica Looman,

Acting Administrator, Wage and Hour Division.

[FR Doc. 2021–20100 Filed 9–20–21; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2021–0726]

Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone—Corn Festival Fireworks, Morris, IL

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the Corn Festival Fireworks event on a portion of the Illinois River in Morris, IL. This action is intended to protect personnel, vessels, and the marine environment from potential hazards created by the fireworks display. During the enforcement period listed below, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or a designated representative.

DATES: The regulation in Title 33 Code of Federal Regulations (CFR) 165.929 Table 1, Event (19) will be enforced from 8:15 p.m. through 9 p.m. on September 25, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email LT James Fortin, Waterways Management Division, Marine Safety Unit Chicago, U.S. Coast Guard; telephone: (630) 986–2155, email: D09-DG-MSUChicago-Waterways@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Safety Zone; Corn Festival Fireworks listed as Event (19) in Table 1 of 33 CFR 165.929. Section 165.929 lists many annual events requiring safety zones in the Captain of the Port Lake Michigan zone. This safety zone consists of all waters of the Illinois River within a 560-foot radius from approximate launch position at 41°21.173' N, 088°25.101' W. This safety zone will be enforced from 8:15 p.m. through 9 p.m. on September 25, 2021.

All vessels must obtain permission from the Captain of the Port Lake Michigan, or his or her designated on-scene representative to enter, move within, or exit this safety zone during the enforcement times listed in this notice of enforcement. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. Approvals will be granted on a case-by-case basis. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port Lake Michigan or a designated on-scene representative.

This notice of enforcement is issued under the authority of 33 CFR 165.929, Safety Zone; annual events requiring safety zones in the Captain of the Port Lake Michigan Zone and 5 U.S.C. 552(a). In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with notification of this enforcement period via Broadcast Notice to Mariners. The Captain of the Port Lake Michigan or a designated on-scene representative may be contacted via VHF Channel 16 or (414) 747–7182.

Dated: September 15, 2021.

Donald P. Montoro,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2021–20360 Filed 9–20–21; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2019–0708; FRL–8711–02–R7]

Air Plan Approval; Iowa; Polk County; State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the Iowa State Implementation Plan (SIP) to include changes to the Polk County Board of Health Rules and Regulations in addition to revisions from past submittals. The revisions update definitions and references to the effective dates of Federal rules approved into the State’s SIP, prohibit burning of demolished buildings, update references to methods and procedures for performance test/stack test and continuous monitoring systems, and revise permitting exemptions. These revisions will not adversely impact air

quality and will ensure consistency between the State and Federally approved rules.

DATES: This final rule is effective on October 21, 2021.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2019-0708. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, 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 through <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: Stephanie Doolan, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; (913) 551-7719; email address: doolan.stephanie@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” refer to the EPA.

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- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is the EPA taking?
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. What is being addressed in this document?

The EPA is approving updates to Chapter V of the Polk County Board of Health Rules and Regulations pertaining to air quality into Iowa’s SIP. Detailed information regarding the revisions is included in the Technical Support Document (TSD) that is in the docket for the EPA’s proposed approval (88 FR 40392, July 28, 2021).

The revisions to the Iowa SIP incorporate Polk County’s updated definitions and references to the effective dates of Federal rules approved into the State’s SIP, update references to methods and procedures for performance test/stack test and continuous monitoring systems, prohibit burning of demolished buildings, and revise permitting exemptions. The approved revisions to the Iowa SIP also grant Polk County the ability to publish public notices and provide the opportunity to comment on permit modifications online rather than

in area newspapers which is consistent with recent revisions to Iowa’s SIP (83 FR 191, October 2, 2018).

As stated in the proposed approval, the EPA is not acting on portions of Polk County Chapter V that amend Standards for Marijuana Production and Marijuana Processing (section 5–21), Permits for New and Existing Stationary Sources, and Chapter 10–59, Permit Fees, that pertain to Prevention of Significant Deterioration (PSD) regulations because Iowa has not delegated the PSD program authority to Polk County.

The EPA is also approving minor changes to the text of various ordinances that were previously submitted to the EPA but were inadvertently omitted from previous actions. These revisions were contained in submittals dated December 3, 2007, September 1, 2009, September 19, 2011, April 15, 2014, and November 25, 2015.

II. Have the requirements for approval of a SIP revision been met?

The state’s submittals met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittals also satisfy the completeness criteria of 40 CFR part 51, appendix V. In addition, the EPA has determined that the revisions meet the substantive SIP requirements of the CAA, including section 110 and implementing regulations. These revisions are also consistent with applicable EPA requirements of title V of the CAA and 40 CFR part 70.

The EPA proposed approval of the Polk County Code of Regulations revisions into the Iowa SIP in a **Federal Register** document dated July 28, 2021 (88 FR 40392). The 30-day public comment period closed on August 27, 2021. No comments were received.

III. What action is the EPA taking?

The EPA is taking final action to approve revisions to the Iowa SIP to include the revisions to Chapter V of the Polk County Code of Regulations pertaining to air quality.

The EPA has determined that approval of these revisions will not impact air quality and will ensure consistency between the state and federally-approved rules, and ensure Federal enforceability of the state’s revised air program rules.

IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Iowa Regulations described in the

amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.¹

V. 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. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this 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 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 (Public Law 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);

¹ 62 FR 27968, May 22, 1997.

□ Is not subject to requirements of the National Technology Transfer and Advancement Act (NTTA) because this rulemaking does not involve technical standards; and

□ Does not provide the 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).

The SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

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. The 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).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 22, 2021. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Continuous

monitoring systems, Incorporation by reference, Performance and stack testing, and Reporting and recordkeeping requirements.

Dated: September 10, 2021.

Edward H. Chu,

Acting Regional Administrator, Region 7.

For the reasons stated in the preamble, EPA amends 40 CFR part 52 as set forth below:

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 Q—Iowa

■ 2. In § 52.820, the table in paragraph (c) is amended by revising the entry “Chapter V” under the heading “Polk County” to read as follows:

§ 52.820 Identification of plan.

* * * * *
(c) * * *

EPA-APPROVED IOWA REGULATIONS

Iowa citation	Title	State effective date	EPA approval date	Explanation
Iowa Department of Natural Resources Environmental Protection Commission [567]				
*	*	*	*	*
Polk County				
Chapter V	Polk County Board of Health Rules and Regulations Air Pollution Chapter V.	11/30/18	9/21/2021, [insert Federal Register citation].	Article I, Section 5–2, definition of “anaerobic lagoon” and “variance;” Article III, Incineration and Open Burning, Section 5–7(d) Variance Application; Article VI, Sections 5–16(n), (o) and (p); Article VIII; Article IX, Sections 5–27(3) and (4); Article X, Section 5–28, subsections (a) through (c), and Article X, Section 5–35(b)(5); Article XIII; Article XIV; and Article XVI, Section 5–75 B are not part of the SIP.
*	*	*	*	*

* * * * *

[FR Doc. 2021–20157 Filed 9–20–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 87 and 1030**

[EPA-HQ-OAR-2018-0276; FRL-10018-45-OAR]

RIN 2060-AT26

Control of Air Pollution From Airplanes and Airplane Engines: GHG Emission Standards and Test Procedures*Correction*

In rule document 2020-28882, appearing on pages 2136-2174 in the issue of Monday, January 11, 2021, make the following correction:

§ 1030.20 [Corrected]

■ On page 2172, in the second column, on the seventeenth and eighteenth line from the bottom, “(2) Low gross mass: $(0.45 * MTOM) + (0.63 * (MTOM - 0.924))$.” should read “(2) Low gross mass: $(0.45 * MTOM) + (0.63 * (MTOM \wedge 0.924))$.”

[FR Doc. C1-2020-28882 Filed 9-20-21; 8:45 am]

BILLING CODE 0099-10-D

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA-HQ-OPP-2021-0160; FRL-8960-01-OCSP]

Styrene- Maleic Anhydride Ethyl Amine Salt Copolymer; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of styrene- maleic anhydride ethyl amine salt copolymer when used as an inert ingredient in a pesticide chemical formulation. S.A. Ajinomoto Omnicem N.V., submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of styrene- maleic anhydride ethyl amine salt copolymer on food or feed commodities when used in accordance with these exemptions.

DATES: This regulation is effective September 21, 2021. Objections and requests for hearings must be received on or before November 22, 2021, and must be filed in accordance with the instructions provided in 40 CFR part

178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2021-0160, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Marietta Echeverria, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: RDNRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Publishing Office's e-CFR site at http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.

C. Can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2021-0160 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before November 22, 2021. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b). In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA-HQ-OPP-2021-0160, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

II. Background and Statutory Findings

In the **Federal Register** of March 22, 2021 (86 FR 15162) (FRL-10021-44), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the receipt of a pesticide petition (PP IN-11408) by Wagner Regulatory Associates, Inc., on behalf of, S.A. Ajinomoto Omnicem N.V., Cooppallaan, 91 B-9230, Wetteren, Belgium. The petition requested that 40

CFR 180.960 be amended by establishing an exemption from the requirement of a tolerance for residues of styrene- maleic anhydride ethyl amine salt copolymer. That document included a summary of the petition prepared by the petitioner and solicited comments on the petitioner's request. The Agency did not receive any comments in response to the notice of filing.

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is "safe." Section 408(c)(2)(A)(ii) of FFDCA defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and use in residential settings but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption from the requirement of a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue..." and specifies factors EPA is to consider in establishing an exemption.

III. Risk Assessment and Statutory Findings

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be shown that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other

relevant information in support of this action and considered its validity, completeness and reliability and the relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. In the case of certain chemical substances that are defined as polymers, the Agency has established a set of criteria to identify categories of polymers expected to present minimal or no risk.

The definition of a polymer is given in 40 CFR 723.250(b) and the exclusion criteria for identifying these low-risk polymers are described in 40 CFR 723.250(d). Styrene- maleic anhydride ethyl amine salt copolymer conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low-risk polymers.

1. The polymer is not a cationic polymer nor is it reasonably anticipated to become a cationic polymer in a natural aquatic environment.

2. The polymer does contain as an integral part of its composition at least two of the atomic elements carbon, hydrogen, nitrogen, oxygen, silicon, and sulfur.

3. The polymer does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(ii).

4. The polymer is neither designed nor can it be reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. The polymer is manufactured or imported from monomers and/or reactants that are already included on the TSCA Chemical Substance Inventory or manufactured under an applicable TSCA section 5 exemption.

6. The polymer is not a water absorbing polymer with a number average molecular weight (MW) greater than or equal to 10,000 daltons.

7. The polymer does not contain certain perfluoroalkyl moieties consisting of a CF₃- or longer chain length as listed in 40 CFR 723.250(d)(6).

Additionally, the polymer also meets as required the following exemption criteria specified in 40 CFR 723.250(e).

8. The polymer's number average MW of 1,700 is greater than 1,000 and less than 10,000 daltons. The polymer contains less than 10% oligomeric material below MW 500 and less than 25% oligomeric material below MW 1,000, and the polymer does not contain any reactive functional groups.

Thus, styrene- maleic anhydride ethyl amine salt copolymer meets the criteria for a polymer to be considered low risk

under 40 CFR 723.250. Based on its conformance to the criteria in this unit, no mammalian toxicity is anticipated from dietary, inhalation, or dermal exposure to styrene- maleic anhydride ethyl amine salt copolymer.

IV. Aggregate Exposures

For the purposes of assessing potential exposure under this exemption, EPA considered that styrene- maleic anhydride ethyl amine salt copolymer could be present in all raw and processed agricultural commodities and drinking water, and that non-occupational non-dietary exposure was possible. The number average MW of styrene- maleic anhydride ethyl amine salt copolymer is 1,700 daltons. Generally, a polymer of this size would be poorly absorbed through the intact gastrointestinal tract or through intact human skin. Since styrene- maleic anhydride ethyl amine salt copolymer conforms to the criteria that identify a low-risk polymer, there are no concerns for risks associated with any potential exposure scenarios that are reasonably foreseeable. The Agency has determined that a tolerance is not necessary to protect the public health.

V. Cumulative Effects From Substances With a Common Mechanism of Toxicity

Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider "available information" concerning the cumulative effects of a particular pesticide's residues and "other substances that have a common mechanism of toxicity."

EPA has not found styrene- maleic anhydride ethyl amine salt copolymer to share a common mechanism of toxicity with any other substances, and styrene- maleic anhydride ethyl amine salt copolymer does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed that styrene- maleic anhydride ethyl amine salt copolymer does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's website at <http://www.epa.gov/pesticides/cumulative>.

VI. Additional Safety Factor for the Protection of Infants and Children

Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of

threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin of safety will be safe for infants and children. Due to the expected low toxicity of styrene- maleic anhydride ethyl amine salt copolymer, EPA has not used a safety factor analysis to assess the risk. For the same reasons the additional tenfold safety factor is unnecessary.

VII. Determination of Safety

Based on the conformance to the criteria used to identify a low-risk polymer, EPA concludes that there is a reasonable certainty of no harm to the U.S. population, including infants and children, from aggregate exposure to residues of styrene- maleic anhydride ethyl amine salt copolymer.

VIII. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

IX. Conclusion

Accordingly, EPA finds that exempting residues of styrene- maleic anhydride ethyl amine salt copolymer from the requirement of a tolerance will be safe.

X. Statutory and Executive Order Reviews

This action establishes a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled “Regulatory Planning and Review” (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled “Actions Concerning Regulations That Significantly Affect

Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or Tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or Tribal Governments, on the relationship between the National Government and the States or Tribal Governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian Tribes. Thus, the Agency has determined that Executive Order 13132, entitled “Federalism” (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates

Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

XI. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 13, 2021.

Marietta Echeverria,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.960, add in alphabetical order the polymer “Styrene- maleic anhydride ethyl amine salt copolymer, minimum number average molecular weight (in amu), 1,700” to the table to read as follows:

§ 180.960 Polymers; exemptions from the requirement of a tolerance.

* * * * *

Polymer	CAS No.
* * * * *	* * * * *
Styrene- maleic anhydride ethyl amine salt copolymer, minimum number average molecular weight (in amu), 1,700	None.
* * * * *	* * * * *

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 210217-0022]

RTID 0648-XB355

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod, except for the Community Development Quota program (CDQ), in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the non-CDQ allocation of the 2021 Pacific cod total allowable catch (TAC) in the Bering Sea subarea of the BSAI.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), September 17, 2021, through 2400 hrs, A.l.t., December 31, 2021.

FOR FURTHER INFORMATION CONTACT: Krista Milani, 907-581-2062.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery

Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The non-CDQ allocation of the 2021 Pacific cod TAC in the Bering Sea subarea of the BSAI is 99,462 metric tons (mt) as established by the final 2021 and 2022 harvest specifications for groundfish in the BSAI (86 FR 11449, February 25, 2021). In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS, has determined that the non-CDQ allocation of the 2021 Pacific cod TAC in the Bering Sea subarea of the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 3,700 mt, and is setting aside the remaining 95,762 mt as incidental catch in directed fishing for other species. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod in the Bering Sea subarea of the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

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, as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishing closure of non-CDQ Pacific cod in the Bering Sea subarea of the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of September 15, 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: September 16, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021-20419 Filed 9-16-21; 4:45 pm]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 86, No. 180

Tuesday, September 21, 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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1150

[Document No. AMS-DA-20-0060]

National Dairy Promotion and Research Board Reapportionment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document invites comments on a proposed amendment to the Dairy Promotion and Research Order (Dairy Order). The proposal would modify the number of National Dairy Promotion and Research Board (Dairy Board) members in two of the 12 regions. The total number of domestic Dairy Board members would remain the same at 36. This modification was requested by the Dairy Board, which administers the Dairy Order, to better reflect the geographic distribution of milk production in the United States.

DATES: Comments must be submitted on or before October 21, 2021.

ADDRESSES: Interested persons are invited to submit written comments on this proposed rule. Comments may be submitted through the Federal e-rulemaking portal at www.regulations.gov or emailed to Whitney.Rick@usda.gov and should reference the document number, date, and page number of this issue of the **Federal Register**. All comments submitted in response to this proposed rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Whitney A. Rick, Director, Promotion, Research, and Planning Division, Dairy Program, AMS, USDA, 1400 Independence Ave. SW, Room 2958-S, Stop 0233, Washington, DC 20250-

0233. Phone: (202) 720-6909. Email: Whitney.Rick@usda.gov.

SUPPLEMENTARY INFORMATION: This proposed rule is issued pursuant to the Dairy Production Stabilization Act (Dairy Act) of 1983, Public Law 98-180 as codified in 7 U.S.C. 4501-4514, as amended.

Executive Order 12866

The Office of Management and Budget (OMB) has waived the review process required by Executive Order 12866 for this action. This action falls within a category of regulatory actions that the OMB exempted from Executive Order 12866 review.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. This proposed rule is not intended to have a retroactive effect. If adopted, this rule would not preempt any State or local laws, regulations, or policies unless they present an irreconcilable conflict with this rule.

The Dairy Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 118 of the Dairy Act, any person subject to the Dairy Order may file with the Secretary a petition stating that the Dairy Order, any provision of the Dairy Order, or any obligation imposed in connection with the Dairy Order is not in accordance with the law and may request a modification of the Dairy Order or to be exempted from the Dairy Order (7 U.S.C. 4509). Such person is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Dairy Act provides that the district court of the United States in any district in which the person is an inhabitant or has his principal place of business has jurisdiction to review the Secretary's ruling on the petition, provided a complaint is filed not later than 20 days after the date of the entry of the ruling.

Regulatory Flexibility Act

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601-612), the Agricultural Marketing Service has considered the economic impact of this action on small entities and has certified that this proposed rule will not have a significant economic impact on a substantial number of small entities. The purpose of the Regulatory

Flexibility Act is to fit regulatory actions to the scale of businesses subject to such actions so that small businesses will not be disproportionately burdened.

The Dairy Act authorizes a national program for dairy product promotion, research and nutrition education. Congress found that it is in the public interest to authorize the establishment of an orderly procedure for financing (through assessments on all milk produced in the United States for commercial use and on imported dairy products) and carrying out a coordinated program of promotion designed to strengthen the dairy industry's position in the marketplace and to maintain and expand domestic and foreign markets for fluid milk and dairy products.

The Small Business Administration (13 CFR 121.201) defines small dairy producers as those having annual receipts of not more than \$1,000,000 annually. Most of producers subject to the provisions of the Dairy Order are considered small entities.

This proposed rule would amend the number of members in two of the Dairy Board's 12 geographic regions to better reflect the geographic distribution of milk production in the United States.

The Dairy Order is administered by a 37-member Dairy Board, with 36 members representing 12 geographic regions within the United States and one member representing importers. Section 1150.131(e) of the Dairy Order requires the Dairy Board to review the geographic distribution of milk production volume throughout the United States at least every five years and not more than every three years and, if warranted, recommend to the Secretary a reapportionment of regions in order to better reflect the geographic distribution of milk production volume in the United States.

Based on a review of the 2019 geographic distribution of milk production, the Dairy Board has concluded that the number of Dairy Board members for two regions should be changed. The Dairy Board conducted the previous reapportionment in 2016 based on 2014 milk production.

The proposed amendment is not expected to have significant economic impact on persons subject to the Dairy Order. The proposed changes merely would allow representation of the Dairy Board to better reflect geographic milk production in the United States.

Paperwork Reduction Act

In accordance with the Office of Management and Budget (OMB) regulation (5 CFR part 1320), which implements the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), information collection requirements and record keeping provisions imposed by the Dairy Order have been previously approved by OMB and assigned OMB Control No. 0581-0093.

This proposed rule would not impose any additional reporting or recordkeeping requirements on either small or large entities. As with all Federal research and promotion programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

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

Executive Order 13175

This proposed rule has been reviewed under E.O. 13175—Consultation and Coordination with Indian Tribal Governments, which requires agencies to consider whether their rulemaking actions would have tribal implications. AMS has determined that this proposed rule is unlikely to have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Background

The Dairy Order is administered by a 37-member Dairy Board, with 36 members representing 12 geographic regions within the United States and one member representing importers. The Dairy Order provides in section 1150.131 that the Dairy Board shall review the geographic distribution of milk production volume throughout the United States and, if warranted, shall recommend to the Secretary a reapportionment of regions and/or modification of the number of producer members from regions in order to best reflect the geographic distribution of

milk production in the United States. The Dairy Board is required to conduct the review at least every five years and not more than every three years. The Dairy Board conducted the previous reapportionment review in 2016 based on 2014 milk production.

The Dairy Order does not specify the procedure for calculating the factor of pounds of milk per member. For the purposes of the current reapportionment analysis, the procedure will remain the same as the 2016 reapportionment, by using USDA’s National Agricultural Statistics Service (NASS) milk production data and dividing by 36 to determine a factor of pounds of milk represented by each domestic Dairy Board member. The resulting factor was then divided into pounds of milk produced in each region to determine the number of Dairy Board members for each region. Accordingly, the same process using 2019 milk production data was employed for the current reapportionment calculation.

Table 1 summarizes, by region, the volume of U.S. milk production distribution for 2019, the percentage of total U.S. milk production, and the current number of domestic Dairy Board seats per region.

TABLE 1—CURRENT REGIONS AND NUMBER OF BOARD SEATS

Proposed regions and states	Milk production (mil. lbs.)	Percentage of total milk production	Current number of board seats
1. Alaska, Oregon, Washington	9,378.2	4.3	2
2. California, Hawaii	40,565.9	18.6	7
3. Arizona, Colorado, Montana, Nevada, Utah, Wyoming	13,005.6	6.0	2
4. Arkansas, Kansas, New Mexico, Oklahoma, Texas	26,654.0	12.2	4
5. Minnesota, North Dakota, South Dakota	13,067.0	6.0	2
6. Wisconsin	30,601.0	14.0	5
7. Illinois, Iowa, Missouri, Nebraska	9,548.0	4.4	2
8. Idaho	15,631.0	7.2	2
9. Indiana, Michigan, Ohio, West Virginia	20,973.0	9.6	3
10. Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia	8,528.0	3.9	2
11. Delaware, Maryland, New Jersey, Pennsylvania	11,121.7	5.1	2
12. Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont	19,308.6	8.8	3
Total:	218,382.0	100	36

Source: USDA NASS Milk Production, Disposition, and Income 2019 Summary.

In 2019, total U.S. milk production was 218,382 billion pounds, and each of the domestic Dairy Board members as currently apportioned would represent 6,066.2 million pounds of milk.

Based on 2019 milk production data, the Dairy Board proposes that member representation in Region 8 (Idaho) be increased from two members to three members. Milk production in Region 8 increased to 15,631 million pounds, up from 13,873 million pounds in 2014, indicating three Dairy Board members

(15,631 divided by 6,066.2 = 2.58) compared to two members based on 2014 milk production data.

Based on 2019 milk production data, the Dairy Board proposes that member representation in Region 10 (Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and Virginia) be decreased from two members to one member. Milk production in Region 10 decreased to 8,528 million pounds, down from 9,987

million pounds in 2014, indicating one Dairy Board member (8,528 divided by 6,066.2 = 1.40) compared to two members based on 2014 milk production data.

Table 2 summarizes by region the volume of U.S. milk production distribution for 2019, the percentage of total U.S. milk production, and the proposed number of domestic Dairy Board members.

TABLE 2—U.S. MILK PRODUCTION BY REGION AND PROPOSED NUMBER OF BOARD SEATS

Proposed regions and states	Milk production (mil. lbs.)	Percentage of total milk production	Proposed number of board seats
1. Alaska, Oregon, Washington	9,378.2	4.3	2
2. California, Hawaii	40,565.9	18.6	7
3. Arizona, Colorado, Montana, Nevada, Utah, Wyoming	13,005.6	6.0	2
4. Arkansas, Kansas, New Mexico, Oklahoma, Texas	26,654.0	12.2	4
5. Minnesota, North Dakota, South Dakota	13,067.0	6.0	2
6. Wisconsin	30,601.0	14.0	5
7. Illinois, Iowa, Missouri, Nebraska	9,548.0	4.4	2
8. Idaho	15,631.0	7.2	3
9. Indiana, Michigan, Ohio, West Virginia	20,973.0	9.6	3
10. Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia	8,528.0	3.9	1
11. Delaware, Maryland, New Jersey, Pennsylvania	11,121.7	5.1	2
12. Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont	19,308.6	8.8	3
Total:	218,382.0	100	36

Source: USDA NASS Milk Production, Disposition, and Income 2019 Summary.

The Dairy Board unanimously approved the proposal to change the number of seats in two of the 12 geographic regions. AMS independently reviewed the Dairy Board’s reapportionment proposal and concluded that data from USDA’s NASS Milk Production, Disposition, and Income 2019 Summary supports the proposed changes. During AMS’s independent analysis, AMS also determined that the Dairy Board fulfilled the Dairy Order’s requirement to conduct an evaluation and recommended changes to the Secretary in order to best reflect the geographic distribution of milk production volume in the United States. Therefore, after AMS’s evaluation of the Dairy reapportionment proposal, AMS agrees that the proposed membership change would better reflect the geographic distribution of milk production volume in the United States. A 30-day comment period is provided for interested persons to comment on this proposed rule.

List of Subjects in 7 CFR Part 1150

Dairy Products, Milk, Promotion, Research.

For the reasons set forth in the preamble, AMS proposes to amend 7 CFR part 1150 as follows:

PART 1150—DAIRY PROMOTION PROGRAM

■ 1. The authority citation for 7 CFR part 1150 continues to read as follows:

Authority: 7 U.S.C. 4501–4514 and 7 U.S.C. 7401

■ 2. In § 1150.131, revise paragraphs (b)(8) and (10) to read as follows:

§ 1150.131 Establishment and membership.

* * * * *

(b) * * *

(8) Three members from region number eight comprised of the following State: Idaho.

* * * * *

(10) One member from region number ten comprised of the following States: Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Commonwealth of Puerto Rico, South Carolina, Tennessee, and Virginia.

* * * * *

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2021–20379 Filed 9–20–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2018–BT–PET–0017]

RIN 1904–AE37

Energy Conservation Program: Test Procedures for Consumer Warm Air Furnaces; Final Denial of Petition for Rulemaking

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

ACTION: Final denial of petition for rulemaking.

SUMMARY: This document announces and provides the reasoning for the U.S. Department of Energy’s final denial of a petition filed by the Air-Conditioning, Heating, and Refrigeration Institute

requesting that DOE initiate a notice-and-comment rulemaking to develop a new combined test procedure for consumer furnaces and furnace fans, which would replace the two currently required performance metrics for furnaces and the one performance metric for furnace fans with a single new metric called “AFUE2.”

DATES: This final denial of petition for rulemaking is applicable September 21, 2021.

ADDRESSES: The petition and comments filed in accordance with the timelines set forth in the prior **Federal Register** notice have been entered into docket number EERE–2018–BT–PET–0017. The docket is available for review at www.regulations.gov. 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: Ms. Catherine Rivest, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–7335. Email: ApplianceStandardsQuestions@ee.doe.gov.

Mr. Eric Stas, U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW, Washington, DC 20585–0103. Telephone: (202) 586–5827. Email: Eric.Stas@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

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I. Summary of Final Denial of Petition for Rulemaking

This document denies a petition received by the U.S. Department of Energy ("DOE") from the Air-Conditioning, Heating, and Refrigeration Institute ("AHRI") requesting that DOE initiate a rulemaking to develop a new combined test procedure addressing covered consumer furnaces and furnace fans, which would replace the two currently required performance metrics for furnaces (*i.e.*, annual fuel utilization efficiency ("AFUE") and standby mode/off mode energy consumption (PW_{SB}/PW_{OFF})) and the one performance metric for furnace fans (*i.e.*, fan efficiency ratio ("FER")) with a single new metric called "AFUE2." AHRI asserted that a single performance metric would reduce regulatory burden for furnace manufacturers by streamlining test requirements and aligning regulatory review schedules and promote design flexibility and product innovation.

DOE has determined that a combined test procedure and energy conservation standard for consumer furnaces and furnace fans would enable an increase in the maximum allowable energy use and/or minimum required efficiency of furnaces and furnace fans, each a separate covered product. AHRI's suggested unified metric would allow for trade-offs in energy use between the two separately regulated modes of furnace operation (*i.e.*, active mode and standby mode/off mode) and furnaces fans. These tradeoffs in turn have the potential to allow for furnaces to consume more energy in active mode or standby mode/off mode than permitted under the active mode and standby/off mode standards, or for furnace fans to consume more energy than permitted under the current furnace fan standard. This is impermissible under the "anti-backsliding" provision of the Energy Policy and Conservation Act, as amended ("EPCA"),¹ which prevents the Secretary from prescribing any amended standard that either increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product. (42 U.S.C. 6295(o)(1)) DOE has also determined that a unified metric for consumer furnaces and furnace fans (using the proposed combined metric

AFUE2) would be contrary to DOE's prior determination that it is technologically infeasible to integrate active mode and standby or off mode energy use for furnaces.

Therefore, after carefully considering AHRI's request, supporting materials accompanying the request, and submitted comments, DOE is declining to grant AHRI's request for the reasons set forth in the following discussion.

II. Background and Authority

EPCA, as amended, among of 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 B² of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions designed to improve energy efficiency for certain types of consumer products. These products include consumer furnaces and furnace fans, the focus of this document. (42 U.S.C. 6292(a)(5); 42 U.S.C. 6295(f)(4)(D))

Under EPCA, DOE's energy conservation program 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. 6291), test procedures (42 U.S.C. 6293), labeling provisions (42 U.S.C. 6294), energy conservation standards (42 U.S.C. 6295), and the authority to require information and reports from manufacturers (42 U.S.C. 6296).

The Federal testing requirements consist of test procedures that manufacturers of covered products must use as the basis for: (1) Certifying to DOE that their products comply with the applicable energy conservation standards adopted pursuant to EPCA (42 U.S.C. 6295(s)), and (2) making representations about the efficiency of that product (42 U.S.C. 6293(c)). Similarly, DOE must use these test procedures to determine whether the product complies with relevant standards promulgated under EPCA. (42 U.S.C. 6295(s))

Under 42 U.S.C. 6293, EPCA sets forth the criteria and procedures DOE is required to follow when prescribing or amending test procedures for covered products. Specifically, EPCA requires that any test procedures prescribed or amended must be reasonably designed to produce test results which measure

energy efficiency, energy use, or estimated annual operating cost of a covered product during a representative average use cycle or period of use and requires that test procedures not be unduly burdensome to conduct. (42 U.S.C. 6293(b)(3)) The test procedures for consumer furnaces and furnace fans are set forth in the Code of Federal Regulations ("CFR") at 10 CFR part 430. More specifically, the test procedure for furnaces is located at 10 CFR part 430, subpart B, appendix N ("Appendix N"), *Uniform Test Method for Measuring the Energy Consumption of Furnaces and Boilers*. The test procedure for furnace fans is located at 10 CFR part 430, subpart B, appendix AA ("Appendix AA"), *Uniform Test Method for Measuring the Energy Consumption of Furnaces Fans*.

Relevant to this document, EPCA also requires DOE to follow specific statutory criteria for prescribing new or amended standards for covered products, including consumer furnaces and furnace fans. Any new or amended standard for a covered product must be designed to achieve the maximum improvement in energy efficiency that the Secretary of Energy determines is technologically feasible and economically justified. (42 U.S.C. 6295(o)(2)(A) and 42 U.S.C. 6295(o)(3)(B)) EPCA also contains what is known as an "anti-backsliding" provision, which prevents the Secretary from prescribing any amended standard that either increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product. (42 U.S.C. 6295(o)(1))

Additionally, pursuant to the amendments to EPCA contained in the Energy Independence and Security Act of 2007 ("EISA 2007"), Public Law 110–140, any final rule for new or amended energy conservation standards promulgated after July 1, 2010, is required to address standby mode and off mode energy use. (42 U.S.C. 6295(gg)(3)) Specifically, when DOE adopts a standard for a covered product after that date, it must, if justified by the criteria for adoption of standards under EPCA (42 U.S.C. 6295(o)), incorporate standby mode and off mode energy use into a single standard, or, if that is not feasible, adopt a separate standard for such energy use for that product. (42 U.S.C. 6295(gg)(3)(A)–(B))

DOE has established energy conservation standards for furnace energy efficiency using the AFUE metric, which is the ratio of annual output energy to annual input energy. 10 CFR 430.32(e)(1)(ii). DOE also separately established energy

¹ 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).

² For editorial reasons, upon codification in the U.S. Code, Part B was redesignated as Part A.

conservation standards for furnace standby mode and off mode electrical power consumption, $P_{W,SB}$ and $P_{W,OFF}$, respectively, which account for all furnace electrical consumption in standby and off modes. 10 CFR 430.32(e)(1)(iii). DOE has established an energy conservation standard for furnace fans using the FER metric, which is the ratio of the electrical energy consumption to airflow in watts per cubic feet per minute (CFM). 10 CFR 430.32(y). The FER metric measures performance during active mode when the fan is circulating air, but it does not include provisions for measuring standby mode and off mode energy consumption of furnace fans (although appendix AA includes a section reserved for future provisions to address standby mode and off mode energy use, if necessary). Instead, the standby mode and off mode energy consumption for furnace fans is addressed by the test procedures and metrics for consumer furnaces and residential central air conditioners and heat pumps, as these products operate in conjunction with furnace fans. See 78 FR 19606, 19619 (April 2, 2013).

The Administrative Procedure Act (APA), 5 U.S.C. 551 *et seq.*, provides among other things, that “[e]ach agency shall give an interested person the right

to petition for the issuance, amendment, or repeal of a rule.” (5 U.S.C. 553(e))

III. AHRI’s Petition for Rulemaking Summary and Comments

On October 12, 2018, DOE received a petition from AHRI (“AHRI Petition”) asking DOE to initiate notice-and-comment rulemaking to develop a new test procedure for residential furnaces and furnace fans which would replace the two currently required performance metrics for furnaces (*i.e.*, AFUE and $PW_{,SB}/PW_{,OFF}$) and the one performance metric for furnace fans (*i.e.*, FER) with a single new metric (*i.e.*, AFUE2).³ On November 14, 2018, DOE published a Notice of Petition for Rulemaking (“2018 Notice of Petition for Rulemaking”) announcing the receipt of the AHRI Petition and inviting interested parties to submit comments. 83 FR 56746.

In the petition, AHRI suggested AFUE2 metric would account for furnace fuel, fan power, and standby mode and off mode power consumption, and the measured value would represent the sum of usable heat and fan benefit, divided by the total fuel and electricity consumed. (AHRI, No. 2 at p. 2)⁴ AHRI asserted that transitioning to a single metric, such as AFUE2, would reduce regulatory burden on manufacturers by streamlining test

requirements and aligning regulatory review schedules, thereby promoting design flexibility and product innovation. (AHRI, No. 2 at pp. 4–5) The petitioner further asserted that consumers would also benefit by having a single, combined metric for product comparison purposes and by receiving some portion of anticipated cost savings, all of which could be achieved without sacrificing energy savings. (AHRI, No. 2 at pp. 5–6) The petition acknowledges that a combined metric would necessitate a translation of the existing energy conservation standards applicable to residential furnaces and furnace fans. (AHRI, No. 2 at pp. 6–7) Additionally, in a separate letter to DOE dated November 2, 2018, AHRI requested that DOE not enforce the reporting, certification and compliance obligations related to the furnace fan energy conservation standards pending consideration of their petition for rulemaking.⁵ (AHRI, No. 3 at pp. 1–2)

In the 2018 Notice of Petition for Rulemaking, DOE invited interested parties to submit comments regarding the petition. 83 FR 56746, 56746 (Nov. 14, 2018). DOE received comments in response to the 2018 Notification of Petition for Rulemaking from the interested parties listed in Table II–1.⁶ In the following discussion, DOE addresses the relevant comments.

TABLE II–1—WRITTEN COMMENTS RECEIVED IN RESPONSE TO 2018 NOTIFICATION OF PETITION FOR RULEMAKING

Commenter(s)	Abbreviation	Commenter type
Air-Conditioning Heating, and Refrigeration Institute	AHRI	Trade Association.
Alliance to Save Energy	ASE	Efficiency Organizations.
Appliance Standards Awareness Project, American Council for an Energy-Efficient Economy, and Natural Resources Defense Council.	Joint Commenters	Efficiency Organizations.
California Energy Commission	CEC	State Agency.
Carrier Corporation	Carrier	Manufacturer.
Connecticut Department of Energy and Environmental Protection	CT DEEP	State Agency.
Consumer Federation of America and National Consumer Law Center	Consumer Groups	Consumer Organizations.
Earthjustice and the Sierra Club	Earthjustice and the Sierra Club.	Efficiency Organizations.
Ingersoll Rand	Ingersoll Rand	Manufacturer.
Lennox International	Lennox	Manufacturer.
Lochinvar/A.O. Smith Corporation	A.O. Smith	Manufacturer.
National Electric Manufacturers Association	NEMA	Trade Association.
National Grid	National Grid	Utilities.
Natural Resources Defense Council	NRDC	Efficiency Organizations.
New York State Energy Research and Development Authority	NYSERDA	State Agency.
Northeast Energy Efficiency Partnership	NEEP	Efficiency Organizations.
Northwest Energy Efficiency Alliance	NEEA	Efficiency Organizations.
Northwest Power and Conservation Council	NPCC	Utilities.

³ The AHRI Petition is available in the docket at www.regulations.gov/docket?D=EERE-2018-BT-PET-0017-0002. The petition did not identify any of the information contained therein as confidential business information.

⁴ The parenthetical reference provides a reference for information located in the docket for the petition for rulemaking. (Docket No. EERE–2018–BT–PET–0017, which is maintained at www.regulations.gov). The references are arranged as follows: (Commenter name, comment docket ID number, page of that document).

⁵ On November 2, 2018, DOE issued an enforcement policy stating that it would not enforce the testing, certification, and standards requirements for furnace fans while DOE considered the 2018 Petition for Rulemaking. In response to the policy statement DOE received comments from a wide variety of parties as well as a letter from AHRI requesting that DOE rescind the enforcement policy. On February 11, 2019, DOE rescinded the November 2, 2018 policy statement. The request that DOE not enforce the furnace fan energy conservation pending consideration of the

petition for rulemaking is not considered further in this document. The policy statement and rescission are available at www.energy.gov/gc/downloads/furnace-fan-enforcement-policy.

⁶ Stakeholders’ comments can be accessed in the docket at www.regulations.gov/docket/EERE-2018-BT-PET-0017. DOE also received several non-substantive comments or comments not relevant to the petition, which are not included in the table.

TABLE II-1—WRITTEN COMMENTS RECEIVED IN RESPONSE TO 2018 NOTIFICATION OF PETITION FOR RULEMAKING—Continued

Commenter(s)	Abbreviation	Commenter type
Pacific Gas and Electric, Southern California Edison, and San Diego Gas and Electric (collectively the California Investor-Owned Utilities).	CA IOUs	Utilities.
Plumbing-Heating-Cooling Contractors	PHCC	Trade Association.
Regal Beloit America, Inc	Regal Beloit	Manufacturer.
Rheem Manufacturing Company	Rheem	Manufacturer.

In general overview, furnace manufacturers supported the AHRI petition, stating that a combined metric would lead to benefits for both manufacturers and/or consumers. (Lennox, No. 34 at pp. 1–5; Carrier, No. 33 at pp. 1, 3–4; Rheem, No. 45 at pp. 1–2; Ingersoll Rand, No. 43 at p. 1) More specifically, manufacturers referenced the fact that there are currently three different energy conservation standards (and three different test procedures) related to consumer furnace efficiency (*i.e.*, AFUE, FER, and standby mode/off mode power consumption) and that each of these regulations is subject to separate regulatory review schedules. (Lennox, No. 34 at pp. 3–4; Rheem, No. 45 at pp. 1–2) Lennox further stated that having so many separate regulatory schedules places manufacturers, distributors, contractors, and DOE in a constant state of change and adjustment. Lennox stated that every time DOE amends standards, manufacturers must redesign equipment, make capital investments to update manufacturing facilities, republish marketing literature, and educate distributors, contractors, and consumers about the changes. Lennox also asserted that the costs associated with these activities are ultimately passed on to consumers. (Lennox, No. 34 at pp. 3–5)

Manufacturers stated that adopting the AFUE2 metric, consolidating certification and testing requirements, and streamlining rulemaking and redesign cycles could allow for more effective utilization of manufacturer resources by reducing this regulatory burden. (Lennox, No. 34 at pp. 3–4; Carrier, No. 33 at p. 3; Rheem, No. 45 at p. 1; Ingersoll Rand, No. 43 at p. 1)

Manufacturers also generally asserted that the simplified ratings could reduce design constraints or otherwise increase opportunities for innovation. (Carrier, No. 33 at p. 3; Rheem, No. 45 at p. 2; Ingersoll Rand, No. 43 at p. 1) Lennox suggested that setting requirements for individual furnace components restricts design choices between various aspects of a residential furnace. Lennox stated that the AFUE2 test method would promote innovation by enabling manufacturers to develop the most

effective solution for overall product efficiency at the lowest cost. (Lennox, No. 34 at p. 5) In its petition, AHRI estimated that the total reduction in regulatory burden resulting from implementation of AFUE2 would save manufacturers more than \$250 million over thirty years. (AHRI, No. 2 at p. 4)⁷

Manufacturers also stated that a combined metric would make it easier for consumers to compare the overall efficiencies of furnace models. (Carrier, No. 33 at pp. 3–4; Lennox, No. 34 at pp. 3, 4) More specifically, Lennox suggested that consumers (and selling contractors) often do not understand that the energy consumption associated with the FER metric generally is less than 5 percent of the total energy consumed in the operation of a product, or that standby mode represents a miniscule amount of energy use compared to the amount of energy used to create heat via combustion. (Lennox, No. 34 at p. 3)

Lennox also commented that the AFUE2 metric would also have the benefit of reducing the need for government intervention and saving government resources by reducing the quantity of regulations. (Lennox, No. 34 at pp. 2, 5) Finally, several furnace manufacturers commented that although a crosswalk has not yet been completed, further work in this area should continue and suggested that revised energy efficiency standards (in terms of AFUE2) could reflect the overall system energy efficiency already required by the AFUE, PW_{SB} and PW_{OFF} , and FER metrics. (Ingersoll Rand, No. 43 at p. 1; Rheem, No. 45 at p. 2; Lennox, No. 34 at pp. 2, 4)

In contrast, efficiency organizations, State agencies, and utilities generally opposed the petition, asserting that the combined metric would obscure the efficiencies of separately regulated elements (which often use different energy sources) and could potentially lead to backsliding. These commenters also asserted that a combined metric

⁷ AHRI's calculations of burden reduction are included in Exhibit 3, which was submitted with the original petition and can be found at www.regulations.gov/document/EERE-2018-BT-PET-0017-0002.

could reduce the amount of future energy savings potential. (NEEA, No. 35 at pp. 1, 4; Joint Commenters, No. 42 at pp. 1–3; CEC, No. 38 at pp. 1–6; Earthjustice and the Sierra Club, No. 31 at pp. 1, 3–4; NRDC, No. 39 at pp. 1, 4–5; NYSERDA, No. 30 at pp. 1–2; CA IOUs, No. 27 at pp. 1–4; NEEP, No. 36 at p. 1; CT DEEP, No. 46 at p. 1; NEMA, No. 26 at pp. 5–8)

Consumer Groups stated that AHRI's petition relies on the assumption that a crosswalk can be generated to translate the three current standards to a single standard that relies on AFUE2 without: (a) Diminishing the energy savings that would otherwise be achieved, (b) harming consumers, or (c) violating EPCA. These commenters stated that it is unproven that such a crosswalk is possible and further argued that such approach would not be permissible under EPCA. (Consumer Groups, No. 31 at pp. 2–4)

The Joint Commenters stated that AHRI's requested change to the test procedures (and subsequent changes to the energy conservation standards), if adopted by DOE, would violate the specific directive from EPCA that requires DOE to set air circulation efficiency standards; illegally combine the required air circulation standard with a standards based on fuel use; improperly apply the EPCA provision regarding adjustment to standards based on test procedure changes to an amendment merging standards;⁸ and adopt an approach for standby mode and off mode power consumption that DOE has previously found is not technically feasible. (Joint Commenters, No. 42 at p. 7) Earthjustice and the Sierra Club and NRDC similarly stated

⁸ DOE understands the Joint Commenters to be referencing 42 U.S.C. 6293(e), which provides that in the case of any amended test procedure, the Secretary shall determine to what extent, if any, the proposed test procedure would alter the measured energy efficiency, measured energy use, or measured water use of any covered product as determined under the existing test procedure and that if the Secretary determines that the amended test procedure will alter the measured efficiency or measured use, the Secretary shall amend the applicable energy conservation standard as prescribed by certain provisions specified in 42 U.S.C. 6293(e) during the rulemaking carried out with respect to such test procedure.

that DOE does not have authority under EPCA to crosswalk and combine multiple metrics into a single combined metric, or the authority to combine the standby mode and off mode power consumption metrics with active mode energy consumption for furnaces. (Earthjustice and the Sierra Club, No. 41 at pp. 4–6; NRDC, No. 39 at pp. 3–6) Earthjustice and the Sierra Club also stated that DOE does not have authority under EPCA to combine the electrical energy consumption of furnace fans into the fuel efficiency standards for furnaces. (Earthjustice and the Sierra Club, No. 41 at pp. 2–3) Consumer Groups stated that AHRI's position that 42 U.S.C. 6293(e) provides the authority for DOE to develop an AFUE2 standard to replace the three current standards is in error because AHRI is not proposing to amend an existing test procedure (which is what 42 U.S.C. 6293(e) addresses), but rather to eliminate existing test procedures and replace them with an entirely new test procedure and associated standards. (Consumer Groups, No. 31 at p. 6)

Multiple commenters also asserted that under the combined metric, less-efficient furnace fans could be used and that this would reduce the potential for future energy savings or enable the use of less-efficient furnace fans than are currently allowed. (NEEP, No. 36 at p. 1; CEC, No. 38 at pp. 3–4; CT DEEP, No. 46 at p. 1; NYSERDA, No. 30 at pp. 1–2; National Grid, No. 28 at p. 1; CA IOUs, No. 27 at pp. 1–4; NEMA, No. 26 at pp. 5–8; Regal Beloit, No. 25 at pp. 3–4; NPCC, No. 29 at p. 2; Joint Commenters, No. 42 at pp. 2–3, 7; Earthjustice and the Sierra Club, No. 41 at pp. 3–4)

Regal Beloit commented that the AFUE2 test procedure could potentially result in an increase in the maximum allowable energy use from furnace fans because the AFUE2 test procedure would change certain definitions and/or values of certain variables that could lead to an increase in the maximum allowable energy use of furnace fans. (Regal Beloit, No. 25 at p. 4) NEEP and CT DEEP commented that combining efficiency standards could present new challenges for energy efficiency efforts that use Federal standards in their calculations. (NEEP, No. 36 at p. 1; CT DEEP, No. 46 at p. 1)

PHCC supported the effort to consolidate metrics and streamline the regulatory process (which it asserted would lead to reduced costs for consumers), but also expressed concerns that the proposal should undergo further review to ensure that no backsliding could occur. (PHCC, No. 32 at pp. 1–2) NEMA supported the

initiative to reduce regulatory burden by consolidating the three existing test procedures into a single metric for furnaces, but expressed concerns that the proposal outlined in the AHRI Petition would not comply with statutory requirements set forth in EPCA (specifically referencing the anti-backsliding provision at 42 U.S.C. 6295(o)(1)). NEMA encouraged DOE to deny AHRI's petition but encouraged AHRI to reformulate its proposed metric to ensure compliance with EPCA. (NEMA, No. 26 at pp. 2–8)

Several commenters expressed concern that the AFUE2 metric could confuse, mislead, or otherwise negatively impact consumers by masking the operating costs of different elements and products (with different energy sources), or lead to increased consumer costs. (NEEA, No. 35 at pp. 1–4; Joint Commenters, No. 42 at pp. 1, 4, 8; NRDC, No. 39 at pp. 2, 8; NYSERDA, No. 30 at pp. 1–2; National Grid, No. 28 at p. 1; CA IOUs, No. 27 at pp. 1, 5–6; Consumer Groups, No. 31 at p. 3; Regal Beloit, No. 25 at pp. 4–5) Similarly, ASE commented that the use of site-energy equivalents (rather than primary energy or average energy costs) to combine electricity and natural gas consumption into a single metric could lead to backsliding and could significantly misrepresent the relative energy operating costs to homeowners and consumers. (ASE, No. 40 at p. 2) NYSERDA stated that AFUE2 would incentivize manufacturers to optimize their designs to reduce site energy use, rather than consumer costs or total energy use. (NYSERDA, No. 30 at p. 2) National Grid and the CA IOUs stated that combining fuel sources into one metric creates confusion for utilities when estimating fuel savings associated with different products, which could make it difficult to develop incentive programs. (National Grid, No. 28 at p. 1; CA IOUs, No. 27 at pp. 1, 5–6) The CA IOUs suggested that a shift to AFUE2 would result in higher peak loads for electric utilities (which these commenters argued could in turn lead to higher utility bills for customers) because the saturation of efficient furnace fans and low standby loss units will decrease (as fan/electrical efficiency has a very limited impact on AFUE2 ratings). (CA IOUs, No. 27 at pp. 7–8) Regal Beloit added that maintaining the FER metric would protect consumer choice by driving the use of high-efficiency motors in all furnace types. (Regal Beloit, No. 25 at p. 4)

Regarding manufacturer burden, the Joint Commenters suggested that moving forward with the AFUE2 metric

could undermine regulatory predictability because it would strand the investments that furnace fan component manufacturers and furnace manufacturers have already made towards FER compliance. (Joint Commenters, No. 42 at pp. 6–7) NEEP asserted that the AFUE2 petition and enforcement policy would create regulatory uncertainty and undue hardship for motor manufacturers, retailers, distributors, and customers who are unclear about which furnaces will be compliant with the new standards. (NEEP, No. 36 at p. 1) NEEA and the Joint Commenters also suggested that AHRI's proposal would be damaging to manufacturers and their component and assembly suppliers, who have already invested in the design and production of products that meet the most recent efficiency standards. (NEEA, No. 35 at p. 3; Joint Commenters, No. 42 at pp. 2, 6–7) The CA IOUs also commented that there is no need for “trade-offs” between furnace fan and furnace efficiency, asserting that DOE has shown efficiency improvements to each rating to be cost-effective on their own. (CA IOUs, No. 27 at p. 7)

Consumer Groups remarked that while reductions in regulatory burden in the abstract are desirable, nothing in EPCA establishes “reducing regulatory burden” as a statutory goal, and according to these commenters, the contents of the AHRI petition violate explicit provisions of that statutory scheme. Specifically, the Consumer Groups provided several citations, which they argue require DOE to adopt and enforce standards for furnaces, including 42 U.S.C. 6291(23) (defining “furnace”), 42 U.S.C. 6291(22) (setting “annual fuel utilization efficiency” as the “efficiency descriptor” for “furnaces”), 42 U.S.C. 6295(f)(1) (setting initial AFUE standards for furnaces), 42 U.S.C. 6295(f)(4)(D) (directing DOE to set standards for furnace fans), and 42 U.S.C. 6295(gg) (directing DOE to set standards for furnace standby mode and off mode energy use). (Consumer Groups, No. 31 at pp. 2–4)

NEEA disagreed with AHRI's claim that innovation would increase as a result of adoption the AFUE2 metric and suggested that innovation would actually decrease because manufacturers often improve product features unrelated to efficiency at the same time that they redesign products to meet new energy efficiency requirements. (NEEA, No. 35 at p. 2) Similarly, the Joint Commenters commented that AFUE2 would allow manufacturers to avoid innovating air movement designs and suggested that increases in standards

drive innovation. (Joint Commenters, No. 42 at p. 9)

The Joint Commenters argued that AHRI's claim of manufacturer cost savings is overstated and appears to result from the assumption that furnace fan and standby mode and off mode efficiency improvements would not be required, which the commenters argued is not realistic since future standards must maximize technologically feasible and economically justified efficiency improvements. These commenters also argued that the assumption by AHRI that all future standards will have the same conversion costs as the first standard is similarly unrealistic, because future increases to the furnace fan standards will not be as far-reaching as the initial standards. (Joint Commenters, No. 42 at p. 7)

Several commenters, including manufacturers, utilities, and efficiency organizations, did come together in support of aligning future rulemakings or compliance timelines (including AFUE, FER, and PW_{SB} and PW_{OFF} test procedures and standards) to reduce manufacturer burden. (Lennox, No. 34 at pp. 2, 5–6; Regal Beloit, No. 25 at p. 1; Joint Commenters, No. 42 at pp. 2, 7; CEC, No. 38 at p. 5; CA IOUs, No. 27 at pp. 8–9; Consumer Groups, No. 31 at p. 3; NEMA, No. 26 at p. 8; NEEA, No. 35 at p. 2) Lennox opined that EPCA (specifically, 42 U.S.C. 6295(m)(4)(B)) precludes DOE from imposing AFUE and FER standards in an uncoordinated manner within a six-year period. (Lennox, No. 34 at p. 6)

Several commenters stated that the AFUE2 metric was developed without significant or open stakeholder input and/or argued that further review would be required before it could be adopted. (NEEP, No. 36 at pp. 1–2; CT DEEP, No. 46 at pp. 1–2; NYSERDA, No. 30 at p. 2; National Grid, No. 28 at p. 1; Regal Beloit, No. 25 at p. 4) Along these lines, ASE suggested that a single metric is logical and intuitive for consumers and could be investigated in a future rulemaking to determine whether a single metric for furnaces is feasible, capable of facilitating increased efficiency, and in the best interests of homeowners and consumers. However, ASE also suggested that DOE should conduct a thorough analysis of the possibility of a new test procedure for the next energy conservation standard for furnaces to avoid the need for a crosswalk and prevent the possibility of backsliding. (ASE, No. 40 at p. 2) Similarly, NPCC supported the concept of a single metric because it could be a simpler metric for consumers, could reduce the number of test procedures and energy conservation standards

rulemakings for DOE and industry, and could permit more flexible innovation by manufacturers. However, NPCC opposed the petition as written, asserting that the specific AFUE2 approach in the petition would likely reduce or eliminate the impact of the furnace fan standards. (NPCC, No. 29 at p. 2)

NRDC and the CA IOUs specifically opposed the AFUE2 test procedure's move to eliminate cyclic testing, asserting that this would remove the incentives for manufacturers to reduce cycling losses. (NRDC, No. 39 at pp. 6–7; CA IOUs, No. 27 at p. 9) NRDC also asserted that elimination of cyclic testing in the requested test procedure and its modification of the assumed operating hours that go into calculating AFUE are attempts to reopen issues that have already been publicly discussed and decided by DOE. (NRDC, No. 39 at pp. 6–7)

NEMA recommended that in any future standard based on AFUE2, DOE should require that the portion of the AFUE2 metric that accounts for furnace electrical consumption be as stringent or more stringent than the currently established FER standards. NEMA stated that this approach would require the differences in AHRI's proposed AFUE2 formula and DOE's FER formula (e.g., use of different operating hours) to be reconciled. (NEMA, No. 26 at pp. 6–8) A.O. Smith commented that the AFUE2 metric should not be applied to boilers based on the commenter's understanding of the scope of the petitioners' request and the product distinctions between a forced-air furnace and consumer boiler. A.O. Smith expressed concerns with several aspects of the AFUE2 metric including: (1) Inclusion of source-based power generation differences between gas and electricity in the metric; (2) the technical feasibility of integrating standby mode and off mode consumption with fossil-fuel consumption for consumer boilers; and (3) the absence of an affirmative indicator of intent to include consumer boilers in the AFUE2 metric. (A.O. Smith, No. 44 at pp. 1–2)

As explained in the following section, DOE carefully considered the relevant comments received in evaluating whether to initiate a rulemaking to propose adoption of the AFUE2 metric as requested by AHRI in its petition for rulemaking. DOE's response to these comments and its decision on the AHRI Petition are discussed in the balance of this document.

IV. DOE Analysis and Discussion

DOE first considered whether EPCA provides authority to adopt a single metric for furnaces and furnace fans, as requested by AHRI in their Petition for Rulemaking. As discussed, EPCA requires that any test procedures prescribed or amended must be reasonably designed to produce test results which measure energy efficiency or energy use of a covered product during a representative average use cycle or period of use, as determined by the Secretary, and shall not be unduly burdensome to conduct. (42 U.S.C. 6293(b)(3)) While the AHRI petition suggests that standards relying on AFUE2 could be established through a “crosswalk” as part of the test procedure rulemaking under 42 U.S.C. 6293(e), that provision does not affect the Secretary's obligation to issue final rules as described in 42 U.S.C. 6295. (42 U.S.C. 6293(e)(4)) Among the obligations under 42 U.S.C. 6295, EPCA requires that any new or amended energy conservation standard prescribed by the Secretary for any type (or class) of covered product must be designed to achieve the maximum improvement in energy efficiency, which the Secretary determines is technologically feasible and economically justified. (42 U.S.C. 6295(o)(2)(A)) DOE must also generally incorporate standby mode and off mode energy use into a single standard, or, if that is not feasible, adopt a separate standard for such energy use for that product. (42 U.S.C. 6295(gg)(3)(A)–(B)) Also as discussed, EPCA contains what is known as an “anti-backsliding” provision, which prevents the Secretary from prescribing any amended standard that either increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product. (42 U.S.C. 6295(o)(1))

In the past, DOE has determined furnaces and furnace fans to be separate covered products, each subject to the relevant test procedure and energy conservation standard provisions under EPCA. 79 FR 38130, 38175 (July 3, 2014). EPCA explicitly includes furnaces in the list of covered products. (42 U.S.C. 6292(a)(5)) Subject to certain criteria and conditions, EPCA requires DOE to consider and establish energy conservation standards for “electricity used for purposes of circulating air through duct work” (which DOE has defined as residential “furnace fans” at 10 CFR 430.2). (42 U.S.C. 6295(f)(4)(D)) Accordingly, DOE has established energy conservation standards at 10 CFR 430.32(y) for furnace fans as covered products through a final rule published

in the **Federal Register** on July 3, 2014. 79 FR 38130. Separately, DOE has established an energy conservation standard for furnaces governing the energy efficiency of active mode (10 CFR 430.32(e)(1)(ii)) and also established standards for furnace standby mode and off mode electrical power consumption (10 CFR 430.32(e)(1)(iii)).

DOE first evaluated whether it would be possible to establish a standard in terms of AFUE2 without increasing the maximum allowable energy use or decreasing the minimum required efficiency of furnaces (excluding during standby mode and off mode operation) and/or furnace fans (*i.e.*, whether a standard could be prescribed in terms of AFUE2 without violating EPCA's anti-backsliding provision).

A combined metric (*i.e.*, AFUE2) for furnaces and furnace fans would reflect the total energy consumption from both the furnace and furnace fan. In its petition, AHRI described the concept of the AFUE2 metric as follows: "The AFUE2 metric accounts for furnace fuel, fan power, and stand-by and off-mode power consumption. The measured value represents the sum of usable heat and fan benefit, divided by the total fuel and electricity consumed." (AHRI, No. 2 at p. 2) As a result of combining the various metrics into a single metric, manufacturers would be able to make tradeoffs between the efficiencies of the various covered products (*e.g.*, using a less-efficient fan while improving the efficiency of fuel consumption), which could lead to the efficiencies of either covered product (*i.e.*, either the furnace or furnace fan) decreasing below the currently applicable energy conservation standard.

As an example, if a single energy conservation standard were established for furnaces and furnace fans using the AFUE2 metric that is of equivalent stringency to the current minimum AFUE and maximum standby mode and off mode power consumption levels required for furnaces, and the maximum FER levels allowed for furnace fans, then a furnace paired with a highly efficient furnace fan could potentially have a fuel consumption efficiency (*i.e.*, AFUE) less than what is currently required under the AFUE standards (*e.g.*, less than 80 percent AFUE for non-weatherized gas furnaces), resulting in backsliding for the furnace efficiency as compared to the existing AFUE standard. Similarly, an AFUE2 standard could be met by pairing a furnace with a high AFUE (*e.g.*, over 90 percent) with an inefficient furnace fan that that would not separately meet the existing FER requirement. Furnaces with high

AFUE ratings could also potentially meet AFUE2 standards despite having standby mode and/or off mode power consumption that are not compliant with current requirements.

The CA IOUs provided test data for two units tested to the AFUE, FER, and AFUE2 test procedures that illustrated the risk of backsliding. The two units tested were both non-weatherized gas furnaces, and both had 80-percent AFUE ratings, input capacities of 60,000 Btu/h, and maximum blower rated airflows of 1,200 CFM. One unit (referred to as unit under test ("UUT")–01) had a permanent split capacitor blower motor and an FER rating of 359 Watts per 1,000 cfm (which is non-compliant with the existing standard for furnace fans at 10 CFR 430.32(y)). The other unit (UUT–02) had a blower with a multi-speed electrically commutated motor and an FER rating of 233 Watts per 1,000 cfm (which is compliant with the existing standard for furnace fans at 10 CFR 430.32(y)). Despite the significant differences in fan motor efficiencies, the AFUE2 ratings were only 1.3 percent different.⁹ (CA IOUs, No. 27 at pp. 1–3) These test results illustrate how efficiency improvements associated with a high-fuel-efficiency furnace could offset efficiency decreases from using a low-efficiency furnace fan at a given AFUE2 rating (*i.e.*, illustrating how under a unified metric, implementing a high-efficiency furnace technology could enable backsliding of furnace fan energy efficiency). Thus, if DOE were to adjust its existing furnaces energy conservation standards to now also capture fan energy use, it would only impact minimally compliant products and arguably grant an improper reprieve to products at the higher end of the efficiency marketplace. Additionally, as was also discussed by the CA IOUs, the data provided by AHRI in its AFUE2 Petition Exhibit 2 (Example Calculations)¹⁰ suggests that units with a wide range of FER ratings (including those that are compliant with the current FER requirements and those that are not) can have the same AFUE2 ratings. (CA IOUs, No. 27 at pp. 3–4) As a result of these findings, DOE has determined that adopting a single AFUE2 metric would violate EPCA's anti-backsliding

⁹ The CA IOUs did not measure jacket losses during testing and used the default value of 1 percent, as is allowed by the furnace test procedure at Appendix N if a jacket loss test is not conducted. The CA IOUs also estimated the AFUE2 results with a jacket loss factor of 0.3 percent, and the difference in ratings between UUT–01 and UUT–02 in that case was 1.2 percent.

¹⁰ The original data provided by AHRI can be found at www.regulations.gov/document/EERE-2018-BT-PET-0017-0002 as Exhibit 2.

provisions because it would allow decreases in the energy efficiency of individual covered products.

In evaluating the AHRI petition, DOE also separately sought to determine whether it would be feasible to integrate the active mode energy use and standby mode and off mode power consumption into an integrated metric. DOE has previously determined in a final rule published in the **Federal Register** that it is not feasible to establish an energy conservation standard for furnaces that integrates electrical standby mode and off mode energy use. 75 FR 64621, 64623 (Oct. 20, 2010; "October 2010 final rule"). In the October 2010 final rule, DOE concluded that it would not be technically feasible to develop an integrated metric combining electrical standby mode and off mode energy consumption into the calculation of overall annual energy consumption of those products because the standby mode and off mode energy usage, when measured, is essentially lost in practical terms due to the fact that manufacturers' ratings of AFUE are presented to the nearest whole number. *Id.* Although furnace ratings are now reported to the tenth place for compliance certification purposes (*see* 10 CFR 429.18(a)(2)(vii)), standby mode and off mode power consumption is substantially less than active mode power consumption and may not be apparent in the measured energy use of a furnace, and it does not change the fact that DOE's furnace energy conservation standards using the AFUE metric continue to be set at the nearest whole number. As such, a combined metric would likely not provide consumers any meaningful information as to the standby mode and off mode energy use of a furnace and may disincentivize manufacturers from making improvements to standby mode and off mode furnace efficiency.

DOE estimates that the electrical standby mode and off mode power consumption typically make up less than one percent of the combined furnace and furnace fan energy consumption, meaning that small increases in standby mode and off mode consumption would have little bearing on the AFUE2 rating. In its review of data provided by AHRI as part of its petition, DOE noted that a hypothetical doubling of the standby mode power consumption would result in a change of the AFUE2 result of less than half of one percent for each unit in the dataset. The AHRI petition and accompanying data do not support DOE changing its prior determination that it is not technically feasible to combine standby and off mode power consumption into a combined metric, and therefore, the

Department continues to conclude that these standards should remain separate.

As discussed previously, NEMA suggested that to prevent backsliding, in conjunction with a combined metric, DOE could create a separate requirement for the efficiency of the electrical component. (NEMA, No. 26 at pp. 6–8) For example, under such an approach, DOE would establish a combined metric (*e.g.*, AFUE2) but would additionally require that the furnace fan maintain a level of efficiency (*e.g.*, FER) no lower than the currently established FER standard. However, this approach was not suggested in the AHRI Petition, and DOE is not considering a modified combined metric, because with certain limited exceptions, DOE has interpreted the statutory definition of “energy conservation standard” at 42 U.S.C. 6291(6) and 42 U.S.C. 6311(18) as permitting establishment of only a single performance standard.¹¹ Furthermore, DOE notes that it is not clear that this suggested alternate approach would reduce the regulatory burden on manufacturers because a combined metric would have to include separate measurements and calculations for fuel consumption efficiency (to be compared to current AFUE standards), standby mode and off mode power consumption (to be compared to current $P_{W,SB}$ and $P_{W,OFF}$ standards), and furnace fan efficiency (to be compared to current FER standards) in order to prevent backsliding vis-a-vis any of the current metrics. Therefore, such an approach would effectively add an extra metric (*e.g.*, AFUE2) without replacing

¹¹ DOE notes that it has adopted dual metrics under 42 U.S.C. 6313(a)(6)(A), when the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) has amended ASHRAE Standard 90.1, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, and set a dual metric and accompanying standard levels. *See, e.g.*, 77 FR 28928 (May 16, 2012) (DOE adopted energy conservation standards for cooling and heating modes in terms of both Energy Efficiency Ratio (EER) and Coefficient of Performance (COP) for variable refrigerant flow (VRF) water-source heat pumps with cooling capacities at or greater than 135,000 Btu/h and less than 760,000 Btu/h (for which DOE did not previously have standards) in response to updated standards for such equipment in ASHRAE Standard 90.1.) DOE has also adopted a dual metric where a consensus agreement has been presented to DOE for adoption as a direct final rule (DFR) pursuant to 42 U.S.C. 6295(p)(4). *See, e.g.*, 76 FR 37408 (June 27, 2011) (For central air conditioners, DOE adopted dual metrics (*i.e.*, the Seasonal Energy Efficiency Ratio (SEER) and EER) for the hot-dry region as recommended by a consensus agreement supported by a variety of interested stakeholders including manufacturers and environmental and efficiency advocates.) DOE has interpreted these specific statutory provisions as authorizing an exception to the general rule previously stated.

any of the current metrics in practical terms.

Because DOE has determined that the proposed AFUE2 combined metric for furnaces and furnace fans would not be permitted under EPCA, DOE considers other comments received regarding the AHRI Petition, and in particular whether DOE should propose to adopt the AFUE2 metric, to be resolved. With regard to comments suggesting that DOE should align its future rulemakings for furnaces and furnace fans to minimize regulatory burden on manufacturers, DOE notes that it is bound by the statutory timeline provisions set out in EPCA. In particular, EPCA provides that, not later than 6 years after the issuance of any final rule establishing or amending a standard, DOE must publish either a notice of determination that standards for the product do not need to be amended, or a NOPR including new proposed energy conservation standards (proceeding to a final rule, as appropriate). (42 U.S.C. 6295(m)(1)) EPCA also requires that, at least once every 7 years, DOE evaluate test procedures for each type of covered product, including furnaces and furnace fans, to determine whether amended test procedures would more accurately or fully comply with the requirements for the test procedures to not be unduly burdensome to conduct and be reasonably designed to produce test results that reflect energy efficiency, energy use, and estimated operating costs during a representative average use cycle or period of use. (42 U.S.C. 6293(b)(1)(A)) To the extent feasible, DOE will seek to align the statutory review schedules for furnaces and furnace fans consistent with the provisions EPCA.

V. Denial of Petition

Taking into account all of the factors discussed above and consistent with the requirements under EPCA, DOE is hereby denying AHRI’s petition for rulemaking.

VI. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final denial of petition for rulemaking.

Signing Authority

This document of the Department of Energy was signed on September 9, 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 September 9, 2021.

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

[FR Doc. 2021–19813 Filed 9–20–21; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket 21–190; FCC 21–98; FRS 47254]

Assessment and Collection of Regulatory Fees for Fiscal Year 2021

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In this document, the Federal Communications Commission (Commission) seeks comment on two issues that impact regulatory fees. First, what methodology should we use to assess regulatory fees on unlicensed spectrum users, and second, how should we calculate the fee for small satellites that will become a feeable category in FY 2022.

DATES: Submit comments on or before October 21, 2021 and reply comments on or before November 5, 2021.

ADDRESSES: Interested parties may file comments and reply comments identified by MD Docket No. 21–190, by any of the following methods below.

- *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.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Roland Helvajian, Office of Managing Director at (202) 418-0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking* (NPRM), FCC 21-98, MD Docket No. 21-190, adopted on August 25, 2021 and released on August 26, 2021. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 45 L Street NE, Washington, DC 20554, and may also be purchased from the Commission's copy contractor, BCPI, Inc., 45 L Street, NE, Washington, DC 20554. Customers may contact BCPI, Inc. via their website, <http://www.bcpi.com>, or call 1-800-378-3160. This document is available in alternative formats (computer diskette, large print, audio record, and braille). Persons with disabilities who need documents in these formats may contact the FCC by email: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432. Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>. During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

I. Procedural Matters

1. *Ex Parte Information.* This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written

presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the Commission's rules or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

2. *Initial Regulatory Flexibility Analysis.* An initial regulatory flexibility analysis (IRFA) is contained in this summary. Comments to the IRFA must be identified as responses to the IRFA and filed by the deadlines for comments on the *Notice of Proposed Rulemaking*. The Commission will send a copy of the *Notice of Proposed Rulemaking*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

3. *Initial Paperwork Reduction Act of 1995 Analysis.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to

the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

II. Notice of Proposed Rulemaking

A. New Regulatory Fee Categories

1. We seek comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service. Some commenters suggest that we impose fees on particular industry participants, essentially asking that we consider new fee categories, such as unlicensed spectrum users, especially large technology companies, to pay regulatory fees. We seek comment on the legal basis for assessing regulatory fees on such users, consistent with the precedent interpreting our section 9 authority. What would be the proposed methodology for assessing regulatory fees on unlicensed spectrum users? We note that unlicensed spectrum users include a significant number of equipment manufacturers, such as appliance and other home goods equipment, many of which neither apply for nor require authorization by the Commission. Commenters should also explain, to the extent they advocate imposition of regulatory fees on either a subset of users or certain entities benefitting from such use, how to define any new fee category and how to calculate and assess such fees on an annual basis. Alternatively, should the Commission assess regulatory fees on large technology companies based on a different basis, such as any advantages they receive because of the Commission's universal service or other activities? Are there other categories that should be added, deleted, or reclassified? In recommending the addition, deletion, or reclassification of a fee category, commenters should also explain the impact of such addition, deletion or reclassification upon other regulatory fee categories and payors. We also seek comment on possible methodologies for re-calculating the regulatory fee allocation.

2. Section 9 of the Communications Act requires the Commission's methodology for assessing regulatory fees to "reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities." Commenters should specifically discuss how a proposed new fee category is consistent with the section 9 requirement to base regulatory fees on the number of FTEs

devoted to the oversight and/or regulation of the industry. Further, commenters should indicate how the new fee category fits within the Commission's current regulatory fee methodology. To the extent possible, commenters should support any proposed new fee category with data and/or examples necessitating a revision of the Commission's current regulatory fees framework.

B. Fees for Small Satellites

3. In anticipation of listing small satellites for the first time on the FY 2022 regulatory fee schedule, we seek comment on several proposals pertaining to this new category. In 2019, the Commission adopted a new, optional licensing process for small satellites and small spacecraft. The Commission also adopted a "small satellite" regulatory fee subcategory for licensed and operational satellite systems authorized under the new process adopted in that proceeding. As has been noted in prior year fee proceedings, small satellites typically have a number of characteristics that distinguish them from traditional NGSO satellite systems, such as having a lower mass, shorter duration missions, and more limited spectrum needs.

4. Commenters suggest that under the streamlined process, less agency resources are necessary to process than other systems because they are exempt from processing rounds and must certify that their operations will not interfere with those of existing operators or materially constrain future operators from using the assigned frequency band(s). For example, once small satellites are added to the Commission's regulatory fee schedule, the NGSO regulatory fee allocation be adjusted to a 5/5/90 split among small satellites, less complex systems, and other systems, respectively. Another suggestion is to assess a fee of 1/20th of the fee for NGSO systems, or a regulatory fee of not more than 1/10th of the previously proposed NGSO fee, which at the time was calculated to be \$22,350.00 for small satellites. One commenter believed that such a fee reflected the Commission's costs and was fair, but substantial in the amount.

5. We expect the small satellite fees to be on the FY 2022 fee schedule because there are several systems authorized under the small satellite process that are beginning operations, and we expect these systems to be operating as of the date for assessment of FY 2022 fees. FY 2022 will be the first year where regulatory fees are assessed on small satellites, and therefore we anticipate that we will continue to review

regulatory fees for small satellites on an ongoing basis as we gain more experience with these licensees and market access grantees.

6. There are a number of factors to consider in assessing the regulatory fee for such systems. There are a number of limitations on the benefits that small satellite licensees and market access grantees may receive from ongoing activities of the Commission. While small satellites may receive interference protection when operating as allocated, such satellites must be compatible with existing operations in the requested frequency bands and not materially constrain future operations of other satellites in those frequency bands. Moreover, small satellite licensees are limited to a license term not to exceed six years. As such, investments in any particular small satellite system are likely to be smaller compared with other types of NGSO systems, and therefore the overall benefits to a particular licensee from Commission rulemakings and other activities of an ongoing nature are also likely to be smaller. These systems are also less likely to be involved in ongoing adjudications because of the scope of such systems and the fact that they are not authorized under the Commission's processing round procedures. Further, as a result of the structure of the small satellite process, a single system may have multiple licenses or market access grants. There will also only be a few small satellite licensees which would commence operations as of the relevant date for assessing FY 2022 fees. Given these limitations, and taking into consideration the FTE regulatory benefits that may be associated with a single license or grant of market access, we make several proposals that would result in a fee for small satellites that is low, compared to other types of satellites or systems, but will reasonably reflect our FTE burden and the benefits received by these fee payors. We start with considering the number of FTEs working on oversight for this category of operators. Thus, we must estimate the relative number of FTEs that are attributable to benefitting small satellite licensees or grantees, based on the factors above. We also observe that due to the small satellite licensing regulatory framework and the nascent nature of these systems, currently, much of the IB FTE time that can be associated with small satellites appear to cover small satellite application processing.

7. Given the various considerations above, we seek comment on several proposals on the appropriate methodology to calculate the small satellite fees. First, we seek comment on

setting a fee for each small satellite license or market access grant, in such a way that the amount would not be dependent on the number of small satellite systems operating in a given regulatory period. This type of fee, rather than a fee that varies depending on the number of licensees or grantees, may be appropriate, since the small satellite process is calibrated to shorter duration missions, and therefore the number of small satellite systems licensed and operational could fluctuate more significantly from year to year than other types of NGSO systems that typically have a 15-year license term, creating uncertainty. We seek comment on these conclusions. There are several options for setting this type of fee. In comparing the actual regulatory work involved, we estimate that for a given small satellite system, the FTE activities would be approximately 1/20th of the FTE activities for a typical system in the category of "other" NGSO systems, similar to the Commission's findings in *In the FY 2018 Report and Order*. Thus, one option would be to tie the small satellite fee to the fee allocated for an individual "other" NGSO system in a given year, and charge any individual small satellite licensee or grantee 1/20th of that amount. Or, charge a small satellite system (even if authorized under multiple licenses), 1/20th of that amount. We recognize, however, that the fee for an individual "other" NGSO system may vary from year-to-year, and thus the fee for a small satellite licensee would be dependent on how many "other" NGSO systems are authorized and operational in a given year. As an alternative, we could set a fee for individual small satellite licensees (or systems), based on approximately 1/20th of FY 2021 NGSO "other" systems (\$17,178)—and which we could reassess each year to ensure that there was some predictability. We seek comment on these proposals and other appropriate methodology. Commenters suggesting other fee calculation methodologies should discuss how such methodologies would reasonably reflect the FTE time spent on regulatory activities or an objective measure that corresponds to the benefits of FTE time devoted to oversight and regulation of such entities.

8. Second, we seek comment on whether to allocate a percentage of the allocation for space station fees for small satellites. Under this proposal, a certain percentage of the space station fees would need to be recovered from small satellite regulatory fee payors, and therefore the amount would fluctuate depending on the number of payors in

the small satellite category. In estimating the percentage, we must consider that the number of systems in the small satellite category is likely to be small initially. This percentage could be reassessed depending on the number of small satellite systems in the category—as the benefits to the category as a whole as well as FTE activities would increase, as the number of systems increases. For example, if we estimate that roughly two to three percent of the total NGSO system regulatory FTE activities is comprised of activities for small satellites, and allocate two percent of the total NGSO fee to small satellites, based on the FY2021 regulatory fee amounts as an example, this would allocate approximately \$85,888 to the small satellite category. Divided among three licenses, for example, this would result in regulatory fees of approximately \$28,629 per license. We seek comment on this approach and generally on the best methods of fee calculation. Planet and AWS appear to propose an approach similar to this. AWS and Planet suggest an allocation that would be equivalent to the allocation for “less complex” NGSO systems, for example. We seek comment on these proposals as well. To the extent that commenters such as AWS propose that the Commission redistribute a percentage solely of the “less complex” NGSO system fee to systems authorized under the streamlined small satellite process, we note that while there may be overlap in the types of services being provided in some instances, there are also important differences between small satellites and “less complex” and “other” NGSO space station systems that we believe are likely to necessitate different regulatory fees. For example, as noted above, the license or market access term for these small systems are designed to be significantly shorter than other systems, an individual satellite is limited to an orbital lifetime of six years or less, and there is also no replenishment expectancy under the small satellite process. Therefore, the scope of such systems is inherently limited, as the Commission recognized in the *Small Satellite Report and Order*, when it established a separate fee category for small satellites only.

9. Both proposed fee approaches are estimates of the FTE burden and the benefits received by small satellite systems. As noted, we could revisit our adopted small satellite fee each year as the number of small satellite systems change and we become more familiar with the work involved in regulating such systems. We seek comment on how to determine that amount each fiscal

year to reflect any needed adjustment in proportion to the changes to our budget and cost. Would such approaches accurately capture the benefits to small satellite fee payors? We believe that both proposals reflect a reasonable approximation of the International Bureau’s total FTE work relative to these space station categories and the benefits each system receives. We further seek comment, however, on the various factors, such as rulemakings, adjudications, and international coordination, that are relevant to systems authorized under the Commission’s small satellite process and the FTE time devoted to those systems.

10. As indicated above in connection with the proposals, we also seek comment on whether we should assess regulatory fees per system or differently than other NGSO fee categories, given that a single entity may have multiple licenses for the same system, in accordance with the structure of the small satellite process. We do not want to discourage applicants from applying for multiple licenses, if such an approach is a good fit for their system plans, because of potential regulatory fees. Therefore, it is important that we account for the fact that one system may have multiple associated small satellite licenses or market access grants.

11. Finally, we also seek comment on how we should integrate the small satellite fee category into the overall space stations category. The total amount to be paid by small satellite regulatory fee payors could be either subtracted from the total space station allocation, before calculating the GSO/NGSO subcategories, or subtracted from the NGSO subcategory before calculating the fees for the subcategories among less complex and other NGSO systems. We seek comment on where we should place the small satellite category and whether it would be appropriate to include it as a third category under space stations, as GSO, NGSO, and Small Satellite, or place it as a subcategory under NGSO as NGSO Less Complex, NGSO Others, and Small Satellites. We seek comment on these and any other alternatives that would best reflect the statutory requirements of our regulatory fee authority under section 9 of the Communications Act and ensure that our actions in assessing regulatory fees on small satellite operators are fair, administrable, and sustainable.

III. Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended

(RFA), the Commission prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (*NPRM*). Written comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments on this *NPRM*. The Commission will send a copy of the *NPRM*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA). In addition, the *NPRM* and IRFA (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Proposed Rules

2. The *NPRM* seeks comment on a methodology for calculating regulatory fees, as required by section 9 of the Communications Act of 1934, as amended (Communications Act or Act), specifically for small satellites. The *NPRM* seeks comment on various factors, such as rulemakings, adjudications, and international coordination, that are relevant to systems authorized under the Commission’s small satellite process, and on the Commission’s earlier tentative conclusion that approximately 1/20 of FTEs are engaged in ongoing regulatory work related to small satellite systems. Specifically, the Commission observes that in assessing the regulatory fee for such small satellite NGSO systems, there are a number of factors to consider, including the fact that a single system may have multiple licenses, and therefore multiple call signs. The Commission also seeks comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service. Additionally, the Commission notes that there are a number of limitations on small satellite licensees and market access grantees that limit the benefits such entities may receive from ongoing activities of the Commission. The Commission observes that such systems are by definition not authorized through processing rounds, and while small satellites may receive interference protection when operating in frequency bands allocated for the service they are providing, such satellites must be compatible with existing operations in the requested frequency bands and not materially constrain future operations of other satellites in those frequency bands. Moreover, small satellite licensees are limited to a license term not to exceed six years. Given these limitations, and taking into

consideration the regulatory benefits that may be associated with a single license, the Commission proposes a flat regulatory fee for small satellite licenses and market access grants that would be not change based on the number of small satellite fee payors in a given fiscal year. Specifically, the Commission proposes a flat fee for small satellites that would be equal to 1/20th of the fee applicable to each NGSO systems in "other" NGSO subcategory. The Commission seeks comment on this proposal in the *NPRM*.

3. This regulatory fee *NPRM* is needed because the Commission is required by Congress to adopt regulatory fees each year "to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriation Acts." The objective of the *NPRM* is to determine a methodology for calculating small satellite regulatory fees.

B. Legal Basis

4. This action, including publication of proposed rules, is authorized under sections (4)(i) and (j), 159, and 303(r) of the Communications Act of 1934, as amended.

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

5. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted. The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act. A "small business concern" is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

6. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three broad groups of small entities that could be directly affected herein. First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration's (SBA) Office of Advocacy, in general a small business is an independent business

having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 30.7 million businesses.

7. Next, the type of small entity described as a "small organization" is generally "any not-for-profit enterprise which is independently owned and operated and is not dominant in its field." The Internal Revenue Service (IRS) uses a revenue benchmark of \$50,000 or less to delineate its annual electronic filing requirements for small exempt organizations. Nationwide, for tax year 2018, there were approximately 571,709 small exempt organizations in the U.S. reporting revenues of \$50,000 or less according to the registration and tax data for exempt organizations available from the IRS.

8. Finally, the small entity described as a "small governmental jurisdiction" is defined generally as "governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand." U.S. Census Bureau data from the 2017 Census of Governments indicate that there were 90,075 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States. Of this number there were 36,931 general purpose governments (county, municipal and town or township) with populations of less than 50,000 and 12,040 special purpose governments— independent school districts with enrollment populations of less than 511 governmental jurisdictions."

9. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as "establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including Voice over internet Protocol (VoIP) services, wired (cable and IPTV) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry." The SBA has developed a small business size standard for Wired

Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees. U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees. Thus, under this size standard, the majority of firms in this industry can be considered small.

10. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers. Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated for the entire year. Of that total, 3,083 operated with fewer than 1,000 employees. Thus under this category and the associated size standard, the Commission estimates that the majority of local exchange carriers are small entities.

11. *Incumbent LECs.* Neither the Commission nor the SBA has developed a small business size standard specifically for incumbent local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers. Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 indicate that 3,117 firms operated the entire year. Of this total, 3,083 operated with fewer than 1,000 employees. Consequently, the Commission estimates that most providers of incumbent local exchange service are small businesses that may be affected by our actions. According to Commission data, one thousand three hundred and seven (1,307) Incumbent Local Exchange Carriers reported that they were incumbent local exchange service providers. Of this total, an estimated 1,006 have 1,500 or fewer employees. Thus, using the SBA's size standard the majority of incumbent LECs can be considered small entities.

12. *Competitive Local Exchange Carriers (Competitive LECs), Competitive Access Providers (CAPs), Shared-Tenant Service Providers, and Other Local Service Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for these service providers. The appropriate NAICS Code category is Wired Telecommunications Carriers and under that size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 indicate that 3,117 firms operated during that year. Of that

number, 3,083 operated with fewer than 1,000 employees. Based on these data, the Commission concludes that the majority of Competitive LECS, CAPs, Shared-Tenant Service Providers, and Other Local Service Providers, are small entities. According to Commission data, 1,442 carriers reported that they were engaged in the provision of either competitive local exchange services or competitive access provider services. Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees. In addition, 17 carriers have reported that they are Shared-Tenant Service Providers, and all 17 are estimated to have 1,500 or fewer employees. Also, 72 carriers have reported that they are Other Local Service Providers. Of this total, 70 have 1,500 or fewer employees. Consequently, based on internally researched FCC data, the Commission estimates that most providers of competitive local exchange service, competitive access providers, Shared-Tenant Service Providers, and Other Local Service Providers are small entities.

13. *Interexchange Carriers (IXCs)*. Neither the Commission nor the SBA has developed a small business size standard specifically for Interexchange Carriers. The closest applicable NAICS Code category is Wired Telecommunications Carriers. The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 indicate that 3,117 firms operated for the entire year. Of that number, 3,083 operated with fewer than 1,000 employees. According to internally developed Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services. Of this total, an estimated 317 have 1,500 or fewer employees. Consequently, the Commission estimates that the majority of interexchange service providers are small entities.

14. *Prepaid Calling Card Providers*. Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling card providers. The appropriate NAICS code category for prepaid calling card providers is Telecommunications Resellers. This industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell

telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry. The SBA has developed a small business size standard for the category of Telecommunications Resellers. Under that size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 show that 1,341 firms provided resale services during that year. Of that number, 1,341 operated with fewer than 1,000 employees. Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 193 carriers have reported that they are engaged in the provision of prepaid calling cards. All 193 carriers have 1,500 or fewer employees. Consequently, the Commission estimates that the majority of prepaid calling card providers are small.

15. *Local Resellers*. The SBA has not developed a small business size standard specifically for Local Resellers. The SBA category of Telecommunications Resellers is the closest NAICS code category for local resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry. Under the SBA's size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data from 2012 show that 1,341 firms provided resale services during that year. Of that number, all operated with fewer than 1,000 employees. Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 213 carriers have reported that they are engaged in the provision of local resale services. Of these, an estimated 211 have 1,500 or fewer employees and two have more than 1,500 employees. Consequently, the Commission estimates that the majority of local resellers are small entities.

16. *Toll Resellers*. The Commission has not developed a definition for Toll Resellers. The closest NAICS Code

Category is Telecommunications Resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. MVNOs are included in this industry. The SBA has developed a small business size standard for the category of Telecommunications Resellers. Under that size standard, such a business is small if it has 1,500 or fewer employees. 2012 Census Bureau data show that 1,341 firms provided resale services during that year. Of that number, 1,341 operated with fewer than 1,000 employees. Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 881 carriers have reported that they are engaged in the provision of toll resale services. Of this total, an estimated 857 have 1,500 or fewer employees. Consequently, the Commission estimates that the majority of toll resellers are small entities.

17. *Other Toll Carriers*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable NAICS code category is for Wired Telecommunications Carriers, as defined in paragraph 6 of this IRFA. Under that size standard, such a business is small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees. Thus, under this size standard, the majority of firms in this industry can be considered small. According to Commission data, 284 companies reported that their primary telecommunications service activity was the provision of other toll carriage. Of these, an estimated 279 have 1,500 or fewer employees. Consequently, the Commission estimates that most Other Toll Carriers are small entities.

18. *Wireless Telecommunications Carriers (except Satellite)*. This industry comprises establishments engaged in operating and maintaining switching

and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services. The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees. For this industry, U.S. Census Bureau data for 2012 show that there were 967 firms that operated for the entire year. Of this total, 955 firms had employment of 999 or fewer employees and 12 had employment of 1,000 employees or more. Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities.

19. *Television Broadcasting.* This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound.” These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public. These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA has created the following small business size standard for such businesses: Those having \$41.5 million or less in annual receipts. The 2012 Economic Census reports that 751 firms in this category operated in that year. Of that number, 656 had annual receipts of \$25,000,000 or less. Based on this data we therefore estimate that the majority of commercial television broadcasters are small entities under the applicable SBA size standard.

20. The Commission has estimated the number of licensed commercial television stations to be 1,377. Of this total, 1,258 stations (or about 91 percent) had revenues of \$41.5 million or less, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Television Database (BIA) on November 16, 2017, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission has estimated the number of licensed noncommercial educational television stations to be 384. Notwithstanding, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities.

There are also 2,300 low power television stations, including Class A stations (LPTV) and 3,681 TV translator stations. Given the nature of these services, we will presume that all of these entities qualify as small entities under the above SBA small business size standard.

21. In assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, another element of the definition of “small business” requires that an entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific television broadcast station is dominant in its field of operation. Accordingly, the estimate of small businesses to which rules may apply does not exclude any television station from the definition of a small business on this basis and is therefore possibly over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and its estimates of small businesses to which they apply may be over-inclusive to this extent.

22. *Radio Stations.* This Economic Census category “comprises establishments primarily engaged in broadcasting aural programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.” The SBA has established a small business size standard for this category as firms having \$41.5 million or less in annual receipts. Economic Census data for 2012 show that 2,849 radio station firms operated during that year. Of that number, 2,806 firms operated with annual receipts of less than \$25 million per year, 17 with annual receipts between \$25 million and \$49,999,999 million and 26 with annual receipts of \$50 million or more. Therefore, based on the SBA’s size standard the majority of such entities are small entities.

23. According to Commission staff review of the BIA/Kelsey, LLC’s Media Access Pro Radio Database as of January 2018, about 11,261 (or about 99.9 percent) of 11,383 commercial radio stations had revenues of \$41.5 million or less and thus qualify as small entities under the SBA definition. The

Commission has estimated the number of licensed commercial AM radio stations to be 4,633 stations and the number of commercial FM radio stations to be 6,738, for a total number of 11,371. We note the Commission has also estimated the number of licensed noncommercial (NCE) FM radio stations to be 4,128. Nevertheless, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities. We also note, that in assessing whether a business entity qualifies as small under the above definition, business control affiliations must be included. The Commission’s estimate therefore likely overstates the number of small entities that might be affected by its action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, to be determined a “small business,” an entity may not be dominant in its field of operation. We further note, that it is difficult at times to assess these criteria in the context of media entities, and the estimate of small businesses to which these rules may apply does not exclude any radio station from the definition of a small business on these basis, thus our estimate of small businesses may therefore be over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and the estimates of small businesses to which they apply may be over-inclusive to this extent.

24. *Cable Companies and Systems (Rate Regulation).* The Commission has also developed its own small business size standards, for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide. Industry data indicate that there are 4,600 active cable systems in the United States. Of this total, all but five cable operators nationwide are small under the 400,000-subscriber size standard. In addition, under the Commission’s rate regulation rules, a “small system” is a cable system serving 15,000 or fewer subscribers. Commission records show 4,600 cable systems nationwide. Of this total, 3,900 cable systems have fewer than 15,000 subscribers, and 700 systems have 15,000 or more subscribers, based on the same records. Thus, under this standard

as well, we estimate that most cable systems are small entities.

25. *Cable System Operators (Telecom Act Standard)*. The Communications Act of 1934, as amended, also contains a size standard for small cable system operators, which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000.” As of 2019, there were approximately 48,646,056 basic cable video subscribers in the United States. Accordingly, an operator serving fewer than 486,460 subscribers shall be deemed a small operator if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed \$250 million in the aggregate. Based on available data, we find that all but five cable operators are small entities under this size standard. We note that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million. Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

26. *Direct Broadcast Satellite (DBS) Service*. DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic “dish” antenna at the subscriber’s location. DBS is included in SBA’s economic census category “Wired Telecommunications Carriers.” The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry. The SBA determines that a wireline

business is small if it has fewer than 1,500 employees. U.S. Census Bureau data for 2012 indicates that 3,117 wireline companies were operational during that year. Of that number, 3,083 operated with fewer than 1,000 employees. Based on that data, we conclude that the majority of wireline firms are small under the applicable SBA standard. Currently, however, only two entities provide DBS service, which requires a great deal of capital for operation: DIRECTV (owned by AT&T) and DISH Network. DIRECTV and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that internally developed FCC data are persuasive that, in general, DBS service is provided only by large firms.

27. *All Other Telecommunications*. The “All Other Telecommunications” category is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems. Establishments providing internet services or voice over internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry. The SBA has developed a small business size standard for All Other Telecommunications, which consists of all such firms with annual receipts of \$35 million or less. For this category, U.S. Census Bureau data for 2012 shows that there were 1,442 firms that operated for the entire year. Of those firms, a total of 1,400 had annual receipts less than \$25 million and 15 firms had annual receipts of \$25 million to \$49,999,999. Thus, the Commission estimates that the majority of “All Other Telecommunications” firms potentially affected by our action can be considered small.

28. *RespOrgs*. Responsible Organizations, or RespOrgs, are entities chosen by toll free subscribers to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber. Although RespOrgs are often wireline carriers, they can also include non-carrier entities. Therefore, in the definition herein of RespOrgs, two categories are presented, *i.e.*, Carrier RespOrgs and Non-Carrier RespOrgs.

29. *Carrier RespOrgs*. Neither the Commission, the U.S. Census, nor the SBA have developed a definition for Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers, and Wireless Telecommunications Carriers (except satellite).

30. The U.S. Census Bureau defines *Wired Telecommunications Carriers* as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.” The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees. U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees. Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

31. The U.S. Census Bureau defines *Wireless Telecommunications Carriers (except satellite)* as establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves, such as cellular services, paging services, wireless internet access, and wireless video services. The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees. Census data for 2012 show that 967 Wireless Telecommunications Carriers operated in that year. Of that number, 955 operated with less than 1,000 employees. Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

32. *Non-Carrier RespOrgs*. Neither the Commission, the U.S. Census, nor the SBA have developed a definition of Non-Carrier RespOrgs. Accordingly, the

Commission believes that the closest NAICS code-based definitional categories for Non-Carrier RespOrgs are “Other Services Related to Advertising” and “Other Management Consulting Services.”

33. The U.S. Census defines *Other Services Related to Advertising* as comprising establishments primarily engaged in providing advertising services (except advertising agency services, public relations agency services, media buying agency services, media representative services, display advertising services, direct mail advertising services, advertising material distribution services, and marketing consulting services). The SBA has established a size standard for this industry as annual receipts of \$16.5 million dollars or less. Census data for 2012 show that 5,804 firms operated in this industry for the entire year. Of that number, 5,612 operated with annual receipts of less than \$10 million. Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.

34. The U.S. Census defines *Other Management Consulting Services* as establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting). Establishments providing telecommunications or utilities management consulting services are included in this industry. The SBA has established a size standard for this industry of \$16.5 million dollars or less. Census data for 2012 show that 3,683 firms operated in this industry for that entire year. Of that number, 3,632 operated with less than \$10 million in annual receipts. Based on this data, we conclude that a majority of non-carrier

RespOrgs who provide TFN-related management consulting services are small.

35. In addition to the data contained in the four (see above) U.S. Census NAICS code categories that provide definitions of what services and functions the Carrier and Non-Carrier RespOrgs provide, Somos, the trade association that monitors RespOrg activities, compiled data showing that as of July 1, 2016 there were 23 RespOrgs operational in Canada and 436 RespOrgs operational in the United States, for a total of 459 RespOrgs currently registered with Somos.

D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

36. This NPRM does not propose any changes to the Commission’s current information collection, reporting, recordkeeping, or compliance requirements. Licensees, including small entities, will be required to pay application fees after such fees are adopted.

E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

37. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.

38. The NPRM seeks comment on a methodology to calculate regulatory fees

for small satellites. These small satellite systems are NGSOs; however, the Commission is proposing assessing a much smaller regulatory fee than the fee currently assessed on other NGSO systems. This new methodology would minimize the impact on small entities because the fee would be much lower than the existing NGSO fee. We also seek comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service. We also seek comment on possible methodologies for recalculating the regulatory fee allocation.

39. In addition, the Commission has taken steps to minimize the economic impact on small entities by adopting a de minimis threshold under the section 9(e)(2) exemption in the Act. Under the section 9(e)(2) exemption, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is \$1,000 or less for the fiscal year. The threshold applies only to filers of annual regulatory fees, not regulatory fees paid through multi-year filings.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

40. None.

IV. Ordering Clauses

41. Accordingly, *it is ordered* that, pursuant to the authority found in sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 159, 159A, and 303(r), this Notice of Proposed Rulemaking *is hereby adopted*.

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2021–20125 Filed 9–20–21; 8:45 am]

BILLING CODE 6712–01–P

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.

AGENCY FOR INTERNATIONAL DEVELOPMENT

U.S. Global Water Strategy 2017–2022; Meeting

AGENCY: United States Agency for International Development.

ACTION: Request for public comment and notice of public meeting.

SUMMARY: The Department of State (DOS) and the United States Agency for International Development (USAID) announce a public meeting and request public comment on the United States Global Water Strategy 2017–2022, including its achievements, challenges, implementation, results, and priorities. Comments from the public will inform the development of the revised U.S. Global Water Strategy and Agency-specific plans in 2022.

DATES:

1. Written comments and information are requested on or before Friday, October 29, 2021, at 5:00 p.m. EDT.

2. A Public Meeting to receive further comment will take place on November 17, 2021, at 2:00 p.m. EDT via Zoom (<https://statedept.zoomgov.com/meeting/register/vJItdeCqqzIvE77yMpttzV8W82xO1mkqEXw>).

3. Registration for the Public Meeting is required no later than Wednesday November 3, 2021, at 5:00 p.m. EDT, at <https://statedept.zoomgov.com/meeting/register/vJItdeCqqzIvE77yMpttzV8W82xO1mkqEXw>.

ADDRESSES:

You may submit comments regarding the U.S. Global Water Strategy 2017–2022 by email to waterteam@usaid.gov. Include “Comments: U.S. Global Water Strategy” in the subject line.

To request reasonable accommodations for the Public Meeting on November 17, contact Danielle Neighbour at NeighbourDG@state.gov. Include “Global Water Strategy Public Meeting: Reasonable Accommodations” in the subject line.

To register for the Public Meeting go to the following URL: <https://statedept.zoomgov.com/meeting/register/vJItdeCqqzIvE77yMpttzV8W82xO1mkqEXw>.

Instructions: Please see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Written Comments:
Lisa Schechtman, 202–712–0419,
waterteam@usaid.gov.

Public Meeting:
Danielle Neighbour, 202–679–1296,
NeighbourDG@state.gov.

SUPPLEMENTARY INFORMATION: The Senator Paul Simon Water for the World Act of 2014 (Pub. L. 113–289) requires the Department of State and USAID to jointly deliver a whole-of-government U.S. Global Water Strategy (GWS) by October 1, 2017 and every five years thereafter through 2027. The first revision of the Strategy, Agency-specific Plans, and High-Priority Country Plans (HPC) are due to the Foreign Relations Committee of the Senate, the Appropriations Committee of the Senate, the Foreign Affairs Committee of the House of Representatives, and the Appropriations Committee of the House of Representatives on October 1, 2022.

The Act requires the U.S. Global Water Strategy to include results areas, performance indicators, high priority country plans and roles and responsibilities based on contributing interagency capacities that describe how the U.S. Government will collectively contribute to the success of the Global Water Strategy. The Act also requires that DOS and USAID draft Agency-specific plans to be appended to each Global Water Strategy, along with any other Federal Department and Agency as relevant.

The U.S. Global Water Strategy aims to achieve a water-secure world where people have sustainable supplies of water of sufficient quantity and quality to meet human, economic, and ecosystem needs while improving the adaptive capacity and enhancing the resilience of people and systems to survive shocks and stressors such as floods and droughts. To advance this goal, the U.S. Government will work with partner countries, the private sector, and other stakeholders to advance four interrelated strategic objectives: (1) Promote sustainable access to safe drinking water and

sanitation services, and the adoption of key hygiene behaviors; (2) encourage the sound management and protection of freshwater resources; (3) reduce conflict by promoting cooperation on shared waters; and (4) strengthen water sector governance, financing, and institutions

Request for Public Comment

To inform revisions to the Global Water Strategy, DOS and USAID invite written comments from the public on successes and challenges with implementation, monitoring, and reporting on the Global Water Strategy 2017–2022. DOS and USAID are especially interested in comments on the following:

(1) What steps can be taken to strengthen implementation of the Global Water Strategy? (Provide evidence and agency-specific examples if possible.)

(2) What untapped opportunities exist to accelerate progress towards the GWS Strategic Objectives? (Consider cross-cutting issues or emerging priorities. Provide evidence and examples if possible.)

Written comments and information are requested on or before Friday, October 29, 2021, at 5:00 p.m. EDT, and should be submitted by email to waterteam@usaid.gov. Include “Comments: U.S. Global Water Strategy” in the subject line. Please submit comments and information as a Word or PDF attachment to your email. You are encouraged to submit written comments even if you plan to attend the public meeting.

Public Meeting

A public meeting to receive input will take place November 17, 2021 at 2:00 p.m. EDT. This meeting is free and open to the public. Persons wishing to attend the meeting must register at the following URL no later than Wednesday, November 3, 2021, at 5:00 p.m. EDT: <https://statedept.zoomgov.com/meeting/register/vJItdeCqqzIvE77yMpttzV8W82xO1mkqEXw>.

Closed captioning will be provided during the public meeting. Questions about the public meeting or requests for reasonable accommodations should be directed to Danielle Neighbour at NeighbourDG@state.gov. Include “Global Water Strategy Public Meeting: Reasonable Accommodations” in the subject line.

(Authority: Sec. 6, Pub. L. 113–189, 128 Stat. 3288 (22 U.S.C. Ch. 32 2152h))

Dated: September 16, 2021.

Lisa Schechtman,

*Senior Policy and Partnerships Advisor,
Center for Water Security, Sanitation and
Hygiene, Bureau for Resilience and Food
Security, United States Agency for
International Development.*

[FR Doc. 2021–20366 Filed 9–20–21; 8:45 am]

BILLING CODE 6116–02–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2018–0041]

Availability of Kit Product Labeling Guideline

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of availability and response to comments.

SUMMARY: In July 2019, the Food Safety and Inspection Service (FSIS) published and requested comment on a guideline for establishments producing multi-component kit products that contain inspected and assembled meat or poultry components. FSIS is announcing updates to this guideline and responding to comments received on the guideline. FSIS intends for this guideline to help establishments and other food handling facilities producing a multi-component food kit determine whether the kit product needs to be prepared under FSIS inspection and how to label a kit product that contains fully labeled meat or poultry components. The guideline represents current FSIS thinking, and FSIS will update it as necessary to reflect comments received and any additional information that becomes available.

ADDRESSES: A downloadable version of the kit guideline is available to view and print at: <https://www.fsis.usda.gov/policy/fsis-guidelines>. No hard copies of the kit guideline have been published.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development by telephone at (202) 205–0425.

SUPPLEMENTARY INFORMATION:

Background

FSIS administers a regulatory program under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031 *et seq.*) to, in part, ensure

that the labeling of meat, poultry and egg products is truthful and not misleading. Mandatory labeling requirements for meat and poultry products are prescribed in Title 9 of the Code of Federal Regulations (CFR) section 317.2 and part 381 subpart N.

On July 9, 2019, FSIS announced the availability of and requested comment on the *Food Safety and Inspection Service Guideline on Kit Labeling* (84 FR 32705). FSIS developed the guideline for establishments and other food handling facilities to provide information on the labeling and inspection of multi-component food kit products that contain an inspected and assembled meat or poultry component.

There are many varieties of food kit products that contain meat or poultry products, including, but not limited to: Wraps, pizza, stew, salads, fajitas, stroganoff, and stir-fry skillet meals. These items are commonly sold as fully cooked, but some may require cooking. Generally, the meat and poultry components are separately wrapped and already inspected and fully labeled before assembly with various food components in the same packaging.

As announced in the July 2019 guideline, FSIS determined that the act of assembling a food kit product whose label refers to meat or poultry in its name does not need to be done under FSIS inspection, provided that the meat or poultry component has already been inspected, packaged, and labeled and as long as the following conditions are met:

1. The meat or poultry component is prepared and separately packaged under FSIS inspection and labeled with all required features, including:

- Product Name;
- Handling statement (*e.g.*, Keep Refrigerated), if product is perishable;
- USDA legend and establishment number of the official establishment that packaged and labeled the meat or poultry component;
- Name and address of the manufacturer, packer, or distributor;
- Ingredients statement (if composed of more than one ingredient); and
- Safe handling instructions if the meat or poultry components is not ready-to-eat;

2. The outer kit label clearly identifies all the individual components in the kit; and

3. The outer kit label clearly identifies the product as a single unit or “kit” such as “Chicken Barbecue Dinner Kit” and “Beef Lasagna Meal.”

Although FSIS will no longer conduct mandatory inspection of the assembly of the kit product, the meat or poultry component of the kit remains under

FSIS’ jurisdiction and, as such, is required to meet all applicable FSIS labeling requirements.

The revised guideline is posted at: <https://www.fsis.usda.gov/policy/fsis-guidelines>. Although comments will no longer be accepted through <https://www.regulations.gov/> on this guideline, FSIS will update this document as necessary if new information becomes available.

Comments and FSIS Responses

FSIS received 15 comments on the kit guideline. Most comments were submitted by firms that prepare kits and trade associations that represent the meat and retail industries. In addition, FSIS received comments from an animal welfare organization, a firm that exports kit products from the United States, an FSIS employee, and several individuals. The following is a summary of the comments and FSIS’ responses:

Kit Definition

Comment: One consumer requested that FSIS provide a clearer definition of a kit and clarify whether Agency policy distinguishes between a kit and a meal kit. One firm that prepares kits similarly requested a clearer definition of a kit and asked for additional guidance on the distinction between a single unit and a kit.

Response: As stated in the guideline, a kit product consists of individually packaged meat or poultry components and other food components sold together as a single unit. FSIS policy does not distinguish between the terms “kit”, “meal kit”, or “single unit.” Although the word “kit” is not required on the label, all labeling should clearly indicate that the product consists of individual components. Because this information is already stated in the guideline, FSIS did not make any changes to it in response to these comments.

Retail Exemption

Comment: Several commenters, including firms that prepare kit products and trade associations representing the meat and retail food industries, requested that FSIS revise the guideline to provide clarifying or additional information about eligibility for the retail exemption from FSIS inspection. One firm requested explanation of how the retail exemption applies to kits assembled and sold by retail grocery stores, prepared kits sold at retail, and kits sold through online marketplaces and other direct-to-consumer platforms. Several trade associations requested that FSIS clarify which meat or poultry components

produced under the retail exemption need not bear all required features for labeling. One firm stated that such clarification would avoid manufacturer confusion about whether meal kits that include a recipe card would be eligible for the retail exemption.

Response: The guideline does not apply to facilities preparing kits under the retail exemption from FSIS inspection (9 CFR 303.1(d) and 381.10(a)(1)) because these facilities were not previously required to assemble kits under FSIS inspection. The retail exemption remains unchanged by the guideline. Kits prepared under the retail exemption may only be sold directly to the end consumer and cannot be sold for resale. FSIS has updated the guideline to clarify that the scope of the document does not include products produced under the retail exemption. The original version and updated version of the guideline explain that FSIS labeling regulations, other than the requirement of the official inspection legend, apply to kits that are assembled under the retail exemption (9 CFR 303.1(f), 381.10(d)(4)).

Bulk Labeling

Comment: One firm that prepares kits requested clarification on whether FSIS inspection and label approval requirements apply to firms that receive and further process bulk product as part of final kit assembly, including portioning and packaging the meat component. Another firm that prepares kits using bulk-packed FSIS-inspected products asked whether the firm may make copies of the label on the bulk container and apply them to the product components that have been separated and rewrapped.

Response: FSIS has updated the guideline to clarify that Agency guidance on the preparation of kit products without FSIS inspection does not apply when the meat or poultry component is processed, including portioned or packaged, by the firm assembling the kit. Such processing activities would require FSIS inspection if the production does not qualify for the retail exemption. Further, the resulting assembled kit product would require label approval by FSIS if the outer kit label met any of the conditions for required label approval under the regulations at 9 CFR 412.1. A firm portioning and repackaging bulk-packed products typically would not be permitted to make a copy of the original label since that label would likely bear the original establishment's USDA legend, company name, and a net weight.

Component Standard of Identity

Comment: One consumer requested clarification on whether, if the finished product of the meat or poultry component of a kit is labeled as a product that has a standard of identity, must the fully assembled kit label meet that standardized product name.

Response: FSIS updated the guideline to clarify that if a kit is labeled as a product with a standard of identity as defined under the regulations in 9 CFR part 319 or 381 subpart P, the components, once assembled, must meet the applicable standard of identity. For example, a "Beef Chili Kit" must contain 40 percent beef computed based on the weight of the fresh meat as described in 9 CFR 319.300.

Shipping Container Labeling

Comment: A USDA employee asked whether a shipping container comprising one or multiple kit products that were assembled at an official establishment without FSIS inspection would need to bear a USDA legend.

Response: The regulatory requirement that the shipping container bear a USDA legend (9 CFR 316.13 and 381.27) only applies to products that have been inspected and passed. FSIS updated the guideline to clarify that when a kit is assembled in an official establishment without FSIS inspection, the shipping container into which the kit is placed may not bear a USDA legend. In such case, the mark of inspection will be displayed on the label and packaging of the meat or poultry component included in the kit.

Outer Package Labeling

Comment: Comments from several trade associations, firms that prepare kit products, individuals, and one USDA employee asked FSIS to clarify what language should be used on the kit label to describe the product as a single unit of individual components. These commenters also asked where the description of the individual components should be displayed on the outer label.

Response: FSIS has updated the guideline to clarify that the requirements for the language on the outer kit label that identify the product as a kit are flexible. The outer label for the kit should identify all the individual components in the kit, as well as identify the product as a single unit. The use of the word "kit" on the outer label is not required, nor is a specific location on the outer label for the identification of the individual components. For example, the outer label could display the product name

"Chicken Barbecue Dinner Kit" or "Beef Lasagna Meal."

Immediate Package Labeling

Comment: One consumer asked whether FSIS would require safe handling instructions on the immediate package of a not ready to eat (NRTE) meat or poultry component in a kit.

Response: As stated in the guideline, if the meat or poultry component of a kit product is NRTE, the immediate package must include safe handling instructions in order to meet the regulatory requirements for kit assembly without FSIS inspection.

Export Labeling

Comment: One firm that exports kit products to Canada asked which package components need to include bilingual labels.

Response: FSIS does not require bilingual labels; however, Canada does have such labeling requirements (*i.e.*, French and English). More information about Canada's requirements can be found on the Import and Export Library available at: <https://www.fsis.usda.gov/inspection/import-export/import-export-library>. FSIS inspectors verify and certify that products intended to be exported to a foreign country meet the foreign country's requirements.

Labeling Claims and Declarations

Comment: An animal welfare organization requested that FSIS require pre-market label approval for animal-raising claims on the exterior packaging of kit products.

Response: As a kit meeting the criteria as described in the guideline may be assembled without FSIS inspection and, as such, the outer label does not bear a USDA legend, the outer label is not subject to label approval requirements under the regulations at 9 CFR 412.1. Outer kit labels for products assembled without FSIS inspection under the conditions described in the guideline are required to comply with FSIS labeling requirements.

Comment: One firm that prepares kits requested that FSIS require allergen declarations to be displayed on the outer packaging and to prohibit ingredient statements on the meat or poultry component. The commenter stated that such requirements would reduce consumer confusion by identifying all allergens and other ingredients in a central location on the retail package.

Response: If the only component within the kit that includes an ingredients statement is the meat or poultry component, that should not cause any confusion. FSIS does not

think that consumers will assume other unlabeled components, such as soy sauce or pasta, do not contain allergens. Both the outer kit label and the meat or poultry component must be fully labeled in compliance with FSIS labeling regulations. Therefore, the outer kit label will bear a complete ingredients statement that declares all ingredients in each component within the kit. These labeling requirements were already explained in the previous version of the guideline; therefore, FSIS did not make any changes in response to this comment.

Comment: One individual asked FSIS to explain how the nutrition facts declaration should be displayed on a kit.

Response: A kit label bearing nutrition facts may present this information 1. centrally, based on the prepared, assembled product; 2. with separate panels for each component as packaged; or 3. as one panel with multiple columns for each component as packaged. The nutrition labeling requirements of 9 CFR 317.309 and 381.409 remain unchanged by this guideline. FSIS did not make any changes to the guideline based on this comment. Based on FSIS communications with these facilities, they understand nutrition labeling requirements.

Labeling Verification

Comment: One firm that prepares kits stated that the Agency should provide clear communication to FSIS inspectors to ensure the consistent application of kit labeling policies.

Response: FSIS will issue a directive to provide instructions to inspection program personal for conducting verification activities for kit products to ensure compliance with FSIS regulations.

Mandatory and Voluntary FSIS Inspection

Comment: An FSIS employee requested that FSIS clarify whether a kit may be assembled under voluntary FSIS inspection and, therefore, bear a USDA inspection legend.

Response: FSIS clarified in the guideline that the assembly of a kit product as described in this guideline is eligible for voluntary inspection as a food inspection service under 9 CFR 350.3(c). FSIS also announced that, going forward, it will no longer conduct mandatory inspection services for such kits, as the Agency determined that providing inspection for these products as a voluntary food inspection service is the best use of Agency resources. After publication of this notice, FSIS will

provide instructions for firms currently receiving mandatory inspection for such products regarding the procedures and timelines for withdrawing mandatory inspection and the option to seek voluntary inspection.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication online through the FSIS web page located at: <https://www.fsis.usda.gov/federal-register>. FSIS

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

Paul Kiecker,

Administrator.

[FR Doc. 2021-20403 Filed 9-20-21; 8:45 am]

BILLING CODE 3410-DM-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; Generic Clearance for Emergency Economic Information Collections

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 February 8, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Department of Commerce.

Title: Generic Clearance for Emergency Economic Information Collections.

OMB Control Number: 0607-XXXX.

Form Number(s): None.

Type of Request: Regular submission, New Information Collection.

Number of Respondents: We estimate the potential maximum number of respondents to all EEIC's in a given year is 300,000.

Average Hours per Response: 10 minutes.

Burden Hours: 50,000.

Needs and Uses: The U.S. Census Bureau requests Office of Management and Budget (OMB) approval for a 3-year period, for a new generic clearance that provides the quick turn-around necessary for conducting emergency economic information collections (EEIC) in response to unanticipated international, national, or regional declared emergencies or events of national interest arising as a direct result of declared emergencies having a significant economic impact on U.S. businesses and/or state or local governments. The purpose of the collections will be to gauge and monitor the economic impact of such events on U.S. businesses or organizations and state or local governments.

The Coronavirus pandemic, in addition to having devastating effects on the health and wellbeing of the global population, has had a profound effect on the world economy. The Census Bureau, in carrying out its mission to serve as the nation's leading provider of quality data about its people and economy, has sought to measure the effect on U.S. businesses through supplemental questions added to several of its recurring business surveys and a new special-purpose survey meant to measure the effect of the pandemic on small, employer owned businesses—the Small Business Pulse Survey (OMB number 0607–1014). Due to the need to collect data on a timely basis, the Census Bureau submitted these requests to the Office of Management and Budget under the emergency processing provisions of the Paperwork Reduction Act (PRA).

Although that process allowed us to implement the collections in a timely manner, restrictions on the use of the PRA emergency process to revise or extend these collections hampered our ability to remain agile and to collect data on an ongoing basis as the Pandemic continued throughout 2020 and beyond. We believe that a generic clearance will benefit the Census Bureau, the reporting public, and the many stakeholders who will have great need for information during times of future unanticipated events.

Emergencies, once declared by the authorized state or federal official or entity, that could trigger the need for an

EEIC may have global, national, or regional impact on U.S. businesses and governments, and include the following examples:

- Pandemic or other health emergency
- Natural or manmade disaster
- Acts of war or terrorism
- Civil unrest or insurrection

Other events of national interest arising as a direct result of declared emergencies may also have a significant impact on U.S. businesses or governments. An example of a recent such event is the computer chip shortage which has resulted from labor and resource shortages directly stemming from the effects of the Coronavirus pandemic. The computer chip shortage has had a significant effect on industries ranging from computer manufacturing to automobile production. Another example is the need to monitor and track production and exports of personal protective equipment (PPE) and vaccines that arose during the Coronavirus pandemic. General categories of national interest events arising as a direct result of declared emergencies which could trigger the need for an EEIC are:

- Economic crises
- Financial crises
- International geo-political instabilities
- Resource shortages
- Cyberterrorism
- New legislation passed as a direct result of a declared emergency

A declared emergency or national interest event arising as a direct result of a declared emergency would need to have a perceived impact on U.S. businesses and/or state or local governments in order for the Census Bureau to collect EEIC information in response.

EEIC questions may be included as supplemental questions on existing Census Bureau surveys or conducted as new special-purpose surveys. The data will be collected by paper or electronic instruments, depending on the survey or program.

The questions will be chosen from a pretested Question Bank. For some subjects, the Question Bank includes specific questionnaire content. In other cases, the Question Bank includes topics which will then be addressed with questions designed to meet data needs that arise during a future unknown event. Some questions have been cognitively tested and should be considered final; some may require testing for final wording. Questions that may require testing and refinement are annotated in the Question Bank. As the Question Bank matures with new or revised content, the Census Bureau will resubmit the bank for review.

The Census Bureau will first obtain approval for the generic clearance under the regular processing provisions of the PRA (the subject of this clearance request). The clearance request defines the scope and overall burden of information collections to be conducted under the generic clearance. As future emergencies arise, the Census Bureau will use the process defined below to obtain approval for individual EEIC's.

Clearance process for an EEIC:

1. Based on an emergency or national interest event arising as a direct result of a declared emergency, the Census Bureau decides to conduct an EEIC.

2. The OMB–OIRA Desk officer is notified of the EEIC immediately via email, followed by receipt of the “Request for Emergency Economic Information Collection” describing the emergency or resulting national interest event and the planned information collection. The supplemental questions or collection instrument will be attached to the Request for EEIC.

3. The Request for EEIC will include a date by which OMB approval is required. The standard review time for requests under this generic clearance will be 10 days. However, a review time of as few as 3 days may be requested. Special justification for any review time of less than 10 days will be included in the Request for EEIC.

4. The OMB–OIRA desk officer responds with approval or comments on the proposed EEIC within the timeframe specified in the Request for EEIC. OMB may provide approval and comments orally (followed by email for written documentation) or by email directly to the Census Bureau. This may occur before the request is submitted and received by OMB through the official ICR tracking system. If no response is received within the specified timeframe, the information collection is considered approved.

5. The Census Bureau maintains a library of data collection instruments that includes all final data collection instruments conducted under this generic clearance. This library and the burden expended is submitted to OMB quarterly as a non-substantive change to the generic clearance.

6. EEICs will last a maximum of 9 months (this limit was stated as 6 months in the February 8, 2021 notice and has since been increased to 9 months).

7. A new Request for EEIC may be submitted under the generic clearance if the Census Bureau determines the need to revise an existing EEIC or to extend the collection past the initial 9 months.

As data collections will be tailored to the emergency, users of the data may

vary, but may include: Federal, state, or local officials charged with decision-making during the emergency; business leaders and policymakers wishing to develop plans to ameliorate the effects of the emergency; academics and members of the press wishing to study and disseminate information about the emergency; and the public. The data collected will help us understand how and why data we collect in our ongoing surveys may be affected by the emergency, as well as allow us to disseminate data as part of existing releases, new releases, or experimental releases.

Affected Public: Business or other for-profit organizations; State, Local, or Tribal government; Federal government.

Frequency: On occasion.

Respondent's Obligation: Determinations about whether EEIC questions will be mandatory or voluntary will be made in consultation with legal counsel. This information will be included the Request for EEIC submitted to OMB in advance of the collection.

Legal Authority: Title 13 U.S.C., Sections 131, 161, 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 the title of the collection.

Sheleen Dumas,

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

[FR Doc. 2021-20422 Filed 9-20-21; 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; Small Business Pulse Survey

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 19, 2020 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Census Bureau, Department of Commerce.

Title: Small Business Pulse Survey.

OMB Control Number: 0607-1014.

Form Number(s): None.

Type of Request: Regular Submission, Request for a Revision of a Currently Approved Collection.

Number of Respondents: 810,000 (22,500 responses per week for up to a maximum of 36 weeks of collection).

Average Hours per Response: 6 minutes.

Burden Hours: 81,000 + 3 hours for cognitive testing = 81,003.

Needs and Uses: Phase 1 of the Small Business Pulse Survey was launched on April 26, 2020 as an effort to produce and disseminate high-frequency, geographic- and industry-detailed experimental data about the economic conditions of small businesses as they experience the coronavirus pandemic. It is a rapid response endeavor that leverages the resources of the federal statistical system to address emergent data needs. Given the rapidly changing dynamics of this situation for American small businesses, the Small Business Pulse Survey has been successful in meeting an acute need for information on changes in revenues, business closings, employment and hours worked, disruptions to supply chains, and expectations for future operations. In addition, the Small Business Pulse Survey provided important estimates of federal program uptake to key survey stakeholders.

Due to the ongoing nature of the pandemic, the Census Bureau subsequently conducted Phases 2 through 6 of the Small Business Pulse Survey. The Office of Management and Budget authorized clearance of Phase 6 of the Small Business Pulse Survey on August 6, 2021. The Census Bureau now seeks approval to conduct Phase 7 of the Small Business Pulse Survey which will occur over 9 weeks starting November 15, 2021.

The continuation of the Small Business Pulse Survey is responsive to stakeholder requests for high frequency

data that measure the effect of changing business conditions during the Coronavirus pandemic on small businesses. While the ongoing monthly and quarterly economic indicator programs provide estimates of dollar volume outputs for employer businesses of all size, the Small Business Pulse Survey captures the effects of the pandemic on operations and finances of small, single location employer businesses. As the pandemic continues, the Census Bureau is best poised to collect this information from a large and diverse sample of small businesses.

It is hard to predict when a shock will result in economic activity changing at a weekly, bi-weekly, or monthly frequency. Early in the pandemic, federal, state, and local policies were moving quickly so it made sense to have a weekly collection. The problem is that while we are in the moment, we cannot accurately forecast the likelihood of policy action. In addition, we are not able to forecast a change in the underlying cause of policy actions: The effect of the Coronavirus pandemic on the economy. We cannot predict changes in the severity of the pandemic (e.g., will it worsen in flu season?) nor future developments that will alleviate the pandemic (e.g., vaccines or treatments). In a period of such high uncertainty, the impossibility of forecasting these inflection points underscores the benefits of having a weekly survey. For these reasons, the Census Bureau will proceed with a weekly collection.

SBPS Phase 7 content includes the core concepts seen throughout the SBPS previous phases, such as overall impact, business closures/openings, revenue and employment changes, workplace vaccine and testing requirements, and business outlook. New business norms questions 14-16 were introduced for phase 6 and will continue to Phase 7. Based on feedback from the Department of Commerce's chief economist, another new business norm question was developed. Question 17 was developed to capture business changes not included in question 14-16. The responses to the new question are captured through a select all that apply. This question was cognitively tested with six businesses. Additionally, in anticipation of potential pandemic reoccurrence with economic impact on small businesses, we have included the previous cash on hand question. To balance out the questionnaire with these new additions, we removed the question inquiring about revenues from exports and the open-ended question with 1000 characters. The remarks field at the end of the survey will still be present.

All results from the Small Business Pulse Survey will continue to be disseminated as U.S. Census Bureau Experimental Data Products (<https://portal.census.gov/pulse/data/>). This and additional information on the Small Business Pulse Survey are available to the public on census.gov.

Affected Public: Business or other for-profit organizations.

Frequency: Small business will be selected once to participate in a 6-minute survey.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C., 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 0607–1014.

Sheleen Dumas,

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

[FR Doc. 2021–20421 Filed 9–20–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–41–2021]

Foreign-Trade Zone (FTZ) 7— Mayaguez, Puerto Rico; Authorization of Production Activity; AbbVie Ltd. (Pharmaceutical Products), Barceloneta, Puerto Rico

On May 19, 2021, AbbVie Ltd., submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 7I, in Barceloneta, Puerto Rico.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (86 FR 28540, May 27, 2021). On September 16, 2021, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the

notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: September 16, 2021.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2021–20376 Filed 9–20–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–894]

Certain Tissue Paper Products From the People's Republic of China: Final Results of Expedited Sunset Review of the Antidumping Duty Order

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

SUMMARY: The Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on certain tissue paper products (tissue paper) from the People's Republic of China (China) would be likely to lead to a continuation or recurrence of dumping, at the levels indicated in the "Final Results of Sunset Review" section of this notice.

DATES: Applicable September 21, 2021.

FOR FURTHER INFORMATION CONTACT: Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1766.

SUPPLEMENTARY INFORMATION:

Background

On March 30, 2005, Commerce published the antidumping duty order on tissue paper from China.¹ On June 1, 2021, Commerce published the initiation of the third sunset review of the *Order* on tissue paper from China, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² On June 11, 2021, Commerce received a timely and complete notice of intent to participate in this sunset review from Seaman Paper Company of Massachusetts, Inc. (Seaman Paper), within the deadline specified in 19 CFR 351.218(d)(1)(i).³ Seaman Paper claimed

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Tissue Paper Products from the People's Republic of China*, 70 FR 16223 (March 30, 2005) (*Order*).

² See *Initiation of Five-Year ("Sunset") Reviews*, 86 FR 29239 (June 1, 2021).

³ See Domestic Interested Party's Letter, "Certain Tissue Paper Products from the People's Republic

of China: Notice of Intent to Participate," dated June 11, 2021.

of China: Notice of Intent to Participate," dated June 11, 2021.
⁴ *Id.*
⁵ See Domestic Interested Party's Letter, "Certain Tissue Paper Products from the People's Republic of China: Substantive Response to Notice of Initiation," dated July 1, 2021.
⁶ On January 30, 2007, at the direction of CBP, the Department added the following HTSUS classifications to the AD/CVD module for tissue paper: 4802.54.3100, 4802.54.6100, and 4823.90.6700. However, we note that the six-digit classifications for these numbers were already listed in the scope.
⁷ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Antidumping Duty Order on Certain Tissue Paper Products from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Scope of the Order

The merchandise covered by the *Order* is certain tissue paper products from China. The subject merchandise may be under one or more of several different subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), including: 4802.30, 4802.54, 4802.61, 4802.62, 4802.69, 4804.31.1000, 4804.31.2000, 4804.31.4020, 4804.31.4040, 4804.31.6000, 4804.39, 4805.91.1090, 4805.91.5000, 4805.91.7000, 4806.40, 4808.30, 4808.90, 4811.90, 4823.90, 4802.50.00, 4802.90.00, 4805.91.90, 9505.90.40. Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.⁶ A full description of the scope of the *Order* is contained in the accompanying Issues and Decision Memorandum.⁷

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping in the event of revocation of the *Order* and the magnitude of the margin likely to prevail if the *Order* was to be revoked, is provided in the Issues and Decision Memorandum. A list of the topics discussed in the Issues and Decision

of China: Notice of Intent to Participate," dated June 11, 2021.

⁴ *Id.*

⁵ See Domestic Interested Party's Letter, "Certain Tissue Paper Products from the People's Republic of China: Substantive Response to Notice of Initiation," dated July 1, 2021.

⁶ On January 30, 2007, at the direction of CBP, the Department added the following HTSUS classifications to the AD/CVD module for tissue paper: 4802.54.3100, 4802.54.6100, and 4823.90.6700. However, we note that the six-digit classifications for these numbers were already listed in the scope.

⁷ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Antidumping Duty Order on Certain Tissue Paper Products from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Memorandum is attached as an appendix to this notice. 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 at <https://enforcement.trade.gov/frn/>.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* on tissue paper from China would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margin likely to prevail would be a weighted-average margin of 112.64 percent.

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 return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or conversion to judicial protective orders, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: September 10, 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. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Dumping Margin Likely to Prevail
- VII. Final Results of Sunset Review

VIII. Recommendation

[FR Doc. 2021–20398 Filed 9–20–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; National Institute for Standards and Technology NIST Center for Neutron Research (NCNR) Information Management System (IMS) and Summer School Application

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 June 14, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Institute of Standards and Technology (NIST), Commerce.

Title: National Institute for Standards and Technology NIST Center for Neutron Research (NCNR) Information Management System (IMS) and Summer School Application.

OMB Control Number 0693–0081.

Form Number(s):

Type of Request: Regular, revision of a current information collection.

Number of Respondents: 2,000.

Average Hours per Response: 1 hour.

Burden Hours: 2,000.

Needs and Uses: Registration of NCNR users; Collection of scientific experiment proposals; Regularly scheduled peer review of said proposals; Merit-based award of available experimental resources; Experiment date scheduling for selected projects (instrument scheduling); Collection and management of data required by the NCNR site access protocol; Managing the Health Physics training of arriving scientists; Coordination of administrative data; Collection of data in support of related activities such as NCNR Summer School

for facility users; Management of the research results such as collected data, and subsequent publications; Numerous reporting functions used to evaluate and manage the NCNR activities.

Affected Public: Scientific personnel using NCNR facility.

Frequency: On occasion.

Respondent's Obligation: Required to obtain benefits.

Legal Authority: 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 0693–0081.

Sheleen Dumas,

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

[FR Doc. 2021–20427 Filed 9–20–21; 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; Implementation of Vessel Speed Restrictions To Reduce the Threat of Ship Collisions With North Atlantic Right Whales

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 March 22, 2021 (86 FR 15202) during a 60-day comment period. This notice allows for

an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Implementation of Vessel Speed Restrictions To Reduce the Threat of Ship Collisions With North Atlantic Right Whales.

OMB Control Number: 0648–0580.

Form Number(s): None.

Type of Request: Regular submission [revision of a currently approved collection].

Number of Respondents: 3,624.

Average Hours per Response: One hour for electronic surveys, 2.5 hours for focus groups, 5 minutes for logbook entries.

Total Annual Burden Hours: 674.

Needs and Uses: This request is for a revision to a currently approved information collection. On October 10, 2008, NMFS published a final rule (0648–AS36) implementing seasonal speed restrictions along the east coast of the U.S. to reduce the incidence and severity of vessel collisions with North Atlantic right whales (73 FR 60173). The final rule contained a mandatory collection-of-information requirement subject to the Paperwork Reduction act (PRA), which collects information about safety deviations from the rule in alignment with 50 CFR 224.105(c). The restrictions are in effect seasonally in discrete areas along the U.S. eastern seaboard. NMFS provided a safety exception to the restrictions due to poor weather or sea conditions. Ships' captains are required to make an entry into the vessel's Official Logbook when an exception is necessary.

This revision to the current information collection includes a voluntary survey effort of vessel operators to evaluate their ability and willingness to: (1) Comply with North Atlantic right whale mandatory speed restrictions, and (2) cooperate with voluntary speed reduction efforts to protect North Atlantic right whales, which are promoted through NMFS outreach efforts. We will collect information from two types of vessels (pleasure yachts and large ocean going vessel) in two different areas of the North Atlantic right whales' range using voluntary online surveys and small focus groups. The surveys will collect information about vessel operators time spent on the water, experience and knowledge about large whales, knowledge of North Atlantic vessel strike reduction efforts, opinions about these whales and conservation efforts, and their preferred means of receiving information. Results from this information collection will be used to

develop effective outreach to these vessel communities, with the long-term goal of improving the communities' compliance with mandatory measures and cooperation with voluntary measures that support North Atlantic right whale vessel strike reduction conservation efforts.

Affected Public: Individuals or households; Business or other for-profit organizations.

Frequency: One time for electronic surveys and focus groups, logbook entries on occasion as necessary.

Respondent's Obligation: Voluntary.

Legal Authority: US Code: 16 U.S.C. 1531–1543 Name of Law: Endangered Species Act.

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

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0580.

Sheleen Dumas,

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

[FR Doc. 2021–20423 Filed 9–20–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Rules for Patent Maintenance Fees

The United States Patent and Trademark Office (USPTO) 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 (PRA) of 1995, on or after the date of publication of this notice. The USPTO invites comment on this information collection renewal, which helps the USPTO assess the impact of its information collection requirements and minimize the public's burden.

Public comments were previously requested via the **Federal Register** on April 30, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: United States Patent and Trademark Office, Department of Commerce.

Title: Rules for Patent Maintenance Fees.

OMB Control Number: 0651–0016.

Form Numbers:

- PTO/SB/66 (Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent)
- PTO/SB/47 (Fee Address Indication Form)
- PTO/AIA/47 (Fee Address Indication Form)

Type of Review: Extension and revision of a currently approved information collection.

Number of Respondents: 44,542 respondents per year.

Estimated Time per Response: The USPTO estimates that it will take the public 0.08 hours (5 minutes) to 8 hours to complete the items in this information collection, depending on the instruments used, to gather the necessary information, create the document, and submit the completed item to the USPTO.

Estimated Total Annual Respondent Burden Hours: 6,864 hours.

Estimated Total Annual Non-Hour Cost Burden: \$3,098,564.

Needs and Uses:

If a patent has expired due to nonpayment of a maintenance fee, the patentee may petition the Director to accept a delayed payment of the maintenance fee under 37 CFR 1.378. The Director may accept the payment of a maintenance fee after the expiration of the patent if the petitioner shows to the satisfaction of the Director that the delay in payment was unintentional. Petitions to accept unintentionally delayed payment must also be accompanied by the required maintenance fee and the petition fee as set forth in 37 CFR 1.17(m). If the Director accepts the maintenance fee payment upon petition, then the patent is reinstated. If the USPTO denies a petition to accept delayed payment of a maintenance fee in an expired patent, the patentee may petition the Director to reconsider that decision under 37 CFR 1.378(d). The rules of practice (37 CFR 1.33(d) and 1.363) permit applicants, patentees, assignees, or their representatives of record to specify a "fee address" for correspondence related to maintenance fees that is separate from the correspondence address associated with a patent or application. A fee address must be an address that is associated

with a USPTO customer number. Customer numbers may be requested by using the Request for Customer Number Form (PTO/SB/125), which is covered under OMB control number 0651–0035. Maintaining a correct and updated address is necessary so that fee-related correspondence from the USPTO will be properly received by the applicant, patentee, assignee, or authorized representative. If a separate fee address is not specified for a patent or application, the USPTO will direct fee-related correspondence to the correspondence address of record.

The maintenance fees and transmittal forms that were previously a part of this information collection, and mentioned in the 60-day notice, have now been removed. These items are considered exempt from the PRA under 5 CFR 1320.3(h)(10).

Affected Public: Private sector, individuals or households.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

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

Written comments and recommendations for this 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 information collection or the OMB Control Number 0651–0016.

Further information can be obtained by:

- *Email:* InformationCollection@uspto.gov. Include “0651–0016 information request” in the subject line of the message.

- *Mail:* Kimberly Hardy, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

Kimberly Hardy,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2021–20340 Filed 9–20–21; 8:45 am]

BILLING CODE 3510–16–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB–2021–0016]

Agency Information Collection Activities: Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Consumer Financial Protection (Bureau) is requesting to renew the Office of Management and Budget (OMB) approval for an existing information collection, titled, “Report of Terms of Credit Card Plans (Form FR 2572) and Consumer and College Credit Card Agreements.”

DATES: Written comments are encouraged and must be received on or before October 21, 2021 to be assured of consideration.

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. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at www.reginfo.gov (*this link becomes active on the day following publication of this notice*). Select “Information Collection Review,” under “Currently under Review,” use the dropdown menu “Select Agency” and select “Consumer Financial Protection Bureau” (recent submissions to OMB will be at the top of the list). The same documentation is also available at <http://www.regulations.gov>. Requests for additional information should be directed to Anthony May, Paperwork Reduction Act Officer, at (202) 841–0544, or email: CFPB_PRA@cfpb.gov. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov. Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Report of Terms of Credit Card Plans (Form FR 2572) and

Consumer and College Credit Card Agreements.

OMB Control Number: 3170–0001.

Type of Review: Revision of a currently approved information collection.

Affected Public: Businesses and other for-profit institutions.

Estimated Number of Respondents: 615.

Estimated Total Annual Burden Hours: 501.

Abstract: The proposed revision to OMB Control Number 3170–0001 will incorporate requirements currently contained in OMB Control Number 3170–0052. The Bureau has and will continue to use both information collections to gather different types of credit card data. Each information collection requires different forms of credit card data from credit card issuers as required by the Truth in Lending Act (TILA) (15 U.S.C. 1601, *et seq.*) and implementing regulations:

- Form FR 2572 collects data on credit card pricing and availability from a sample of at least 150 financial institutions that offer credit cards. The data enables the Bureau to present information to the public on terms of credit card plans;

- Sections 204 and 305 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act), amending TILA, and 12 CFR 1026.57(d) and 226.58 require card issuers to submit to the Bureau:

- Agreements between the issuer and a consumer under a credit card account for an open-end consumer credit plan; and
- any college credit card agreements to which the issuer is a party and certain additional information regarding those agreements.

The data collections enable the Bureau to provide Congress and the public with a centralized and searchable repository for consumer and college credit card agreements and information regarding the arrangements between financial institutions and institutions of higher education.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) The accuracy of the Bureau’s estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the

use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record.

Dated: September 15, 2021.

Anthony May,

Paperwork Reduction Act Officer, Bureau of Consumer Financial Protection.

[FR Doc. 2021-20307 Filed 9-20-21; 8:45 am]

BILLING CODE 4810-AM-P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application Package for AmeriCorps Seniors Applications Instructions, Progress Reporting, Independent Living and Respite Surveys; Proposed Information Collection; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled Application Package for AmeriCorps Seniors Applications Instructions, Progress Reporting, Independent Living and Respite Surveys for review and approval in accordance with the Paperwork Reduction Act.

DATES: Comments may be submitted, identified by the title of the information collection activity, by October 21, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by calling AmeriCorps, Robin Corindo, Deputy Director, AmeriCorps Seniors, at (202) 489-5578 or by email to RCorindo@cns.gov.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose 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

A 60-day Notice requesting public comment was published in the **Federal Register** on June 17, 2021 at Vol. 86, 32249. This comment period ended August 17, 2021. A total of thirty-three comments were received. All comments were reviewed and considered. We are especially sensitive to comments regarding the consequences caused due to the Covid-19 pandemic. We will continue to provide clarity on the use of the Independent Living Survey and how it can be best used as a resource to demonstrate grant outcomes.

Title of Collection: Application Package for AmeriCorps Seniors Applications Instructions, Progress Reporting, Independent Living and Respite Surveys.

OMB Control Number: 3045-0035.

Type of Review: Renewal.

Respondents/Affected Public: Businesses and Organizations OR State, Local or Tribal Governments.

Total Estimated Number of Annual Responses: 1,250.

Total Estimated Number of Annual Burden Hours: 17,820.

Abstract: The AmeriCorps Seniors Grant Application is for use by prospective and existing sponsors of AmeriCorps Senior projects under the AmeriCorps Seniors RSVP (RSVP), AmeriCorps Seniors FGP (FGP), AmeriCorps Seniors (SCP), and AmeriCorps Seniors Senior Demonstration Program (SDP). The Project Progress Report, Project Progress Supplement will be used to report progress toward accomplishing work plan goals and objectives, reporting volunteer and service outputs, reporting actual outcomes related to self-nominated performance measures,

meeting challenges encountered, describing significant activities, and requesting technical assistance. The Application Instructions and PPR, PPR-Lite, and PRS forms in this package conform to AmeriCorps' web-based electronic grants management system, eGrants. The SCP Independent Living Survey and SCP Respite Survey are instruments that collect information from a sample of Senior Companion clients and caregivers. The purpose of the surveys is to assess the feasibility of conducting a longitudinal, quasi-experimental evaluation of the impact of independent living and respite services on clients' social ties and perceived social support. The results of the surveys may also be used to inform the feasibility of using a similar instrument to measure client and caregiver outcomes for an evaluation of RSVP. AmeriCorps seeks to renew the current information collection. The revisions are intended to (1) provide additional clarity on existing guidance (Grant Application Instructions, Program Progress Report, and Respite and Independent Living survey) and seek additional information on populations served by AmeriCorps Seniors volunteers (Progress Report Supplement). The information collection will otherwise be used in the same manner as the existing application. AmeriCorps also seeks to continue using the current application until the revised application is approved by OMB. The current application is due to expire on 12/31/2021.

Dated: September 10, 2021.

Robin Corindo,

Deputy Director, AmeriCorps Seniors.

[FR Doc. 2021-20387 Filed 9-20-21; 8:45 am]

BILLING CODE 6050-28-P

DEPARTMENT OF DEFENSE

Office of the Secretary

TRICARE; Notice of TRICARE Plan Program Changes for Calendar Year 2022

AGENCY: Office of the Secretary of Defense, Department of Defense (DoD).

ACTION: TRICARE Plan Program Changes for Calendar Year 2022.

SUMMARY: This notice provides information regarding TRICARE Plan program changes for calendar year 2022.

DATES: TRICARE health plan information in this notice is valid for services during calendar year 2022 (January 1, 2022–December 31, 2022).

ADDRESSES: Defense Health Agency, TRICARE Health Plan, 7700 Arlington Boulevard, Suite 5101, Falls Church, Virginia 22042–5101.

FOR FURTHER INFORMATION CONTACT: Ms. Elan P. Green, Defense Health Agency, TRICARE Health Plan, email: elan.p.green.civ@mail.mil, phone: (303) 676–3907.

SUPPLEMENTARY INFORMATION: An interim final rule published in the **Federal Register** (FR) on September 29, 2017 (82 FR 45438–45461) established the requirement for the Director, Defense Health Agency, to provide a public notice to TRICARE program beneficiaries with a summary of changes to the TRICARE program each calendar year in connection with the open season enrollment period.

The following changes or improvements to the TRICARE program benefits apply for calendar year 2022:

Announcement of Open Season

Open Season is an annual period when you can enroll in or make changes to your coverage for the next year. TRICARE and Federal Employee Dental and Vision Insurance Program (FEDVIP) Open Season for Calendar Year (CY) 2021 occurs November 8–December 13, 2021.

TRICARE Open Season: During TRICARE Open Season you can enroll in or change your TRICARE Prime or TRICARE Select plan.

FEDVIP Open Season: FEDVIP Open Season is to enroll in or make changes to your dental and vision plans. Dental plans are offered by ten different carriers to eligible retirees and their family members and vision plans are offered by four different carriers to beneficiaries who have TRICARE coverage, including TRICARE for Life.

Any changes you make will take effect on January 1, 2022. If you remain eligible and do not make any changes during Open Season, then you will stay in the same plan for 2022. Improving what's covered:

Coronavirus Disease 2022 (COVID–19) Response

In regards to COVID–19 vaccination, although there is no separate copayment or cost-share for clinical preventive services, there may be a copayment, cost-share, or point of service (POS) charge if the vaccine is administered as part of a primary or specialty care visit for a reason other than preventive care or for other services received during the office visit.

Due to the widespread need for COVID–19 vaccines and the possibility that one day these vaccines may not be

free-of-charge, on February 23, 2021, a notice was published in the **Federal Register** (86 FR 10942) advising TRICARE Prime enrollees, not including Active Duty Service Members (ADSMs), of a temporary waiver to the referral requirement so they may receive COVID–19 vaccines, a clinical preventive service, from any TRICARE Basic (medical) program authorized non-network provider without incurring POS charges where applicable. The effective date of the waiver was December 13, 2020. This waiver will expire when the President of the United States (US) declares the national emergency is terminated.

The following three temporary changes for care and treatment continue to be effective as of May 12, 2020, for care and treatment within the US and effective March 10, 2020, for the TRICARE Overseas Program: Temporary audio-only telephonic office visits; temporary waiver of cost-shares, co-pays and deductibles for all covered in-network telehealth services (for Prime and Select beneficiaries); and temporary interstate and international licensing. These changes will expire when the President of the US declares the national emergency is terminated, unless terminated, extended, or otherwise modified in a final rule published to the **Federal Register**. Overseas termination date may vary from the US date and will be determined by the Assistant Secretary of Defense for Health Affairs.

The following temporary changes were made and continue to be effective as of September 3, 2020, for care and treatment in the US and effective March 10, 2020, for the TRICARE Overseas Program: Temporary coverage of the treatment use of investigational drugs under expanded access for the treatment of COVID–19 and temporary coverage of temporary hospitals. This change will expire when the President of the US declares the national emergency is terminated, unless terminated, extended, or otherwise modified in a final rule published to the **Federal Register**.

Effective October 30, 2020, TRICARE temporarily covers National Institute for Allergy and Infectious Disease (NIAID) sponsored clinical trials when for the treatment or prevention of COVID–19. This change will expire when the President of the US declares the national emergency has terminated, unless terminated, extended, or otherwise modified in a final rule published to the **Federal Register**. A TRICARE beneficiary who is already enrolled in a NIAID-sponsored clinical trial prior to the end of the President's

national emergency for COVID–19 will continue to have their care cost-shared through the end of the clinical trial.

Effective January 1, 2021, Transitional Assistant Management Program benefits are extended to National Guard members who have served more than thirty continuous days in support of the COVID–19 mission.

Screenings

Effective March 9, 2021, the United States Preventive Services Task Force (USPSTF) updated its annual screening recommendation for lung cancer performed through low-dose computer tomography so it is now covered for adults beginning at age fifty to eighty who have a 20 pack-per year smoking history and currently smoke or have quit within the past fifteen years instead of beginning at age fifty-five and only for those with a 30 pack per year smoking history.

Effective May 18, 2021, the USPSTF updated its annual screening recommendation for colorectal cancer for adults at average risk so they may now begin screening at age forty-five instead of beginning at age fifty.

Demonstrations, Programs & Pilots

Buckley Prime Service Area (PSA) Pilot. Health Net Federal Services launched a new value-based care pilot beginning January 1, 2021. Beneficiaries who live in the Buckley PSA and are enrolled in TRICARE Prime with a civilian primary care manager are automatically part of the pilot. The Buckley PSA Pilot is expected to run through December 31, 2022.

Childbirth and Breastfeeding Support Demonstration. Congress required the Department of Defense (DoD) to conduct a demonstration project beginning no later than January 1, 2022, to cover the services of doulas and lactation consultants/counselors not otherwise authorized under TRICARE. This demonstration project will run for five years, through December 31, 2026.

Planned Changes

Urgent Care Referrals: There is no limit to the number of urgent care visits that a Prime beneficiary (except for most Active Duty members) may receive without a referral. You can receive urgent care from any TRICARE authorized urgent care center (UCC) or network provider. If the enrollee seeks care from a non-network provider (except a TRICARE-authorized UCC), the usual POS deductible and cost-shares shall apply. The Department has no current plans to change this policy but in order to evaluate its ongoing

appropriateness, it remains a year-by-year determination.

Prime Service Area Changes: There is no change to locations where TRICARE Prime will be offered. TRICARE Prime locations are a year-to-year determination and will be announced prior to the annual Open Season enrollment period.

Enrollment Fee Payment by Allotment: TRICARE retirees and their family members must pay enrollment fees by allotment, where feasible. Payment by allotment is not required if a beneficiary does not receive retired pay (e.g., unremarried former spouses, survivors) or the retired pay does not cover the monthly enrollment fee amount.

Effective December 17, 2020, Doctors of Podiatric Medicine or Podiatrists may prescribe physical therapy (PT) and occupational therapy (OT).

Effective February 24, 2021, ablative fractional laser treatment for symptomatic scars resulting from burns and other trauma is covered for up to five-years.

Added coverage of remote physiologic monitoring for chronic and acute conditions, including but not limited to weight, blood pressure, pulse oximetry, and respiratory flow monitoring.

For more information, visit tricare.mil/changes or call your regional TRICARE contractor.

Appendix A

Certain beneficiary out-of-pocket costs (enrollment fees, premiums, catastrophic

caps, deductibles, and copayments) are annually adjusted based on federal law and regulations, most notably by the annual retiree cost of living adjustment, or Cost of Living Adjustment (COLA). Currently, there is a difference in copayments between those who joined the military before January 1, 2018, (Group A), and those who joined after that date (Group B). The retiree COLA will not be announced until mid-October 2021. As of June 2021, the projected COLA increase is 5.1 percent. Beneficiary out-of-pocket expenses impacted by the 2022 COLA will be posted to the tricare.mil/changes web page before the start of TRICARE Open Season, November 8, 2021 to December 13, 2021.

Pharmacy Out-of-Pocket Expenses for CY 2022

TRICARE Pharmacy out-of-pocket expenses are listed in the table below that take effect on January 1, 2022.

TABLE 1—PHARMACY COPAYMENTS FOR CALENDAR YEAR 2022

Year	Copayment amount for a 30-day supply of a retail generic is:	Copayment amount for a 30-day supply of a retail formulary is:	Copayment amount for a 90-day supply of a mail order generic is:	Copayment amount for a 90-day supply of a mail order formulary is:	Copayment amount for a 90-day supply of a mail order non-formulary is:
2022	\$14	\$38	\$12	\$34	\$68

Dated: September 13, 2021.
Aaron T. Siegel,
Alternate OSD Federal Register Liaison Officer, Department of Defense.
 [FR Doc. 2021-20309 Filed 9-20-21; 8:45 am]
BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2021-SCC-0136]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Assessment of Educational Progress (NAEP) 2022 Materials Update #2

AGENCY: Institute of Educational Science (IES), 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 October 21, 2021.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this information collection request by selecting

“Department of Education” under “Currently Under Review,” then check “Only Show ICR for Public Comment” checkbox. Comments may also be sent to ICDocketmgr@ed.gov.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carrie Clarady, 202-245-6347.

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: National Assessment of Educational Progress (NAEP) 2022 Materials Update #2.

OMB Control Number: 1850-0928.

Type of Review: A revision of a currently approved collection.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Responses: 690,917.

Total Estimated Number of Annual Burden Hours: 422,683.

Abstract: The National Assessment of Educational Progress (NAEP), conducted by the National Center for Education Statistics (NCES), is a federally authorized survey of student achievement at grades 4, 8, and 12 in various subject areas, such as mathematics, reading, writing, science, U.S. history, civics, geography, economics, technology and engineering literacy (TEL), and the arts. The National Assessment of Educational Progress Authorization Act (Pub. L. 107-279 Title III, section 303) requires the assessment to collect data on specified student groups and

characteristics, including information organized by race/ethnicity, gender, socio-economic status, disability, and limited English proficiency. It requires fair and accurate presentation of achievement data and permits the collection of background, noncognitive, or descriptive information that is related to academic achievement and aids in fair reporting of results. The intent of the law is to provide representative sample data on student achievement for the nation, the states, and subpopulations of students and to monitor progress over time. NAEP consists of two assessment programs: The NAEP long-term trend (LTT) assessment and the main NAEP assessment. The LTT assessments are given at the national level only and are administered to students at ages 9, 13, and 17 in a manner that is very different from that used for the main NAEP assessments. LTT reports mathematics and reading results that present trend data since the 1970s.

The request to conduct NAEP 2021, including operational assessments and pilot tests: Operational national/state/TUDA Digitally Based Assessments (DBA) in mathematics and reading at grades 4 and 8, and Puerto Rico in mathematics at grades 4 and 8; and operational national DBA in U.S. history and civics at grade 8 was approved in April 2020, with further updates to the materials approved in July and November 2020. Throughout 2020 NCES worked with its contractors and with OMB to find the best way to plan for a data collection in schools in 2021, and as the coronavirus pandemic progressed over the course of the year, plans for NAEP 2020 data collection changed multiple times. In November 2020, the NCES Commissioner announced the delay of NAEP 2021 by one year to early 2022.

Since then, NAEP has continued to work to salvage any pieces of their data collection plans for 2021 and begin planning for NAEP 2022. NCES has used the drawn and notified sample from 2021 for two data collections that don't include the student assessment that is central to the NAEP program, instead using that sample to collect information about basic school operations during the coronavirus pandemic (NAEP 2021 School Survey; OMB# 1850-0957) and the experiences of teachers and school staff over the 2019-2020 and 2020-2021 school years (NAEP 2021 School and Teacher Questionnaire Special Study; OMB# 1850-0956).

The request to conduct NAEP operational assessments in 2022, which will follow the traditional NAEP design

which assesses each student in 60-minutes for one cognitive subject, was approved in May 2021, and the first update to the NAEP 2022 materials was approved in August 2021. The 2022 data collection will consist of operational national/state/TUDA DBA in mathematics and reading at grades 4 and 8, and Puerto Rico in mathematics at grades 4 and 8; and operational national DBA in U.S. history and civics at grade 8. In addition to the regular NAEP operational assessments delayed from 2021, this submission also contains materials for the LTT, which will be administered to 9-year-olds in 2022. This package finalizes all materials in time for the data collection in early 2022.

Dated: September 16, 2021.

Stephanie Valentine,

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

[FR Doc. 2021-20367 Filed 9-20-21; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2021-SCC-0135]

Agency Information Collection Activities; Comment Request; William D. Ford Direct Loan Program General Forbearance Request

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 November 22, 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-0135. 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 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: William D. Ford Direct Loan Program General Forbearance Request.

OMB Control Number: 1845-0031.

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

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Responses: 2,188,770.

Total Estimated Number of Annual Burden Hours: 175,102.

Abstract: Due to the effects of the COVID-19 pandemic and the suspension of the collection of loans,

the Department of Education is requesting an extension without change of the currently approved Direct Loan General Forbearance Request form information collection. The current form includes the Direct Loan, FFEL, and Perkins Loan programs making it easier for borrowers to request this action. There has been no change to the form, the underlying regulations, or anticipated usage.

Dated: September 16, 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. 2021–20368 Filed 9–20–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Extension

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

ACTION: Notice.

SUMMARY: EIA submitted an information collection request for extension as required by the Paperwork Reduction Act of 1995. The information collection requests a three-year extension, with only changes to the number of respondents, of Form NWP-830G, “Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste,” Appendix G, under OMB Control Number 1901–0260. Form NWP-830G, “Appendix G-Standard Remittance Advice for Payment of Fees (including Annex A to Appendix G), which is part of the Standard Contract collects information concerning a company’s quarterly payments into the Nuclear Waste Fund of ongoing fees for spent nuclear fuel disposal. Form NWP-830G, is a mandatory form that serves as the source document for entries into DOE accounting records to transmit data from purchasers to DOE concerning payment of the Spent Nuclear Fuel Disposal Fee into the Nuclear Waste Fund. Although the Department of Energy determined that, effective May 16, 2014, the Spent Nuclear Fuel Disposal Fee is 0.0 mills per kWh, the U.S. Department of Energy’s Office of the General Counsel, given the continuing nature of the Department’s statutory responsibilities regarding spent nuclear fuel, directed EIA to continue activities associated

with the collection of net electricity generation data.

DATES: Comments on this information collection must be received no later than October 21, 2021. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: If you need additional information, contact Bonnie West, U.S. Energy Information Administration, telephone (202) 586–2415, and/or by email at Bonnie.West@eia.gov. The forms and instructions are available on EIA’s website at <http://www.eia.gov/survey/#nwpa-830g>.

Form NWP-830G, “Appendix G-Standard Remittance Advice for Payment of Fees,” may be accessed from this URL: https://www.eia.gov/survey/form/nwpa_830g/proposed/2021/appendix_g.pdf, and

Annex A to Appendix G from the URL below: https://www.eia.gov/survey/form/nwpa_830g/proposed/2021/annex_a_appendix_g.pdf.

SUPPLEMENTARY INFORMATION:

This information collection request contains:

- (1) *OMB No.:* 1901–0260;
- (2) *Information Collection Request Title:* Form NWP-830G, *Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste, Appendix G;*
- (3) *Type of Request:* Three-year extension with changes;
- (4) *Purpose:* The Form NWP-830G survey included in the *Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste, Appendix G*, collect information on and is the source document for entries into DOE accounting records to transmit data from purchasers to DOE concerning payment of the Spent Nuclear Fuel Disposal Fee into the Nuclear Waste Fund. Appendix G collects payment data based on a utility’s net electricity generated and sold. 15 U.S.C. 772(b) provides that EIA may require all persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption to make available to the Administrator such information and periodic reports, records, documents, and other data, relating to the purposes of this Act, including full identification of all data

and projections as to source, time and methodology of development.

The Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 *et seq.*) required that DOE enter into Standard Contracts with all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin. Form NWP-830G *Appendix G-Standard Remittance Advice for Payment of Fees*, including Annex A to Appendix G, is an Appendix to this Standard Contract. Appendix G and Annex A to Appendix G are commonly referred to as Remittance Advice (RA) forms. RA forms must be submitted quarterly by generators and owners of spent nuclear fuel and high-level radioactive waste of domestic origin who signed the Standard Contract. Appendix G is designed to serve as the source document for entries into DOE accounting records to transmit data to DOE concerning payment of fees into the Nuclear Waste Fund for spent nuclear fuel and high-level waste disposal. Annex A to Appendix G is used to provide data on the amount of net electricity generated and sold, upon which these fees are based.

(4a) *Changes to Information Collection:* The reduction of 80 annual burden hours for Form NWP-830G results from the reduction of the number of total respondents representing reactors that decreased from 99 to 95. Six reactors permanently shut down since the last clearance cycle and no longer are required to pay fees into the Nuclear Waste Fund nor respond to this survey. Additional respondents representing two new reactors in Georgia, VOGTLE 3 and VOGTLE 4, which are planned to be operational by end of 2021 and by end of 2022 respectively;

(5) *Annual Estimated Number of Respondents:* 95;

(6) *Annual Estimated Number of Total Responses:* 380;

(7) *Annual Estimated Number of Burden Hours:* 1,900;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* The cost of burden hours to the respondents is estimated to be \$155,135 (1,900 burden hours times \$81.65 per hour.) EIA estimates that there are no additional costs to respondents associated with the survey other than the costs associated with the burden hours.

Statutory Authority: 42 U.S.C. 10222 and 15 U.S.C. 772(b).

Signed in Washington, DC, on September 16, 2021.

Samson A. Adeshiyan,

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

[FR Doc. 2021–20392 Filed 9–20–21; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionNotice of Effectiveness of Exempt
Wholesale Generator Status

	Docket No.
Blythe Mesa Solar II, LLC	EG21-164-000
Corazon Energy, LLC	EG21-165-000
Trent River Solar Mile Lessee, LLC	EG21-166-000
Golden Hills Wind Farm LLC	EG21-167-000
CED Crane Solar, LLC	EG21-168-000
BRP Sweeny BESS LLC	EG21-169-000
Lincoln Land Wind, LLC	EG21-170-000
ES 1A Group 2 Opco, LLC	EG21-171-000
Edwards Sanborn Storage I, LLC	EG21-172-000
ES 1A Group 3 Opco, LLC	EG21-173-000
Edwards Solar Line I, LLC	EG21-174-000
Prairie Wolf Solar, LLC	EG21-175-000
Daylight I, LLC	EG21-176-000
Sanborn Solar Line I, LLC	EG21-177-000
Edwards Sanborn Storage II, LLC	EG21-178-000
Clover Creek Solar, LLC	EG21-179-000
Antelope Expansion 1B, LLC	EG21-180-000
Ensign Wind Energy, LLC	EG21-181-000
Independence Wind Energy LLC	EG21-182-000
Glass Sands Wind Energy, LLC	EG21-183-000
Board River Solar, LLC	EG21-184-000
CPRE 1 Lessee, LLC	EG21-185-000
Speedway Solar NC, LLC	EG21-186-000
Stony Knoll Solar, LLC	EG21-187-000
Lancaster Solar LLC	EG21-188-000
SR Georgia Portfolio II Lessee, LLC	EG21-189-000
SR Lumpkin, LLC	EG21-190-000
SR Snipesville II, LLC	EG21-191-000
Jayhawk Wind, LLC	EG21-192-000
Minonk Stewardship Wind LLC	EG21-193-000

Take notice that during the month of August 2021, the status of the above-captioned entities as Exempt Wholesale Generators became effective by operation of the Commission's regulations. 18 CFR 366.7(a) (2020).

Dated: September 15, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2021-20383 Filed 9-20-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. ER21-2887-000]

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

This is a supplemental notice in the above-referenced proceeding of Leicester Street Solar, LLC's application for market-based rate authority, with an

accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

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

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 5, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be

listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

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

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the

proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TYY, (202) 502-8659.

Dated: September 15, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-20382 Filed 9-20-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21-2886-000]

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

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

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

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 5, 2021.

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

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

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

Dated: September 15, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-20381 Filed 9-20-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

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

Filings Instituting Proceedings

Docket Number: PR21-53-001.
Applicants: Moss Bluff Hub, LLC.
Description: Tariff filing per 284.123(b),(e)/: Amendment to PR21-53-000—FERC Housekeeping Items to be effective N/A.
Filed Date: 9/13/2021.
Accession Number: 20210913-5177.
Comments/Protests Due: 5 p.m. ET 9/27/21.

Docket Numbers: PR21-65-000.
Applicants: Kinder Morgan Texas Pipeline LLC.
Description: Tariff filing per 284.123(b),(e)/: Informational Filing Concerning Market-Based Rate Authority under PR08-25 to be effective N/A.

Filed Date: 9/3/2021.
Accession Number: 20210903-5177.
Comments/Protests Due: 5 p.m. ET 9/24/21.

Docket Numbers: RP21-1109-000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 9.14.21 Negotiated Rates—Emera Energy Services, Inc. R-2715-45 to be effective 11/1/2021.

Filed Date: 9/14/21.
Accession Number: 20210914-5081.
Comment Date: 5 p.m. ET 9/27/21.
Docket Numbers: RP21-1110-000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 9.14.21 Negotiated Rates—Emera Energy Services, Inc. R-2715-46 to be effective 11/1/2021.

Filed Date: 9/14/21.
Accession Number: 20210914-5084.
Comment Date: 5 p.m. ET 9/27/21.
Docket Numbers: RP21-1111-000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 9.14.21 Negotiated Rates—Mercuria Energy America, LLC R-7540-02 to be effective 11/1/2021.

Filed Date: 9/14/21.
Accession Number: 20210914-5087.
Comment Date: 5 p.m. ET 9/27/21.
Docket Numbers: RP21-1112-000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 9.14.21 Negotiated Rates—Vitol Inc. R-7495-11 to be effective 11/1/2021.

Filed Date: 9/14/21.
Accession Number: 20210914-5090.
Comment Date: 5 p.m. ET 9/27/21.
Docket Numbers: RP21-1113-000.
Applicants: Great Basin Gas Transmission Company.
Description: § 4(d) Rate Filing: New Baseline Tariff—Original Version No. 1 to be effective 10/1/2021.

Filed Date: 9/14/21.
Accession Number: 20210914-5126.
Comment Date: 5 p.m. ET 9/27/21.
Docket Numbers: RP20-908-004.
Applicants: Alliance Pipeline L.P.
Description: Compliance filing: Alliance RP20-908 Compliance Filing to be effective 12/1/2020.
Filed Date: 9/14/21.
Accession Number: 20210914-5119.
Comment Date: 5 p.m. ET 9/27/21.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (<https://www.ferc.gov>)

elibrary.ferc.gov/idmws/search/fercgensearch.asp by querying the docket number.

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: September 15, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-20385 Filed 9-20-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meetings

The following notice of meeting is published pursuant to section 3(a) of the government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C. 552b:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: September 23, 2021, 10:00 a.m.

PLACE: Open to the public via audio Webcast only.¹

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

* Note—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kimberly D. Bose, Secretary, Telephone (202) 502-8400.

For a recorded message listing items struck from or added to the meeting, call (202) 502-8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed on line at the Commission's website at <https://elibrary.ferc.gov/eLibrary/search> using the eLibrary link.

1082ND MEETING—OPEN MEETING

[September 23, 2021, 10:00 a.m.]

Item No.	Docket No.	Company
ADMINISTRATIVE		
A-1	AD21-1-000	Agency Administrative Matters.
A-2	AD21-2-000	Customer Matters, Reliability, Security and Market Operations.
A-3	AD21-18-000	2021 Cold Weather Event in Texas and the South Central U.S.
ELECTRIC		
E-1	ER21-1111-002 ER21-1112-002 ER21-1114-002 ER21-1115-000, ER21-1115-001, ER21-1115-002. ER21-1116-002 ER21-1117-002 ER21-1118-002 ER21-1119-002 ER21-1120-002 ER21-1121-002 ER21-1125-000, ER21-1125-001, ER21-1125-002. ER21-1128-002 (Consolidated)	Alabama Power Company. Dominion Energy South Carolina, Inc. Louisville Gas and Electric Company. Duke Energy Carolinas, LLC and Duke Energy Progress, LLC. Duke Energy Carolinas, LLC. Duke Energy Progress, LLC. Louisville Gas and Electric Company. Georgia Power Company. Kentucky Utilities Company. Mississippi Power Company. Alabama Power Company. Dominion Energy South Carolina, Inc.
E-2	EL21-47-000	Green Development, LLC v. New England Power Company and Narragansett Electric Company.
E-3	ER10-2881-035, ER21-184-000 ER10-2882-036 ER10-2883-034 ER10-2884-034 ER16-2509-005 ER17-2400-006 ER17-2401-006 ER17-2403-006 ER17-2404-006	Alabama Power Company. Southern Power Company. Mississippi Power Company. Georgia Power Company. Rutherford Farm, LLC. SP Butler Solar, LLC. SP Decatur Parkway Solar, LLC. SP Pawpaw Solar, LLC. SP Sandhills Solar, LLC.
E-4	Omitted.	
E-5	ER19-391-002	Panda Hummel Station LLC.
E-6	ER20-1006-001	DATC Path 15, LLC.
E-7	ER19-13-000, ER19-1816-000, ER20-2265-000.	Pacific Gas and Electric Company.
E-8	ER19-2462-004 ER18-2264-007 ER10-2630-003 ER16-1914-003	Macquarie Energy LLC. Macquarie Energy Trading LLC. NGP Blue Mountain I LLC. Patua Acquisition Company, LLC.
E-9	EC21-87-000	PPL Corporation and The Narragansett Electric Company.
E-10	ER21-787-003 EL21-26-001	ISO New England Inc. New England Power Generators Association, Inc. v. ISO New England Inc.
E-11	ER21-2348-000	Midcontinent Independent System Operator, Inc. and Michigan Public Power Agency.
E-12	ER21-1965-000	Wisconsin Electric Power Company.

¹Join FERC online to listen live at <http://ferc.capitolconnection.org/>.

1082ND MEETING—OPEN MEETING—Continued

[September 23, 2021, 10:00 a.m.]

Item No.	Docket No.	Company
E-13	ER21-2025-000	Tampa Electric Company.
E-14	ER10-3078-005	Commonwealth Chesapeake Company, LLC.
	ER10-3079-017	Tyr Energy, LLC.
	ER19-2564-001	Hickory Run Energy, LLC.
E-15	ER10-2834-007	Munnsville Wind Farm, LLC.
	ER17-1438-002	Radford's Run Wind Farm, LLC.
	ER20-173-001	RWE Renewables Energy Marketing, LLC.
	ER17-2056-001	RWE Renewables O&M, LLC.
	ER10-2821-007	Stony Creek Wind Farm, LLC.
	ER12-1329-007	Wildcat Wind Farm I, LLC.
E-16	ER15-2013-011	Talen Energy Marketing, LLC.
	ER12-2510-010	Brandon Shores LLC.
	ER15-2014-007	Brunner Island, LLC.
	ER10-2435-018	Camden Plant Holding, L.L.C.
	ER10-2440-013	Dartmouth Power Associates Limited Partnership.
	ER10-2442-015	Elmwood Park Power, LLC.
	ER12-2512-010	H.A. Wagner LLC.
	ER19-481-003	LMBE Project Company LLC.
	ER15-2018-006	Martins Creek, LLC.
	ER18-2252-002	MC Project Company LLC.
	ER10-3286-014	Millennium Power Partners, L.P.
	ER15-2022-006	Montour, LLC.
	ER10-3299-013	New Athens Generating Company, LLC.
	ER10-2444-017	Newark Bay Cogeneration Partnership, L.P.
	ER10-2446-013	Pedricktown Cogeneration Company LP.
	ER15-2026-006	Susquehanna Nuclear, LLC.
	ER10-2449-015	York Generation Company LLC.
	ER19-2250-003	TrailStone Energy Marketing, LLC.
E-17	ER13-55-025	Homer City Generation, L.P.
E-18	ER20-1906-001	Story County Wind, LLC.
E-19	OMITTED.	
E-20	EL21-62-001	Jackson Generation, LLC v. PJM Interconnection, L.L.C.
E-21	ER20-2271-000, ER20-2755-000	Caithness Long Island, LLC.
	ER20-2276-000	Moxie Freedom LLC.

MISCELLANEOUS

M-1	RM21-20-000	OMB Control Numbers for Commission Information Collection Requirements.
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GAS

G-1	OMITTED.	
G-2	RP21-628-000	Continental Resources, Inc. v. Northern Border Pipeline Company.

HYDRO

H-1	P-14858-003	McMahan Hydroelectric, LLC.
H-2	P-2082-068	PacifiCorp.
	P-14803-005	Klamath River Renewal Corporation, State of Oregon, and State of California.
H-3	P-3251-010	Cornell University.
H-4	P-2520-083	Great Lakes Hydro America, LLC.
H-5	P-13417-008	Western Technical College and ReNew Hydro Power, LLC.
H-6	P-935-140, P-935-147, P-2071-082, P-2071-084, P-2111-080, P-2111- 082. P-2213-043, P-2213-044	PacifiCorp. Public Utility District No. 1 of Cowlitz County, Washington.
H-7	P-2101-161	Sacramento Municipal Utility District.
H-8	P-12532-006	Pine Creek Mine, LLC.
H-9	P-14308-011	Carbon Zero LLC and North Bennington Hydroelectric LLC.
H-10	P-15105-000	Solia 9 Hydroelectric, LLC.
H-11	P-2444-037	Northern States Power Company—Wisconsin.
H-12	P-553-240	The City of Seattle, Washington.

Certificates

C-1	CP21-31-000	Texas Eastern Transmission, LP.
C-2	CP15-490-002	Delfin LNG LLC.
C-3	CP95-35-000	EcoElectrica, L.P.

Issued: September 16, 2021.

Kimberly D. Bose,
Secretary.

The public is invited to listen to the meeting live at <http://ferc.capitolconnection.org/>. Anyone with internet access who desires to hear this event can do so by navigating to www.ferc.gov's Calendar of Events and locating this event in the Calendar. The event will contain a link to its audio webcast. The Capitol Connection provides technical support for this free audio webcast. It will also offer access to this event via phone bridge for a fee. If you have any questions, visit <http://ferc.capitolconnection.org/> or contact Shirley Al-Jarani at 703-993-3104.

[FR Doc. 2021-20484 Filed 9-17-21; 11:15 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG21-249-000.

Applicants: Bellflower Solar 1, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Bellflower Solar 1, LLC.

Filed Date: 9/14/21.

Accession Number: 20210914-5182.

Comment Date: 5 p.m. ET 10/5/21.

Docket Numbers: EG21-250-000.

Applicants: Black Bear Alabama Solar 1, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Black Bear Alabama Solar 1, LLC.

Filed Date: 9/14/21.

Accession Number: 20210914-5183.

Comment Date: 5 p.m. ET 10/5/21.

Docket Numbers: EG21-251-000.

Applicants: Happy Solar 1, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Happy Solar 1, LLC.

Filed Date: 9/14/21.

Accession Number: 20210914-5186.

Comment Date: 5 p.m. ET 10/5/21.

Docket Numbers: EG21-252-000.

Applicants: Sun Mountain Solar 1, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Sun Mountain Solar 1, LLC.

Filed Date: 9/14/21.

Accession Number: 20210914-5188.

Comment Date: 5 p.m. ET 10/5/21.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER21-2007-001.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Compliance Filing in Response to Order Issued in ER21-2007 (CNPPID) to be effective 1/1/2022.

Filed Date: 9/15/21.

Accession Number: 20210915-5095.

Comment Date: 5 p.m. ET 10/6/21.

Docket Numbers: ER21-2423-001.

Applicants: Generation Bridge Connecticut Holdings, LLC.

Description: Tariff Amendment: Amendment to Market-Based Rate Application and Response to Deficiency Letter to be effective 7/15/2021.

Filed Date: 9/14/21.

Accession Number: 20210914-5165.

Comment Date: 5 p.m. ET 10/5/21.

Docket Numbers: ER21-2888-000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Amendment to Rate Schedule No. 71 to be effective 9/16/2021.

Filed Date: 9/15/21.

Accession Number: 20210915-5068.

Comment Date: 5 p.m. ET 10/6/21.

Docket Numbers: ER21-2889-000.

Applicants: PSEG Keys Energy Center LLC.

Description: § 205(d) Rate Filing: Clean-Up of Market-Based Rate Tariffs to be effective 9/16/2021.

Filed Date: 9/15/21.

Accession Number: 20210915-5090.

Comment Date: 5 p.m. ET 10/6/21.

Docket Numbers: ER21-2890-000.

Applicants: PSEG Fossil Sewaren Urban Renewal LLC.

Description: § 205(d) Rate Filing: Clean-Up of Market-Based Rate Tariff to be effective 9/16/2021.

Filed Date: 9/15/21.

Accession Number: 20210915-5094.

Comment Date: 5 p.m. ET 10/6/21.

Docket Numbers: ER21-2891-000.

Applicants: Pacific Gas and Electric Company.

Description: § 205(d) Rate Filing: PG&E Redwood Valley Energy SGIA (SA 495) to be effective 11/16/2021.

Filed Date: 9/15/21.

Accession Number: 20210915-5099.

Comment Date: 5 p.m. ET 10/6/21.

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: September 15, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-20384 Filed 9-20-21; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2013-0721; FRL-8768-01-OCSP]

Agency Information Collection Activities; Proposed Renewal of an Existing Collection and Request for Comment; Chemical Data Reporting Under the Toxic Substances Control Act (TSCA)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on an Information Collection Request (ICR) that EPA is planning to submit to the Office of Management and Budget (OMB). The ICR, entitled: "Chemical Data Reporting under the Toxic Substances Control Act (TSCA)" and identified by EPA ICR No. 1884.13 and OMB Control No. 2070-0162, represents the renewal of an existing ICR that is scheduled to expire on April 30, 2022. Before submitting the ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

DATES: Comments must be received on or before November 22, 2021.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2013-0721, through <http://www.regulations.gov>. Follow the online instructions for

submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Susan Sharkey, Data Gathering and Analysis Division (7410M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-8789; email address: susan.sharkey@epa.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. What information is EPA particularly interested in?

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of

specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

II. What information collection activity or ICR does this action apply to?

Title: Chemical Data Reporting under the Toxic Substances Control Act (TSCA).

ICR number: EPA ICR No. 1884.13.

OMB control number: OMB Control No. 2070-0162.

ICR status: This ICR is currently scheduled to expire on April 30, 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. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This information collection request addresses the paperwork requirements contained in the most recent Chemical Data Reporting (CDR) rule under the TSCA. Under TSCA section 8(a), EPA is authorized to collect certain information on chemical substances manufactured (including imported) or processed in the United States. The CDR was formerly known as the Inventory Update Rule (IUR).

The CDR collection provides chemical manufacture, processing, and use information that helps EPA identify what chemicals the public may be exposed to as consumers or in commercial and industrial settings. The data also help EPA assess routes of potential exposure to those chemicals. Beginning in 1986, EPA has used the CDR rule eight times to collect basic manufacturing information for selected chemical substances on the TSCA Inventory. More recent collections, beginning in 2006, included additional information relating to the manufacture, processing, and use of those chemical substances. The reporting requirements have been modified through rulemaking, with the most recent major changes occurring in 2020 when EPA promulgated the TSCA Chemical Data Reporting Revisions Under TSCA Section 8(a) rule (85 FR 20122, April 9, 2020) (FRL-10005-56) and the Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements under the TSCA Section

8(a) (85 FR 31986, May 28, 2020) (FRL-10008-14). The 2020 revisions included a phase-in approach for some of its provisions. All provisions will be fully implemented for the 2024 CDR reporting cycle. The changes are described on EPA's CDR web page, at: <https://www.epa.gov/chemical-data-reporting/summary-reporting-requirement-changes-due-cdr-revisions-and-small>, The CDR collection is on a four-year reporting cycle and contains detailed manufacturing, processing, and use information drawn from the principal reporting year; the rule also contains basic information on production volume, by year, for the three years prior to the principal reporting year (e.g., for the 2024 reporting cycle, the principal reporting year will be 2023; the three years prior will be 2020, 2021, and 2022).

EPA uses the CDR data in its chemical substance risk-management efforts and for other uses. Individual sites manufacturing (including importing) chemical substances will submit the required information. The information will be stored electronically for reference by EPA staff and others. Within the constraints of confidentiality claims, the information will be made public through the Agency's website: <https://www.epa.gov/chemical-data-reporting>. Further discussion on how the information is used, stored, and collected is included in this document.

Burden statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to annual average 135 hours per response. Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Respondents/Affected Entities: You may be potentially affected by this action if you manufacture, process, import, or distribute in commerce chemical substances and mixtures. The following North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. Potentially affected entities may include, but are not limited to the following: 325 Chemical Manufacturing and 324 Petroleum and Coal Product Manufacturing

Respondent's obligation to respond: Mandatory; TSCA section 8 and 40 CFR 711.

Estimated total number of potential respondents: 5,460.

Frequency of response: Every four years.

Estimated total average number of responses for each respondent: 7.38.

Estimated total annual burden hours: 735,456 hours.

Estimated total annual costs: \$79,267,359. This includes an estimated burden cost of \$79,267,359 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

III. Are there changes in the estimates from the last approval?

There is an increase in total annual costs compared with that identified in the ICR currently approved by OMB. The primary reason for changes in respondent burden and cost are a result of changes from finalized regulatory actions in 2020. In addition, the increase in the respondent burden and agency costs were caused by an increase in the hourly wages and a change in the methodology to calculate loaded wages (wages plus fringe benefits and overhead). Please refer to *Handbook on Valuing Changes in Time Use Induced by Regulatory Requirements and Other U.S. EPA Actions*. This change is an adjustment.

In addition, OMB has requested that EPA move towards using the 18-question format for ICR Supporting Statements used by other federal agencies and departments and is based on the submission instructions established by OMB in 1995, replacing the alternate format developed by EPA and OMB prior to 1995. The Agency does not expect this change in format to result in substantive changes to the information collection activities or related estimated burden and costs.

IV. What is the next step in the process for this ICR?

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments. If you have any questions about this ICR or the approval process, please contact the person listed under

FOR FURTHER INFORMATION CONTACT.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: September 15, 2021.

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2021–20355 Filed 9–20–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2021–0146; FRL–8682–04–OCSPF]

Certain New Chemicals or Significant New Uses; Statements of Findings for July 2021

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Toxic Substances Control Act (TSCA) requires EPA to publish in the **Federal Register** a statement of its findings after its review of certain TSCA notices when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA. This document presents statements of findings made by EPA on such submissions during the period from July 1, 2021 to July 31, 2021.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Rebecca Edelstein, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–564–1667 email address: Edelstein.rebecca@epa.gov.

For general information contact: The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitters of the PMNs addressed in this action.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2021–0146, is available at <http://www.regulations.gov>. Due to the public health concerns related to COVID–19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote

customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

II. What action is the agency taking?

This document lists the statements of findings made by EPA after review of notices submitted under TSCA section 5(a) that certain new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. This document presents statements of findings made by EPA during the period from July 1, 2021 to July 31, 2021.

III. What is the Agency's authority for taking this action?

TSCA section 5(a)(3) requires EPA to review a TSCA section 5(a) notice and make one of the following specific findings:

- The chemical substance or significant new use presents an unreasonable risk of injury to health or the environment;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects of the chemical substance or significant new use;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects and the chemical substance or significant new use may present an unreasonable risk of injury to health or the environment;
- The chemical substance is or will be produced in substantial quantities, and such substance either enters or may reasonably be anticipated to enter the environment in substantial quantities or there is or may be significant or substantial human exposure to the substance; or
- The chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment.

Unreasonable risk findings must be made without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant under the conditions of use. The term “conditions of use” is defined in TSCA section 3 to mean “the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.”

EPA is required under TSCA section 5(g) to publish in the **Federal Register**

a statement of its findings after its review of a TSCA section 5(a) notice when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before

commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of “not likely to present an unreasonable risk of injury to health or the environment” may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

IV. Statements of Administrator Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA provides the following information (to the extent that such information is not claimed as

Confidential Business Information (CBI)) on the PMNs, MCANs and SNUNs for which, during this period, EPA has made findings under TSCA section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment:

- EPA case number assigned to the TSCA section 5(a) notice.
- Chemical identity (generic name if the specific name is claimed as CBI).
- Website link to EPA’s decision document describing the basis of the “not likely to present an unreasonable risk” finding made by EPA under TSCA section 5(a)(3)(C).

EPA case No.	Chemical identity	Website link
J-21-0014, J-21-0015, J-21-0016, J-21-0017, J-21-0018.	Chromosomally modified <i>Saccharomyces cerevisiae</i> (Generic Name).	https://www.epa.gov/system/files/documents/2021-07/j-21-0014-0018_determination_non-cbi_final.pdf .
J-21-0019	Strain of <i>Escherichia coli</i> modified with genetically-stable, plasmid-borne DNA for the production of plasmid-borne DNA (Generic Name).	https://www.epa.gov/system/files/documents/2021-07/j-21-0019_determination_non-cbi_final.pdf .
P-21-0020	Alkanedioic acid, dialkyl ester, polymer with dialkyl-alkanediol, alkyl (substituted alkyl)-alkanediol and heteropolycycle (Generic Name).	https://www.epa.gov/system/files/documents/2021-07/p-21-0020_determination_non-cbi_final.pdf .
P-21-0037,	P-21-0037: [1,1'-Biphenyl]-3,3',4,4'-tetracarboxamide, N3,N3',N4,N4'-tetraoctyl; CASRN: 2169674-18-2 (Specific)..	https://www.epa.gov/system/files/documents/2021-07/p-21-0037-0038_determination_non-cbi_final.pdf .
P-21-0038	P-21-0038: [1,1'-Biphenyl]-3,3',4,4'-tetracarboxamide, N3, N3', N4, N4'-tetradodecyl; CASRN: 2413095-68-6 (Specific).	
P-21-0085	1-Propanethiol, 3-(triethoxysilyl)-, reaction products with polybutadiene; CASRN: 2109699-92-3 (Specific).	https://www.epa.gov/system/files/documents/2021-08/p-21-0085_determination_non-cbi_final_1.pdf .

Authority: 15 U.S.C. 2601 *et seq.*

Dated: September 13, 2021.

Madison Le,

Director, New Chemicals Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2021-20356 Filed 9-20-21; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2021-0083; FRL-8793-02-OCSP]

Pesticide Product Registration; Receipt of Applications for New Active Ingredients (September 2021)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice

of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before October 21, 2021.

ADDRESSES: Submit your comments, identified by docket identification (ID) number and the File Symbol of interest as shown in the body of this document, online at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets/about-epa-dockets>.

Due to the public health concerns related to COVID-19, the EPA/DC and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on the EPA/DC and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Charles Smith, Biopesticides and Pollution Prevention Division (7511P), main telephone number: (703) 305-7090, email address: BPPDFRNotices@epa.gov; The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001. As part of the mailing address, include the contact person’s name, division, and mail code. The division to contact is listed at the end of each pesticide petition summary.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather

provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).

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

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](https://www.epa.gov/regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications. For actions being evaluated under EPA's public participation process for registration actions, there will be an additional opportunity for public comment on the proposed decisions. Please see EPA's public participation website for additional information on this process (<http://www2.epa.gov/pesticide-registration/public-participation-process-registration-actions>).

Notice of Receipt—New Active Ingredients

1. *File Symbol:* 52991-GO. *Docket ID number:* EPA-HQ-OPP-2021-0468. *Applicant:* Bedoukian Research, Inc., 6 Commerce Dr., Danbury, CT 06810. *Product name:* Bedoukian Methyl

Dihydro Jasmolate Technical. *Active ingredient:* Insect pheromone, repellent—Methyl Dihydro Jasmolate (cyclopentaneacetic acid, 3-hydroxy-2-pentyl-, methyl ester) at 95.5%. *Proposed use:* For manufacturing of insect repellents for indoor, non-food use. *Contact:* BPPD.

2. *File Symbol:* 52991-UG. *Docket ID number:* EPA-HQ-OPP-2021-0425. *Applicant:* Bedoukian Research, Inc., 6 Commerce Dr., Danbury, CT 06810. *Product name:* Bedoukian Delta-Dodecalactone Technical. *Active ingredient:* Insect pheromone, repellent—Delta-Dodecalactone (2H-pyran-2-one, 6-heptyltetrahydro-) at 98.7%. *Proposed use:* For manufacturing of insect repellents for indoor, non-food use. *Contact:* BPPD.

3. *File Symbol:* 67986-RN. *Docket ID number:* EPA-HQ-OPP-2021-0518. *Applicant:* OmniLytics, Inc., 9075 South Sandy Parkway, Sandy, UT 84070. *Product name:* AgriPhage-Nut & Stone Fruit. *Active ingredients:* Bactericide—Bacteriophage active against *Xanthomonas arboricola* pv. *pruni* at 0.000025%, bacteriophage active against *Xanthomonas arboricola* pv. *juglandis* at 0.000025%, bacteriophage active against *Xanthomonas arboricola* pv. *corylina* at 0.000025%, and bacteriophage active against *Pseudomonas syringae* pv. *syringae* at 0.000025%. *Proposed use:* To control bacterial spot, canker, and blast on nut and stone fruit in commercial and residential settings. *Contact:* BPPD.

4. *File Symbol:* 93257-R. *Docket ID number:* EPA-HQ-OPP-2021-0533. *Applicant:* Symborg, Inc., P.O. Box 12810, San Luis Obispo, CA 93406. *Product name:* TrichoSym Biological Fungicide. *Active ingredient:* Fungicide—*Trichoderma harzianum* strain T78 at 0.35%. *Proposed use:* For use on lettuce, melon, sunflower, pepper, tomato, and strawberry in the field or greenhouse to control plant diseases. *Contact:* BPPD.

5. *File Symbol:* 95213-A. *Docket ID number:* EPA-HQ-OPP-2021-0402. *Applicant:* Indigo Ag, Inc., 500 Rutherford Ave., Boston, MA 02129. *Product name:* Indigo 405 FP. *Active ingredient:* Nematode suppression agent—*Streptomyces* sp. strain SYM00257 at 3.00%. *Proposed use:* For seed treatment of cereal grains, corn, cotton, legumes, oilseeds, and soybean to suppress plant-parasitic nematodes. *Contact:* BPPD.

6. *File Symbol:* 95213-L. *Docket ID number:* EPA-HQ-OPP-2021-0402. *Applicant:* Indigo Ag, Inc., 500 Rutherford Ave., Boston, MA 02129. *Product name:* *Streptomyces* sp. strain SYM00257 Technical. *Active ingredient:*

Nematode suppression agent—*Streptomyces* sp. strain SYM00257 at 100.00%. *Proposed use:* For manufacturing pesticide products. *Contact:* BPPD.

7. *File Symbol:* 95699-E. *Docket ID number:* EPA-HQ-OPP-2021-0570. *Applicant:* NewLeaf Symbiotics, 1005 North Warson Rd., Suite 102, St. Louis, MO 63132. *Product name:* TS201. *Active ingredient:* Insecticide—*Methylorubrum extorquens* strain NLS0042 at 2.0%. *Proposed use:* For use on corn to control corn rootworm. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 13, 2021.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Program Support.

[FR Doc. 2021-20415 Filed 9-20-21; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2021-0080; FRL-8795-02-OCSP]

Pesticide Product Registration; Receipt of Applications for New Uses (September 2021)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before October 21, 2021.

ADDRESSES: Submit your comments, identified by docket identification (ID) number and the File Symbol of interest as shown in the body of this document, online at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets/about-epa-dockets>.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is

closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Charles Smith, Biopesticides and Pollution Prevention Division (7511P), main telephone number: (703) 305-7090, email address: BPPDFRNotices@epa.gov; or Marietta Echeverria, Registration Division (7505P), main telephone number: (703) 305-7090, email address: RDFRNotices@epa.gov. The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each application summary.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).

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

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](https://www.epa.gov/regulations) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Registration Applications

EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

A. Notice of Receipt—New Uses

1. *EPA Registration Numbers:* 100-1478, 100-1471, and 100-1476. *Docket ID number:* EPA-HQ-OPP-2021-0417.

Applicant: Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419. *Active ingredient:* Benzovindiflupyr. *Product type:* Fungicide. *Proposed use:* Vegetable, root, except sugar beet, subgroup 1B, except ginseng. *Contact:* RD.

2. *EPA Registration Numbers:* 100-1609, 100-1601, 100-1648, and 100-1603. *Docket ID number:* EPA-HQ-OPP-2021-0446. *Applicant:* Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419-8300. *Active ingredient:* Pydiflumetofen. *Product type:* Fungicide. *Proposed Use(s):* Foliar uses on caneberry subgroup 13-07A, greenhouse lettuce, and greenhouse pepper. Seed treatment uses on cucurbit vegetables crop group 9, edible-podded legume vegetables crop subgroup 6A, and succulent shelled pea and bean crop subgroup 6B. *Contact:* RD.

3. *EPA Registration Numbers:* 59639-211 and 50639-185. *Docket ID number:* EPA-HQ-OPP-2021-0045. *Applicant:* Valent U.S.A. LLC, P.O. Box 5075, San Ramon, CA 94583-0975. *Active ingredient:* Ethaboxam. *Product type:* Fungicide. *Proposed Uses:* Brassica head and stem vegetables (group 5-16) and Brassica leafy greens (crop subgroup 4-16B). *Contact:* RD.

4. *EPA Registration Number:* 59825-6. *Docket ID number:* EPA-HQ-OPP-2021-0550. *Applicant:* The Lubrizol Corporation, 29400 Lakeland Blvd., Wickliffe, OH 44092. *Active ingredient:* Tetraacetyl Ethylenediamine (TAED). *Product type:* Bactericide, fungicide, insecticide, and miticide. *Proposed use:* For use in the manufacturing of pesticide products for disease control, pest control, and plant health on all food commodities. *Contact:* BPPD.

5. *EPA File Symbol:* 90866-GN and *EPA Registration Number:* 34704-1057.

Docket ID number: EPA-HQ-OPP-2021-0469. *Applicants:* CH Biotech R&D Co. Ltd., No. 89 Wenxian Rd., Nantou City, Nantou County 54041, Taiwan R.O.C. (c/o CH Biotech LLC, 601 Kettering Dr., Ontario, CA 91761) and Loveland Products, Inc., P.O. Box 1286, Greeley, CO 80632-1286. *Active ingredient:* Salicylic Acid. *Product type:* Plant regulator. *Proposed use:* For abiotic stress reduction; food use. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 13, 2021.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Program Support.

[FR Doc. 2021-20412 Filed 9-20-21; 8:45 am]

BILLING CODE 6560-50-P

EXPORT-IMPORT BANK

Sunshine Act Meetings; Notice of an Open Meeting of the Board of Directors of the Export-Import Bank of the United States

TIME AND DATE: Thursday, September 30, 2020 at 9:30 a.m.

PLACE: The meeting will be held via teleconference.

STATUS: The meeting will be open to public observation for Item Number 1.

MATTERS TO BE CONSIDERED: 1. Review of the Long-term High-Risk Policy (LTHR)

CONTACT PERSON FOR MORE INFORMATION: Joyce B. Stone (202-257-4086). Members of the public who wish to attend the meeting via teleconference should register via using the link below:

https://teams.microsoft.com/registration/PAFTuZHHMk2Zb1GDkIVFJw,pHLqbjVTrkuy_9KepKN6dQ,MFtnLzltSEGI6EQECdI5iQ,ZqUPHLR hqUeX1pROj1U88w,NvLwledauUa-H62Qo4IjfbQ,tHbdcrmUp0CE agtVkcFgwx?mode=read&tenantId=b953013c-c791-4d32-996f-518390854527

by noon Wednesday, September 29, 2021. Individuals will be directed to a Webinar registration page and provided call-in information.

Joyce B. Stone,

Assistant Corporate Secretary.

[FR Doc. 2021-20445 Filed 9-17-21; 11:15 am]

BILLING CODE 6690-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

FDIC Advisory Committee on Economic Inclusion (Come-IN); Notice of Meeting

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of open meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, notice is hereby given of a meeting of the FDIC Advisory Committee on Economic Inclusion. The Advisory Committee will provide advice and recommendations on initiatives to expand access to banking services by underserved populations. The meeting is open to the public. Out of an abundance of caution related to current and potential coronavirus developments, the public's means to observe this Advisory Committee on Economic Inclusion meeting will be via a Webcast live on the internet. In addition, the meeting will be recorded and subsequently made available on-demand approximately two weeks after the event. The web addresses for viewing the live event and the recording are provided below in the **ADDRESSES** paragraph.

DATES: Thursday, October 7, 2021, from 1:00 p.m. to 5:00 p.m.

ADDRESSES: To view the live event, visit <http://fdic.windrosemedia.com>. To view the recording, visit [http://fdic.windrosemedia.com/index.php?category=Advisory+Committee+on+Economic+Inclusion++\(Come-IN\)](http://fdic.windrosemedia.com/index.php?category=Advisory+Committee+on+Economic+Inclusion++(Come-IN)). If you require a reasonable accommodation to participate, please contact DisabilityProgram@fdic.gov or call 703-562-2096 to make necessary arrangements.

FOR FURTHER INFORMATION CONTACT: Requests for further information concerning the meeting may be directed to Ms. Debra Decker, Committee Management Officer of the FDIC, at (202) 898-8748.

SUPPLEMENTARY INFORMATION:

Agenda: The agenda will include updates from the committee members about key challenges facing their communities or organizations. In addition, there will be panel discussions covering housing market trends, tax time opportunities to expand account access as well as highlights from the FDIC Tech Sprint, *Breaking Down Barriers: Reaching the 'Last Mile' of the Unbanked*. Any changes to the agenda will be announced at the beginning of the meeting.

Type of Meeting: This meeting of the Advisory Committee on Economic Inclusion will be Webcast live via the internet <http://fdic.windrosemedia.com>. For optimal viewing, a high-speed internet connection is recommended.

Federal Deposit Insurance Corporation.
 Dated at Washington, DC, on September 16, 2021.

James Sheesley,
Assistant Executive Secretary.

[FR Doc. 2021-20359 Filed 9-20-21; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request; OMB No. 3064-0109; -00124; -0162; -0179; -0196

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Agency Information Collection Activities: Submission for OMB Review; Comment Request.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the request to renew the existing information collections described below (OMB Control No.

3064-0109; -0124; -0137; -0162; and -0196).

DATES: Comments must be submitted on or before October 21, 2021.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- <https://www.FDIC.gov/regulations/laws/federal>.
- *Email:* comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202-898-3767), Regulatory Counsel, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202-898-3767, mcabeza@fdic.gov, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Proposal to renew the following currently approved collections of information:

1. *Title:* Notice of Branch Closure.
OMB Number: 3064-0109.
Form Number: None.
Affected Public: FDIC-insured depository institutions.
Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated average frequency of response	Estimated time per response (hours)	Estimated annual burden (hours)
Notice of Branch Closure	Reporting	Mandatory	178	4.388	2	1,562
Adoption of Branch Closure Policy	Recordkeeping ...	Mandatory	22	On Occasion	8	176

Total Estimated Annual Burden:
 1,738 hours.

General Description of Collection:
 Section 42 of the Federal Deposit Insurance Act mandates that an insured

depository institution closing a branch notify its primary federal regulator not later than 90 days prior to the closing. The statute also provides that a notice be posted on the premises of the branch

for the 30-day period immediately prior to the closing and that the customers be notified in a mailing at least 90 days prior to the closing. Each insured depository institution that has one or

SUMMARY OF ANNUAL BURDEN—Continued

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden
Ongoing							
Notification of identity of person responsible for producing standard data downloads—360.9(c)(3).	Reporting	Mandatory	126	1	8	One time	1,008
Request for exemption from provisional hold requirements—360.9(c)(9).	Reporting	Voluntary	1	1	20	On occasion	20
Request for exemption—360.9(f)	Reporting	Voluntary	1	1	20	On occasion	20
Test compliance with 360.9 (c)–(d) pursuant to 360.9(h).	Reporting	Mandatory	40	1	80	On occasion	3,200
Total Ongoing Burden .....	.....	.....	.....	.....	.....	.....	4,248
Total Estimated Annual Burden.	.....	.....	.....	.....	.....	.....	6,464

General Description of Collection:
 Upon the failure of an FDIC-insured depository institution, the FDIC is required to pay insured deposits as soon as possible. To do so, the FDIC must be able to quickly determine the total insured amount for each depositor. To make this determination, the FDIC must ascertain the balances of all deposit accounts owned by the same depositor in the same ownership capacity at a failed institution as of the day of failure. The FDIC issued a regulation (12 CFR 360.9) (Section 360.9) to modernize the process of determining the insurance status of each depositor in the event of failure of a covered institution. The FDIC requires institutions that are covered under Section 360.9 to have mechanisms in place that will automatically place a provisional hold on domestic and foreign deposit accounts, and sweep and automated credit account arrangements, in the event that a covered institution is close to failing. A “provisional hold” is defined in 12 CFR Section 360.9(b)(6) as “an effective restriction on access to some or all of a deposit or other liability account after the failure of an insured depository institution.” Section 360.9 also requires institutions to have in place practices and procedures for providing the FDIC, in a standard format upon the close of any day’s business, certain data on the accounts and customers of the institution, and to provide the FDIC with this information upon request. The purpose of these requirements is to allow the deposit and other operations of a covered institution to continue functioning on the day following failure, and to permit the FDIC to fulfill its legal requirement to promptly provide liquidity to depositors of a failed institution. This information also helps to ensure equitable treatment of depositors at different institutions,

and helps to preserve the franchise value of a failed institution, thereby reducing costs to the FDIC in the event that a covered institution fails.
 FDIC-insured depository institutions (IDIs) that are covered by Section 360.9 are defined in Section 360.9(b)(1) as having at least \$2 billion in deposits and either (1) 250,000 or more deposit accounts, or (2) \$20 billion or more in assets, regardless of the number of deposit accounts. IDIs that meet this criteria for two consecutive quarters qualify as covered institutions.
 This information collection consists of seven distinct reporting and recordkeeping requirements (ICs) that impose annual implementation burden on covered institutions. Four of these seven reporting requirements entail an ongoing burden component: (1) Section 360.9(c)(3) (IC requirements C and H, below) requires covered institutions to provide certain information to the FDIC both while the institution is implementing the systems required under 360.9 (IC requirement C) and on an ongoing basis (IC requirement H); (2) Section 360.9(c)(9) (IC requirements D and I, below) permits institutions to request an exemption from certain requirements of Section 360.9. Institutions could submit such requests either while they are implementing the systems required under Section 360.9 (IC requirement D) or after they are already in compliance with Section 360.9 (IC requirement I); (3) Section 360.9(f) (IC requirements G and J, below) permits institutions to request an exemption from all of the requirements of Section 360.9 under certain conditions. Institutions could submit such requests either while they are implementing the systems required under Section 360.9 (IC requirement G) or after they are already in compliance with Section 360.9 (IC requirement J). Since reporting by institutions pursuant

to Sections 360.9(c)(3), 360.9(c)(9), and 360.9(f) are counted as both implementation and ongoing requirements, this IC contains eleven¹ requirements in total. These requirements, with corresponding CFR sections, are listed and described as follows:
 A. 360.9(c)(1) and (2) (Implementation)—Require covered institutions to set up systems for automatically placing provisional holds on domestic and foreign deposit accounts and sweep and automated credit account arrangements
 B. 360.9(d)(1) and (2) (Implementation)—Require covered institutions to establish practices and procedures for providing the FDIC, in a standard format upon the close of any day’s business, customer and depositor data for all deposit accounts held in domestic and foreign offices and interest bearing investment accounts connected with sweep and automated credit arrangements
 C. 360.9(c)(3) (Implementation)—Requires covered institutions to notify the FDIC of the person(s) responsible for producing the standard data download and administering provisional holds, both while the functionality is being constructed and on an ongoing basis (IC requirement H)
 D. 360.9(c)(9) (Implementation)—Permits covered institutions to submit to the FDIC a request for an exemption from the provisional hold requirements for those account systems servicing a relatively small number of accounts where the application of manual provisional holds is feasible, both while the

¹ 8 distinct requirements, plus 3 requirements that are counted as both implementation and ongoing requirements, brings the total number of requirements for this IC to 11.

- systems are being constructed and on an ongoing basis (IC requirement I)
- E. 360.9(d)(3) (Implementation)—Requires covered institutions to submit the data required by 360.9(d)(1) to the FDIC upon request both while the systems are being constructed and on an ongoing basis (IC requirement K)
 - F. 360.9(e)(7) (Implementation)—Permits covered institutions to submit to the FDIC a request for an extension of the deadline for complying with the requirements of Section 360.9
 - G. 360.9(f) (Implementation)—Permits covered institutions to apply for an exemption from the requirements of Section 360.9, if the institution has a high concentration of deposits incidental to credit card operations, both during the implementation period in the first year and on an ongoing basis (IC requirement J)
 - H. 360.9(c)(3) (Ongoing)—Requires covered institutions to provide the information described in IC

- requirement C above to the FDIC on an ongoing basis
- I. 360.9(c)(9) (Ongoing)—Permits covered institutions to request an exemption from the provisional hold requirements, as described in IC requirement D above, both while the systems are being constructed and on an ongoing basis
- J. 360.9(f) (Ongoing)—Permits covered institutions to apply for an exemption from the requirements of Section 360.9, as described in IC requirement G above, at any time after the institution is in compliance with the requirements of Section 360.9 if the institution has a high concentration of deposits incidental to credit card operations. The ongoing burden component under 12 CFR Section 360.9(f) was inadvertently omitted from the 2018 submission and is now included in this renewal.
- K. 360.9(h) (Ongoing)—Requires covered institutions to provide

appropriate assistance to the FDIC in its testing of the systems required under Section 360.9

There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 10,268 hours in 2018 to 6,064 hours currently, is due to economic factors reflected in a decrease in the number of estimated annual respondents. The inclusion of ongoing burden for requests for exemption pursuant to 12 CFR 360.9(f) accounts for an increase of 20 hours in total estimated annual burden for one respondent.

4. *Title:* Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions.
OMB Number: 3064–0179.
Form Number: None.
Affected Public: Large and highly complex depository institutions.
Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response (hours)	Estimated annual burden (hours)
Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions.	Reporting	Mandatory	2	On Occasion	80	160

Total Estimated Annual Burden: 160 hours.

General Description of Collection: The FDIC’s deposit insurance assessment authority is set forth in Section 7 of the Federal Deposit Insurance Act, 12 U.S.C. 1817(b) and (c) and promulgated in regulations under 12 CFR part 327. These regulations also set out the process for making adjustments to the total score of these institutions used by the FDIC in making deposit insurance assessments. Depository institutions are permitted to make a written request to the FDIC for an assessment adjustment. An institution is able to request review of, or appeal, an upward adjustment, the magnitude of an upward adjustment, removal of a previously implemented

downward adjustment or an increase in a previously implemented upward adjustment through the FDIC’s internal review process set forth at 12 CFR 327.4(c). An institution can similarly request review of or appeal a decision not to apply an adjustment following a request by the institution for an adjustment.

An institution can submit its written request for an adjustment to the FDIC’s Director of the Division of Insurance and Research in Washington, DC In making such a request, the institution will provide support by including evidence of a material risk or risk-mitigating factor that it believes was not adequately considered.

There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 80 hours in 2018 to 160 hours currently is due to economic factors as reflected in the increase in estimated number of respondents.

5. *Title:* Regulatory Capital Rules: Regulatory Capital, Revisions to the Supplementary Leverage Ratio.
OMB Number: 3064–0196.
Form Number: None.
Affected Public: Insured state nonmember banks and state savings associations that are subject to the FDIC’s advanced approaches risk-based capital rules.
Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response (hours)	Estimated annual burden (hours)
Disclosure Requirements Associated with Supplementary Leverage Ratio (12 CFR 324.172 and 173).	Disclosure	Mandatory	5	Quarterly	5	100

Total Estimated Annual Burden: 100 hours.

General Description of Collection: The supplementary leverage ratio regulations strengthen the definition of total leverage exposure and improve the measure of a banking organization's on and off-balance sheet exposures. All banking organizations that are subject to the advanced approaches risk-based capital rules are required to disclose their supplementary leverage ratios. Advanced approaches banking organizations must report their supplementary leverage ratios on the applicable regulatory reports. The calculation and disclosure requirements for the supplementary leverage ratio in the federal banking agencies' regulatory capital rules are generally consistent with international standards published by the Basel Committee on Banking Supervision. These disclosures enhance the transparency and consistency of reporting requirements for the supplementary leverage ratio by all internationally active organizations.

There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 40 hours in 2018 to 100 hours currently is due to economic factors as reflected in the increase in estimated number of respondents.

Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Dated at Washington, DC, this 15th day of September 2021.

Federal Deposit Insurance Corporation.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2021-20306 Filed 9-20-21; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

FDIC Advisory Committee of State Regulators; Notice of Meeting

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of open meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, notice is hereby given of a meeting of the FDIC Advisory Committee of State Regulators. The Advisory Committee will provide advice and recommendations on a broad range of policy issues regarding the regulation of state-chartered financial institutions throughout the United States, including its territories. The meeting is open to the public. Out of an abundance of caution related to current and potential coronavirus developments, the public's means to observe this meeting of the Advisory Committee of State Regulators will be via a Webcast live on the internet. In addition, the meeting will be recorded and subsequently made available on-demand approximately two weeks after the event. The web addresses for viewing the live event and the recording are provided below in the **ADDRESSES** paragraph.

DATES: Tuesday, October 6, 2021, from 1:00 p.m. to 5:00 p.m.

ADDRESSES: To view the live event, visit <http://fdic.windrosemedia.com>. To view the recording, visit <http://fdic.windrosemedia.com/index.php?category=Advisory+Committee+State+Regulators>. If you require a reasonable accommodation to participate, please contact DisabilityProgram@fdic.gov or call 703-562-2096 to make necessary arrangements.

FOR FURTHER INFORMATION CONTACT:

Requests for further information concerning the meeting may be directed to Debra A. Decker, Committee Management Officer of the FDIC, at (202) 898-8748.

SUPPLEMENTARY INFORMATION:

Agenda: The agenda will include a discussion of a variety of current and emerging issues that have potential implications regarding the regulation and supervision of state-chartered financial institutions. The agenda is subject to change. Any changes to the agenda will be announced at the beginning of the meeting.

Type of Meeting: This meeting of the Advisory Committee of State Regulators will be Webcast live via the internet <http://fdic.windrosemedia.com>. For

optimal viewing, a high-speed internet connection is recommended.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on September 16, 2021.

James Sheesley,

Assistant Executive Secretary.

[FR Doc. 2021-20358 Filed 9-20-21; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL MEDIATION AND CONCILIATION SERVICE

Privacy Act of 1974; System of Records

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Notice of a new system of records.

SUMMARY: To fulfill its conflict resolution and training mission, Federal Mediation and Conciliation Service (FMCS) uses Microsoft SharePoint, Microsoft Outlook, and a case records management system new to FMCS to enable mediators and managers to manage cases, manage reporting requirements, provide data for research and training, store recorded trainings and meetings, and collect information on Agency operations. The Agency's internal drives, SharePoint, email, Cloud-based services such as *Zoom.gov* and Microsoft Teams, and a case records management system are used to store electronic case tracking information, electronic case files (including mediation agreements), and recorded meetings and trainings, permitting the accurate and timely collection, retrieval, and retention of information maintained by offices of the Agency. Inter-Agency Agreements (IAA), agreements for reimbursable services, and requests for mediation and training are also stored in these locations. IAAs and agreements for reimbursable services allow FMCS to provide requested services, such as training and labor dispute resolution, to other federal agencies.

DATES: This notice will be effective without further notice on October 21, 2021 unless otherwise revised pursuant to comments received. New routine uses will be effective on October 21, 2021. Comments must be received on or before October 21, 2021.

ADDRESSES: You may send comments, identified by FMCS-0004 by any of the following methods:

- **Mail:** Office of General Counsel, 250 E Street SW, Washington, DC 20427.
- **Email:** ogc@fmcs.gov. Include FMCS-0004 on the subject line of the message.

- Fax: (202) 606-5444.

FOR FURTHER INFORMATION CONTACT:

Anna Davis, Deputy General Counsel, at adavis@fmcs.gov or 202-606-3737.

SUPPLEMENTARY INFORMATION: This new system is needed for processing, storing, and maintaining FMCS case records, notices, and agreements.

SYSTEM NAME AND NUMBER:

FMCS-0004.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Mediation and Conciliation Service, 250 E Street SW, Washington, DC 20427.

SYSTEM MANAGER(S):

Doug Jones, Director of Information Technology, email djones@fmcs.gov, or send mail to Federal Mediation and Conciliation Service, 250 E Street Southwest, Washington, DC 20427, Attn: Doug Jones.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Mediation and Conciliation Service, 29 U.S.C. 172, *et seq.*; The Privacy Act, 5 U.S.C. 552a; The National Labor Relations Act, 29 U.S.C. 151, *et seq.*; Administrative Dispute Resolution Act, 5 U.S.C. 571-584; Negotiated Rulemaking Act of 1990, 5 U.S.C. 561-570.

PURPOSE(S) OF THE SYSTEM:

The case records management system is maintained for the purposes of processing records of notices, recording modification/termination of collective bargaining agreements, and/or existence of certain disputes sent by unions and employers under the National Labor Relations Act, as well as recording other activities for such purposes. SharePoint is maintained for the purposes of processing, monitoring, approving, modifying/canceling, signing, and closing agreements with other federal agencies. Microsoft Outlook is used to store party communications requesting and scheduling mediations and trainings. Cloud-based systems such as *Zoom.gov* and Microsoft Teams are used to record meetings and trainings. The Agency's internal drives are also maintained for the purpose of processing Freedom of Information requests.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Encompasses all individuals, and parties, receiving mediation, training, or any other external FMCS services.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records consist of notices, agreements, case status information, and data regarding parties to mediations and trainings. This data includes name, title, business address, business email, cell phone number, business telephone and fax numbers, and IP address.

RECORD SOURCE CATEGORIES:

Parties to labor agreements/disputes, mediations, or those requesting training submit notices and requests. Agencies requesting services submit agreements, and FMCS personnel and official representatives receive case and agreement information.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

The files in this system are used to process, track, review, and evaluate requests for mediation, training, and other alternate dispute resolution services, and to respond to Freedom of Information Act requests. Data from this system may be used for training, presentation, and research purposes. The files from this system will also be used in the preparation of internal agency reports, the agency's budget requests, and reports to Congress.

(1) Requests for mediation or training completed by parties to include the Agency Form F-7, available on www.fmcs.gov. Contact information for parties requesting services. These documents are used to assign FMCS employees to cases, to respond to Freedom of Information Act requests, and to inform FMCS clients and parties of FMCS-sponsored events, trainings, conferences, and announcements.

(2) Processing documents sent to or from parties to a mediation: Agency confirmation letters sent to parties assigning mediators to cases or trainings, mediation agreements, FMCS terms and conditions, ethics waivers pertaining to specific cases, strike notices, picket notices, notice of intent to strike, and reports and invoices regarding mediations and training.

(3) Internal processing documents: Checklists of steps needed during the life of cases, correspondence with parties, and status updates for mediation cases. These documents are used to assess case progress, FMCS employee activity, and personnel needs. These documents produce summary descriptive statistics and analytical studies, and data for management information. These statistics and studies are used for related personnel management functions, other federal agency studies, congressional reports,

budget reports, and workforce assessments.

(4) These documents or information contained therein may be sent to appropriate agencies, entities, and persons when (1) FMCS suspects or has confirmed that there has been a breach of the system of records, (2) FMCS has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, FMCS (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with FMCS's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(5) These documents or information contained therein may be sent to another Federal agency or Federal entity, when FMCS determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The case records management system will store records electronically using a commercial software application run on the Customer Relationship Management (CRM) platform, Microsoft Dynamics, which require a username and password. SharePoint is used to store the IAAs, which requires a username and password. Temporary paper files, notices received through mail, are destroyed once they are scanned into the agency's internal drives which also require a username and password. Communications regarding mediations and trainings are stored in accordance with the Agency's record retention schedule in Microsoft Outlook. Meetings and trainings that are recorded via *Zoom.gov* are stored in the Cloud on ZoomGov servers requiring a username and password. Meetings recorded in Microsoft Teams are stored on the FMCS employee's OneDrive which requires a username and password. Third-party recording of meetings or trainings on FMCS platforms is not permitted.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Mediation case records are indexed by name of party, type of notice, case number, case type, date, and assigned mediator or geographic region. Mediation case records can also be searched by name, address, phone number, fax number, and email of a party on the case records management system. On SharePoint, case records are indexed by form name and number, agency and office that need services, type of service, assigned FMCS personnel, expiration date of service, service amount, and status.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are stored in the system for seven years from the date the case is closed, plus the current year. Records older than this will be archived and sent to the National Archives and Records Administration (NARA). Records on the agency's internal drives are stored for seven years and then destroyed. On SharePoint, records are stored temporarily until business uses cease and then records are destroyed. All records are retained and disposed of in accordance with General Records Schedule 1.1 and 4.2, issued by NARA.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Case records and agreements are accessible to restricted FMCS personnel or contractors who require access. Access to these electronic records occurs through a web browser to the internet or on the agency's internal drives both requiring a username and password for login. FMCS buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

Members of the public seeking access to FMCS records would need to submit a Freedom of Information Act request via the Agency's public website portal, <https://palfmcs.foia-host.com/>. FMCS personnel must login to the agency's network and database using agency credentials to access these records.

CONTESTING RECORDS PROCEDURES:

See 29 CFR 1410.6, Requests for correction or amendment of records, on how to contest the content of any records. Privacy Act requests to amend or correct records may be submitted to the Chief Privacy Officer at privacy@fmcs.gov or Chief Privacy Officer, FMCS 250 E Street SW, Washington, DC 20427. Also, see <https://www.fmcs.gov/privacy-policy/>.

NOTIFICATION PROCEDURES:

See 29 CFR 1410.3(a), Individual access requests.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

Dated: September 16, 2021.

Sarah Cudahy,

General Counsel.

[FR Doc. 2021-20352 Filed 9-20-21; 8:45 am]

BILLING CODE 6732-01-P

FEDERAL RESERVE SYSTEM**Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company**

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than October 6, 2021.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *Robin Burch, Tulsa, Oklahoma*; a member of the Burch Family Group, a group acting in concert, to acquire voting shares of Security Bancshares Corporation, and thereby indirectly acquire voting shares of Security State Bank of Oklahoma, both of Wewoka, Oklahoma.

Additionally, Pier 6 Investment Company, LLC, Tipton Burch, as

managing member, both of Tulsa, Oklahoma; to retain voting shares of Security Bancshares Corporation, and thereby indirectly retain voting shares of Security State Bank of Oklahoma.

Board of Governors of the Federal Reserve System, September 15, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021-20317 Filed 9-20-21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM**Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

All public comments will be made available on the Board's website at <https://www.federalreserve.gov/foia/readingrooms.htm#rr1> as submitted, unless modified for technical reasons or to remove personally identifiable information or other confidential information at the commenter's request. Accordingly, your comments will not be edited to remove any confidential, contact, or identifying information.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than October 21, 2021.

A. Federal Reserve Bank of Boston (Prabal Chakrabarti, Senior Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02210–2204. Comments can also be sent electronically to BOS.SRC.Applications.Comments@bos.frb.org:

1. *Citizens Financial Group, Inc., Providence, Rhode Island*; to acquire Investors Bancorp, Inc. and thereby indirectly acquire Investors Bank, both of Short Hills, New Jersey.

Board of Governors of the Federal Reserve System, September 15, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–20320 Filed 9–20–21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than October 21, 2021.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Readlyn Bancshares, Inc., Readlyn, Iowa*; to merge with Tripoli Bancshares, Inc., Saint Paul, Minnesota, and thereby indirectly acquire American Savings Bank, Tripoli, Iowa. As part of the merger, Readlyn Bancshares, Inc. to acquire an additional 15 percent of the voting shares, for a total of 35 percent of the voting shares of Nashua Bancshares, Inc., Saint Paul, Minnesota.

Board of Governors of the Federal Reserve System, September 15, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–20318 Filed 9–20–21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Savings and Loan Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Home Owners' Loan Act (12 U.S.C. 1461 *et seq.*) (HOLA), Regulation LL (12 CFR part 238), and Regulation MM (12 CFR part 239), and all other applicable statutes and regulations to become a savings and loan holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a savings association.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on whether the proposed transaction complies with the standards enumerated in the HOLA (12 U.S.C. 1467a(e)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than October 21, 2021.

A. Federal Reserve Bank of Boston (Prabal Chakrabarti, Senior Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02210–2204. Comments can also be sent electronically to

BOS.SRC.Applications.Comments@bos.frb.org:

1. *15 Beach MHC and CFSB Bancorp, Inc., both of Quincy, Massachusetts*; to become a mutual holding company and a mid-tier stock savings and loan holding company, respectively, by acquiring 100% of the voting shares of Colonial Federal Savings Bank, Quincy, Massachusetts, upon the conversion of the Bank from a federal mutual savings bank to a federal stock savings bank.

Board of Governors of the Federal Reserve System, September 16, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021–20410 Filed 9–20–21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in or To Acquire Companies Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR part 225) to engage de novo, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than October 6, 2021.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *Olney Bancshares of Texas, Inc., Olney, Texas*; to engage, de novo, in extending credit and servicing loans pursuant to section 225.28(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 16, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021-20428 Filed 9-20-21; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than October 21, 2021.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Manager) P.O. Box 442, St. Louis, Missouri 63166-2034.

Comments can also be sent electronically to

Comments.applications@stls.frb.org:

1. *Stock Yards Bancorp, Inc., Louisville, Kentucky*; to acquire

Commonwealth Bancshares, Inc., and thereby indirectly acquire Commonwealth Bank and Trust Company, both of Louisville, Kentucky.

Board of Governors of the Federal Reserve System, September 16, 2021.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2021-20429 Filed 9-20-21; 8:45 am]

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FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting

DATES: September 28, 2021 at 10:00 a.m.

ADDRESSES: Telephonic. Dial-in (listen only) information: Number: 1-415-527-5035, Code: 2764 292 5887; or via web: <https://tspmeet.webex.com/tspmeet/onstage/g.php?MTID=ebf17d11e1e07757af9c76225c94afcef>.

FOR FURTHER INFORMATION CONTACT: Kimberly Weaver, Director, Office of External Affairs, (202) 942-1640.

SUPPLEMENTARY INFORMATION:

Board Meeting Agenda

Open Session

1. Approval of the August 24, 2021 Board Meeting Minutes
 2. Monthly Reports
 - (a) Participant Activity Report
 - (b) Investment Report
 - (c) Legislative Report
 3. Quarterly Reports
 - (d) Vendor Risk Management
- Authority:* 5 U.S.C. 552b (e)(1).

Dated: September 15, 2021.

Dharmesh Vashee,

General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2021-20347 Filed 9-20-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the renewal of

the information collection project "Nursing Home Survey on Patient Safety Culture Database." This proposed information collection was previously published in the **Federal Register** on June 23rd, 2021 and allowed 60 days for public comment. AHRQ did not receive substantive comments from members of the public. The purpose of this notice is to allow an additional 30 days for public comment.

DATES: Comments on this notice must be received by October 21, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427-1477, or by email at doris.lefkowitz@AHRQ.hhs.gov.

SUPPLEMENTARY INFORMATION:

Proposed Project

Nursing Home Survey on Patient Safety Culture Database

In 1999, the Institute of Medicine called for health care organizations to develop a "culture of safety" such that their workforce and processes focus on improving the reliability and safety of care for patients (IOM, 1999; *To Err is Human: Building a Safer Health System*). To respond to the need for tools to assess patient safety culture in health care, AHRQ developed and pilot tested the Nursing Home Survey on Patient Safety Culture with OMB approval (OMB NO. 0935-0132; Approved July 5, 2007).

The survey is designed to enable nursing homes to assess provider and staff perspectives about patient safety issues, medical error, and error reporting and includes 42 items that measure 12 composites of patient safety culture. AHRQ made the survey publicly available along with a Survey User's Guide and other toolkit materials in November 2008 on the AHRQ website.

The AHRQ Nursing Home SOPS Database consists of data from the AHRQ Nursing Home Survey on Patient Safety Culture. Nursing homes in the U.S. can voluntarily submit data from the survey to AHRQ through its contractor, Westat. The Nursing Home SOPS Database (OMB NO. 0935-0195, last approved on November 5, 2018) was developed by AHRQ in 2011 in response to requests from nursing

homes interested in viewing their organizations' patient safety culture survey results. Those organizations submitting data receive a feedback report, as well as a report on the aggregated de-identified findings of the other nursing homes submitting data. These reports are used to assist nursing home staff in their efforts to improve patient safety culture in their organizations.

Rationale for the information collection. The Nursing Home SOPS and Nursing Home SOPS Database support AHRQ's goals of promoting improvements in the quality and safety of health care in nursing home settings. The survey, toolkit materials, and database results are all made publicly available on AHRQ's website. Technical assistance is provided by AHRQ through its contractor at no charge to nursing homes, to facilitate the use of these materials for nursing home patient safety and quality improvement.

This database:

- (1) Presents results from nursing homes that voluntarily submit their data,
- (2) Provides data to nursing homes to facilitate internal assessment and learning in the patient safety improvement process, and
- (3) Provides supplemental information to help nursing homes identify their strengths and areas with potential for improvement in patient safety culture.

This study is being conducted by AHRQ through its contractor, Westat, pursuant to AHRQ's statutory authority to conduct and support research on health care and on systems for the delivery of such care, including

activities with respect to the quality, effectiveness, efficiency, appropriateness and value of healthcare services and with respect to surveys and database development. 42 U.S.C 299a(a)(1) and (8).

Method of Collection

To achieve the goal of this project the following activities and data collections will be implemented:

(1) *Eligibility and Registration Form*—The nursing home (or parent organization) point-of-contact (POC) completes a number of data submission steps and forms, beginning with the completion of an online Eligibility and Registration Form. The purpose of this form is to collect basic demographic information about the nursing home and initiate the registration process.

(2) *Data Use Agreement*—The purpose of the data use agreement, completed by the nursing home POC, is to state how data submitted by nursing homes will be used and provides privacy assurances.

(3) *Nursing Home Site Information Form*—The purpose of the site information form, completed by the nursing home POC, is to collect background characteristics of the nursing home. This information will be used to analyze data collected with the Nursing Home SOPS survey.

(4) *Data File(s) Submission*—POCs upload their data file(s) using the data file specifications, to ensure that users submit standardized and consistent data in the way variables are named, coded and formatted. The number of submissions to the database is likely to vary each year because nursing homes do not administer the survey and submit

data every year. Data submission is typically handled by one POC who is either a corporate level health care manager for a Quality Improvement Organization (QIO), a survey vendor who contracts with a nursing home to collect their data, or a nursing home Director of Nursing or nurse manager. POCs submit data on behalf of 3 nursing homes, on average, because many nursing homes are part of a QIO or larger nursing home or health system that includes many nursing home sites, or the POC is a vendor that is submitting data for multiple nursing homes.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated annualized burden hours for the respondents' time to participate in the database. An estimated 40 POCs, each representing an average of 3 individual nursing homes each, will complete the database submission steps and forms. Each POC will submit the following:

- Eligibility and registration form (completion is estimated to take about 3 minutes).
- Data Use Agreement (completion is estimated to take about 3 minutes).
- Nursing Home Site Information Form (completion is estimated to take about 5 minutes).
- Survey data submission will take an average of one hour.

The total annual burden hours are estimated to be 54 hours.

Exhibit 2 shows the estimated annualized cost burden based on the respondents' time to submit their data. The cost burden is estimated to be \$2,509 annually.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents/ POCs	Number of responses per POC	Hours per response	Total burden hours
Eligibility/Registration Form	40	1	3/60	2
Data Use Agreement	40	1	3/60	2
Nursing Home Site Information Form	40	3	5/60	10
Data Files Submission	40	1	1	40
Total	NA	NA	NA	54

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents/ POCs	Total burden hours	Average hourly wage rate *	Total cost burden
Eligibility/Registration Forms	40	2	\$46.45	\$93
Data Use Agreement	40	2	46.45	93
Nursing Home Site Information Form	40	10	46.45	465
Data Files Submission	40	40	46.45	1,858

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN—Continued

Form name	Number of respondents/ POCs	Total burden hours	Average hourly wage rate *	Total cost burden
Total	NA	54	NA	2,509

* The wage rate in Exhibit 2 is based on May 2019 National Industry-Specific Occupational Employment and Wage Estimates, Bureau of Labor Statistics, U.S. Dept. of Labor. Mean hourly wages for nursing home POCs are located at https://www.bls.gov/oes/current/naics3_623000.htm. The hourly wage of \$46.45 is the weighted mean of \$47.32 (General and Operations Managers 11–1021; N=26) and \$44.82 (Medical and Health Services Managers 11–9111; N=14).

Request for Comments

In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3520, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ's health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Dated: September 16, 2021.

Marquita Cullom,

Associate Director.

[FR Doc. 2021–20418 Filed 9–20–21; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2021–0104]

Advisory Committee on Immunization Practices (ACIP)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting and request for comment.

SUMMARY: In accordance with the Federal Advisory Committee Act, the Centers for Disease Control and

Prevention (CDC), announces the following meeting of the Advisory Committee on Immunization Practices (ACIP). This meeting is open to the public. Time will be available for public comment. The meeting will be webcast live via the World Wide Web. A notice of the ACIP meeting has also been posted on CDC's ACIP website: <http://www.cdc.gov/vaccines/acip/index.html>.

DATES: The meeting will be held on September 22, 2021, from 10:00 a.m. to 5:00 p.m., EDT, and September 23, 2021, from 11:00 a.m. to 2:00 p.m., EDT (dates and times subject to change), see the ACIP website for updates: <http://www.cdc.gov/vaccines/acip/index.html>. The public may submit written comments from September 21, 2021 through September 23, 2021.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2021–0104 by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments.
- **Mail:** Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H24–8, Atlanta, Georgia 30329–4027, Attn: September 22–23, 2021 ACIP Meeting.

Instructions: All submissions received must include the Agency name and Docket Number. All relevant comments received in conformance with the <https://www.regulations.gov> suitability policy will be posted without change to <https://www.regulations.gov>, including any personal information provided. For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Stephanie Thomas, ACIP Committee Management Specialist, Centers for Disease Control and Prevention, National Center for Immunization and Respiratory Diseases, 1600 Clifton Road NE, MS–H24–8, Atlanta, Georgia 30329–4027; Telephone: (404) 639–8367; Email: ACIP@cdc.gov.

SUPPLEMENTARY INFORMATION: In accordance with 41 CFR 102–3.150(b), less than 15 calendar days' notice is being given for this meeting due to the exceptional circumstances of the

COVID–19 pandemic and rapidly evolving COVID–19 vaccine development and regulatory processes. The Secretary of Health and Human Services has determined that COVID–19 is a Public Health Emergency. A notice of this ACIP meeting has also been posted on CDC's ACIP website at: <http://www.cdc.gov/vaccines/acip/index.html>. In addition, CDC has sent notice of this ACIP meeting by email to those who subscribe to receive email updates about ACIP.

Purpose: The committee is charged with advising the Director, CDC, on the use of immunizing agents. In addition, under 42 U.S.C. 1396s, the committee is mandated to establish and periodically review and, as appropriate, revise the list of vaccines for administration to vaccine-eligible children through the Vaccines for Children (VFC) program, along with schedules regarding dosing interval, dosage, and contraindications to administration of vaccines. Further, under provisions of the Affordable Care Act, section 2713 of the Public Health Service Act, immunization recommendations of the ACIP that have been approved by the Director of the Centers for Disease Control and Prevention and appear on CDC immunization schedules must be covered by applicable health plans.

Matters To Be Considered: The agenda will include discussions on COVID–19 vaccine booster doses. Agenda items are subject to change as priorities dictate. A recommendation vote is scheduled. For more information on the meeting agenda visit <https://www.cdc.gov/vaccines/acip/meetings/meetings-info.html>.

Meeting Information: The meeting will be webcast live via the World Wide Web; for more information on ACIP please visit the ACIP website: <http://www.cdc.gov/vaccines/acip/index.html>.

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, 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. CDC 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. CDC will carefully consider all comments submitted into the docket.

Written Public Comment: Written comments must be received on or before September 22, 2021.

Oral Public Comment: This meeting will include time for members of the public to make an oral comment. Oral public comment will occur before any scheduled votes including all votes relevant to the ACIP's Affordable Care Act and Vaccines for Children Program roles. Priority will be given to individuals who submit a request to make an oral public comment before the meeting according to the procedures below.

Procedure for Oral Public Comment: All persons interested in making an oral public comment at the September 22–23, 2021, ACIP meeting must submit a request at <http://www.cdc.gov/vaccines/acip/meetings/> no later than 11:59 p.m., EDT, September 20, 2021, according to the instructions provided.

If the number of persons requesting to speak is greater than can be reasonably accommodated during the scheduled time, CDC will conduct a lottery to determine the speakers for the scheduled public comment session. CDC staff will notify individuals regarding their request to speak by email by 12:00 p.m., EDT, September 21, 2021. To accommodate the significant interest in participation in the oral public comment session of ACIP meetings, each speaker will be limited to 3 minutes, and each speaker may only speak once per meeting.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and

Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2021–20473 Filed 9–17–21; 11:15 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–N–0952]

Final Administrative Orders for Over-the-Counter Monographs; Availability

AGENCY: Food and Drug Administration, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability on its website of certain final administrative orders (final orders), including for over-the-counter (OTC) drug monographs, that were deemed to be final orders by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which added a new section to the Federal Food, Drug, and Cosmetic Act (FD&C Act). FDA is also announcing the process for making these final orders available. Finally, FDA is announcing its plan for withdrawing regulations that established final OTC drug monographs prior to the passage of the CARES act, and withdrawing or making technical changes to the procedures governing the OTC drug review.

DATES: The announcement of the availability on FDA's website of certain final orders as deemed by section 505G of the FD&C Act and other actions related to section 505G is published in the **Federal Register** on September 21, 2021.

ADDRESSES: You may view the final orders in the OTC Monographs@FDA portal at <https://www.accessdata.fda.gov/scripts/cder/omuf/index.cfm>.

• **Instructions:** For access to the final orders, go to <https://www.accessdata.fda.gov/scripts/cder/omuf/index.cfm>. Under the “Administrative Orders” banner, click on the desired link under the “Order ID” heading and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Helen Lee, Center for Drug Evaluation and Research (HFD–600), Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–6848.

SUPPLEMENTARY INFORMATION:

I. Background

On March 27, 2020, the CARES Act was signed into law. The CARES Act includes provisions that govern the way certain OTC drugs are regulated in the United States. In particular, the CARES Act added section 505G to the FD&C Act (21 U.S.C. 355g), which reforms and modernizes the OTC drug review process that was established in 1972. Under the OTC drug review, OTC drug monographs (also referred to as OTC monographs) for different therapeutic categories are established. OTC drugs are generally recognized as safe and effective (GRASE) if they meet the conditions of an OTC monograph, including the specified active ingredients, uses (indications), doses, routes of administration, labeling, and testing, along with other applicable requirements.

A. Regulatory Framework for OTC Monograph Drugs Prior to the Passage of the CARES Act

Prior to passage of the CARES Act, OTC monographs were established, revised, and amended using the rulemaking process set out by the Administrative Procedure Act in 21 U.S.C. 553. Final OTC monographs (final monographs) were codified in regulations under title 21 of the CFR. The OTC monograph process was set forth in 21 CFR part 330 (part 330). Prior to establishment of a final monograph, GRASE conditions for a therapeutic category were set forth in proposed rules as tentative final monographs. At the time of the passage of the CARES Act, certain OTC monographs were still at the proposed rulemaking stage, either in whole or in part.

In the course of the OTC drug review, FDA also determined when there was not sufficient evidence to demonstrate certain conditions (e.g., active ingredients for specific uses) were GRASE. In such cases, FDA often expressly codified these determinations that certain conditions were not GRASE (see, e.g., § 310.545 (21 CFR 310.545)). In addition, part 201, subpart G (21 CFR part 201, subpart G), includes specific labeling requirements for certain drugs, including OTC monograph drugs (see, e.g., § 201.326, requiring warnings and other labeling for OTC drug products containing internal analgesic and antipyretic active ingredients).

B. Regulatory Framework for OTC Monograph Drugs Under the CARES Act

The CARES Act added section 505G to the FD&C Act, which revised the framework for the regulation of OTC

monograph drugs.¹ Under section 505G of the FD&C Act, the rulemaking process for establishing, revising, and amending OTC monographs was replaced with an administrative order process. In addition, among other things, section 505G of the FD&C Act provides a baseline status that, as of the date of enactment of the CARES Act, a drug that satisfies certain requirements described in section 505G(a)(1) or (2) is: (1) Deemed to be generally recognized as safe and effective under section 201(p)(1) of the FD&C Act (21 U.S.C. 321(p)(1)); (2) not a new drug under section 201(p) of the FD&C Act; and (3) not subject to section 503(b)(1) of the FD&C Act (21 U.S.C. 353(b)(1)). To obtain this status, among other things, a drug either must be one that is in conformity with the requirements for nonprescription use of a final monograph issued under part 330 (except as provided in section 505G(a)(2) of the FD&C Act),² as well as other requirements;³ or must be one that is: (1) Classified in category I for safety and effectiveness under a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 and (2) in conformity with the proposed requirements for nonprescription use of such tentative final monograph and any applicable subsequent determination by FDA, as well as other requirements.⁴ Other applicable requirements in section 505G(a)(1) of the FD&C Act include conditions or requirements under section 505G(b), (c), and (k) of the FD&C Act.

Complementary to the requirements for conformity to tentative final or final monographs described in section 505G(a)(1) and (2) of the FD&C Act, Congress provided that, under section 505G(b)(8) of the FD&C Act, a final monograph or tentative final monograph that establishes conditions of use for a drug described in section 505G(a)(1) or (2) of the FD&C Act and that represents the most recently issued version of the conditions of use, including as modified, in whole or in part, by any proposed or final rule, is deemed to be a final order. These deemed final orders provide the current OTC drug monograph conditions that are in effect for each therapeutic category addressed by them. Final orders may be amended,

revoked, or otherwise modified in accordance with the procedures of section 505G of the FD&C Act. Under section 505G(b)(8)(C) of the FD&C Act, the deemed establishment of a final order is construed to include technical amendments necessary to ensure that the final order is appropriately harmonized, in terms of terminology or cross-references, with the applicable provisions of the FD&C Act (and regulations) and any other final orders issued under section 505G.

Congress also deemed certain regulations, as in effect on the day before the date of the enactment of the CARES Act (*i.e.*, March 26, 2020), to be final orders under section 505G(b) of the FD&C Act. In particular, section 505G(k)(2)(A) of the FD&C Act deemed the provisions of § 310.545 to be a final order under section 505G(b). Also, section 505G(k)(2)(B) of the FD&C Act deemed regulations establishing requirements for specific nonprescription drugs marketed pursuant to section 505G (including such requirements in 21 CFR parts 201 and 250) to be final orders under section 505G(b), as they apply to drugs subject to section 505G(a)(1) through (4) or otherwise subject to an order under section 505G.

In addition, section 505G(k)(3) of the FD&C Act provides that regulations establishing final monographs and the procedures governing the OTC drug review under part 330 and other relevant parts of title 21 of the CFR, shall be withdrawn or revised to make technical changes to ensure conformity with appropriate terminology and cross-references. Section 505G(k)(3) of the FD&C Act also provides that any such withdrawal or technical changes shall be made without public notice and comment and shall be effective upon publication through notice in the **Federal Register** (or upon such date as specified in such notice).

II. Procedures for Posting Final Orders as Deemed by Section 505G of the FD&C Act

The final orders as deemed by section 505G of the FD&C Act were made effective upon enactment of the CARES Act on March 27, 2020. By this notice, FDA is announcing the availability on its website of certain deemed final orders and providing the public information on the process for making available deemed final orders, including details on how the public can access and view the final orders. FDA is posting these final orders to provide the public a convenient resource to view OTC monographs and non-monograph conditions. The process for FDA issuing

proposed, final, and interim final orders under section 505G(b) of the FD&C Act to add, modify, or remove OTC monograph conditions is generally described in section 505G(b) and is not addressed in this Notice. Additional information, including questions and answers on this process, can be found on FDA's OTC monograph web page at <https://www.fda.gov/drugs/over-the-counter-otc-nonprescription-drugs/over-the-counter-otc-drug-review-otc-monograph-reform-cares-act>, and further information will be provided when FDA issues its first proposed order.

A. Process for Making Available Final Orders as Deemed by Section 505G(b)(8) of the FD&C Act

FDA is announcing its process for making available final orders as deemed by section 505G(b)(8) of the FD&C Act. FDA reviewed all final monographs published in the CFR, beginning with 21 CFR part 331, and the rulemaking histories for each OTC monograph therapeutic category, to identify all relevant final monographs and tentative final monographs that established conditions of use for a drug described in section 505G(a)(1) of the FD&C Act and that represented the most recently issued version of the conditions of use, including as modified, in whole or in part, by any proposed or final rule. As noted above, the relevant requirements for sunscreen drugs subject to section 505G of the FD&C Act, in terms of conformity with a final monograph for purposes of section 505G(a)(1)(A)(i), were set forth in section 505G(a)(2) and consist of the requirements specified in 21 CFR part 352, as published on May 21, 1999, except that the applicable requirements governing effectiveness and labeling are those specified in § 201.327. Altogether, as indicated in table 1 below, FDA identified 32 final orders created by section 505G(b)(8) of the FD&C Act.

As further discussed below, FDA also identified certain regulations that established requirements for specific nonprescription drugs marketed pursuant to section 505G of the FD&C Act and, therefore, were deemed final orders by section 505G(k)(2)(B), only as they apply to drugs subject to section 505G(a)(1) through (4) or otherwise subject to an order under section 505G (*e.g.*, § 201.326, which set forth certain labeling requirements regarding warnings for OTC drug products containing internal analgesic and antipyretic active ingredients). To the extent regulations that were deemed to be final orders by section 505G(k)(2)(B) of the FD&C Act apply to OTC drugs addressed by a final order embodying an

¹ OTC drugs that are governed by the provisions of section 505G of the FD&C Act are referred to as OTC monograph drugs.

² Section 505G(a)(2) of the FD&C Act provides specific requirements for sunscreen drugs in terms of conformity with a final monograph, for purposes of section 505G(a)(1)(A)(i) of the FD&C Act.

³ Section 505G(a)(1)(A) of the FD&C Act.

⁴ Section 505G(a)(1)(B) of the FD&C Act.

OTC monograph, as deemed by section 505G(b)(8) of the FD&C Act, the relevant provisions may be incorporated into the final order(s) embodying the OTC monograph(s).

FDA assigned OTC monograph numbers to the resulting deemed final orders (see table 1). Table 1 provides the corresponding OTC monograph number and title for each of these OTC monographs and identifies the CFR citation, if applicable. Additionally, an order ID will be assigned in sequential order upon posting of all orders, including the deemed final orders.

Each OTC monograph embodied by a deemed final order is accompanied by a

summary and a background section. In the background section, FDA describes the relevant proposed and final rules that constitute the deemed final order. Additionally, pursuant to section 505G(b)(8)(C) of the FD&C Act, OTC monographs embodied by deemed final orders include any technical amendments that are determined to be necessary to ensure that they are appropriately harmonized, in terms of terminology and cross-references, with applicable provisions of the FD&C Act, FDA regulations, and any other orders issued under section 505G. The background section generally describes any differences between the deemed

final order and the proposed and final rules that constitute the order.

Some OTC monographs incorporate by reference specified material, published by an entity other than the United States government (e.g., an ISO standard). This incorporated material is available for inspection at FDA. For further information about inspecting incorporated materials, see <https://www.fda.gov/drugs/over-the-counter-otc-nonprescription-drugs/over-the-counter-otc-drug-review-otc-monograph-reform-cares-act>. Copies of incorporated material may also be available from its publisher.

TABLE 1—OTC MONOGRAPHS AS REPRESENTED BY FINAL ORDERS DEEMED BY SECTION 505G(B)(8) OF THE FD&C ACT

OTC monograph number	CFR citation in title 21	OTC monograph title
M001	Part 331	Antacid Products for OTC Human Use.
M002	Part 332	Antiflatulent Products for OTC Human Use.
M003	N/A ¹	First Aid Antiseptic Drug products for OTC Human Use.
M004	Part 333, subpart B	First Aid Antibiotic Drug Products for OTC Human Use.
M005	Part 333, subpart C	Topical Antifungal Drug Products for OTC Human Use.
M006	Part 333, subpart D	Topical Acne Drug Products for OTC Human Use.
M007	N/A ¹	Laxative Drug Products for OTC Human Use.
M008	Part 335	Antidiarrheal Drug Products for OTC Human Use.
M009	Part 336	Antiemetic Drug Products for OTC Human Use.
M010	Part 338	Nighttime Sleep Aid Drug Products for OTC Human Use.
M011	Part 340	Stimulant Drug Products for OTC Human Use.
M012	Part 341	Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for OTC Human Use.
M013	Part 343	Internal Analgesic, Antipyretic, and Antirheumatic Drug Products for OTC Human Use.
M014	Part 344	Topical Otic Drug Products for OTC Human Use.
M015	Part 346	Anorectal Drug Product for OTC Human Use.
M016	Part 347	Skin Protectant Drug Products for OTC Human Use.
M017	Part 348	External Analgesic Drug Product for OTC Human Use.
M018	Part 349	Ophthalmic Drug Products for OTC Human Use.
M019	Part 350	Antiperspirant Drug Products for OTC Human Use.
M020	Part 352	Sunscreen Drug Products for OTC Human Use.
M021	Part 355	Anticaries Drug Products for OTC Human Use.
M022	N/A ¹	Oral Health Care Drug Products for OTC Human Use.
M023	N/A ¹	Poison Treatment Drug Products for OTC Human Use.
M024	Part 357, subpart B	Antihelminic Drug Products for OTC Human Use.
M025	Part 357, subpart C	Cholecystokinetic Drug Products for OTC Human Use.
M026	Part 357, subpart I	Deodorant Drug Products for Internal Use for OTC Human Use.
M027	N/A ¹	Orally Administered Menstrual Drug Products for OTC Human Use.
M028	Part 358, subpart B	Wart Remover Drug Products for OTC Human Use.
M029	Part 358, subpart D	Ingrown Toenail Relief Drug Products for OTC Human Use.
M030	Part 358, subpart F	Corn and Callus Remover Drug Products for OTC Human Use.
M031	Part 358, subpart G	Pediculicide Drug Products for OTC Human Use.
M032	Part 358, subpart H	Drug Products for the Control of Dandruff, Seborrheic Dermatitis, and Psoriasis for OTC Human Use.

¹ Not applicable as there is no relevant CFR citation (i.e., there were no final monographs at the time of enactment of the CARES Act).

B. Process for Making Available Final Orders as Deemed by Section 505G(k)(2) of the FD&C Act

Under section 505G(k)(2)(A) of the FD&C Act, the non-monograph conditions in § 310.545 in effect on the day before the date of enactment of the CARES Act (i.e., March 26, 2020) were deemed to be a final order under section 505G(b). The provisions of § 310.545 list active ingredients for which there is not

sufficient data to establish general recognition of the safety and effectiveness for the specified use in OTC drug products. Before posting the deemed final order containing these provisions, FDA intends to remove the compliance dates found in the regulation because the dates are no longer relevant, since any current product would have been introduced or delivered for introduction into interstate commerce well after the compliance

date. FDA also intends to rearrange the listed active ingredients within each provision regarding a particular therapeutic category so that they generally appear in alphabetical order. When posting this final order, FDA will assign a final order ID and OTC non-monograph conditions number.

In addition, under section 505G(k)(2)(B) of the FD&C Act, regulations in effect on March 26, 2020, establishing requirements for specific

nonprescription drugs marketed pursuant to section 505G of the FD&C Act were deemed final orders under section 505G(b), only as they apply to drugs subject to section 505G(a)(1) through (4) of the FD&C Act or otherwise subject to a final order under section 505G. As discussed above, provisions from a regulation that was deemed to be a final order by section 505G(k)(2)(B) of the FD&C Act may be incorporated into a relevant final order embodying an OTC monograph under section 505G(b)(8). A deemed final order under section 505G(k)(2)(B) of the FD&C Act may also be posted as a separate, standalone final order. In the latter case, FDA intends to issue an accompanying notice in the **Federal Register** announcing its availability on our website. Regulations deemed to be final orders by section 505G(k)(2)(B) of the FD&C Act will remain in the CFR to the extent they also apply to drugs that are not subject to section 505G(a)(1) through (4) or otherwise subject to an order under section 505G.

C. Availability of Final Orders Including Those Deemed by Section 505G of the FD&C Act

FDA has established a new IT system with a web portal, *OTC Monographs@FDA*, which can be accessed through FDA's website. The portal will provide access to a repository of final orders under section 505G of the FD&C Act and is available at <https://www.accessdata.fda.gov/scripts/cder/omuf/index.cfm>. To access the final orders, go to the *OTC Monographs@FDA* portal at <https://www.accessdata.fda.gov/scripts/cder/omuf/index.cfm>. Under the "Administrative Orders" banner, click on the desired link under the "Order ID" heading and follow the prompts.

For ease of reference, FDA also is posting in the *OTC Monographs@FDA* portal the individual OTC monographs embodied by final orders under section 505G(b) of the FD&C Act, without any sections that accompany the monograph, such as the background section. To access just the OTC monographs, under the "OTC Monographs" banner, click on the desired link under the "OTC Monograph ID" heading and follow the prompts.

FDA will make available deemed final orders embodying OTC monographs in batches on a rolling basis until all 32 such orders, discussed above in section II.A (see also table 1), are available in the repository. FDA will also make available in the repository the final order that reflects the provisions of § 310.545, as deemed by section 505G(k)(2)(A) of the FD&C Act, and final orders regarding requirements for specific nonprescription drugs, as deemed by section 505G(k)(2)(B).

FDA is announcing that the *OTC Monographs@FDA* portal currently includes an initial batch of four deemed final orders embodying OTC monographs (see table 2). The posting of the remainder of these 32 deemed final orders, as well as the deemed final order under section 505G(k)(2)(A) of the FD&C Act, will not be announced in the **Federal Register** but will be announced on FDA's OTC monograph web page, <https://www.fda.gov/drugs/over-counter-otc-nonprescription-drugs/over-counter-otc-drug-review-otc-monograph-reform-cares-act>. FDA plans to issue a notice of availability in the **Federal Register** when posting in the repository final orders deemed by section 505G(k)(2)(B) of the FD&C Act.

TABLE 2—INITIAL BATCH OF POSTED FINAL ORDERS DEEMED BY SECTION 505G OF THE FD&C ACT

Order ID	OTC monograph number	CFR citation in Title 21	OTC monograph title
OTC000001	M002	Part 332	Antiflatulent Products for OTC Human Use.
OTC000002	M010	Part 338	Nighttime Sleep-Aid Drug Products for OTC Human Use.
OTC000003	M014	Part 344	Topical Otic Drug Products for OTC Human Use.
OTC000004	M030	Part 358, Subpart F.	Corn and Callus Remover Drug Products for OTC Human Use.

FDA encourages the public to frequently view our website at <https://www.fda.gov/drugs/over-counter-otc-nonprescription-drugs/over-counter-otc-drug-review-otc-monograph-reform-cares-act> and the *OTC Monographs@FDA* portal for the most up-to-date information about the status of posted final orders as deemed by section 505G of the FD&C Act. Questions regarding these final orders can be submitted to FDA at druginfo@fda.hhs.gov.

In the future, the repository will also include proposed orders, final orders, and interim final orders to add, amend, or remove OTC monograph conditions that are issued by FDA either on its own initiative or pursuant to an OTC monograph order request under section 505G(b)(5) of the FD&C Act. Information on the process for FDA issuing proposed, final, and interim final orders is provided in section 505G(b) of the

FD&C Act. Additional information, including questions and answers on this process, can be found on FDA's OTC monograph web page (<https://www.fda.gov/drugs/over-counter-otc-nonprescription-drugs/over-counter-otc-drug-review-otc-monograph-reform-cares-act>), which will continue to be updated as FDA issues new orders.

III. Procedures for Withdrawing Regulations for Final Monographs and the Procedures Governing the OTC Drug Review, and Withdrawing and Making Technical Changes to Regulations in Part 330 and Other Relevant Parts of Title 21 of the CFR

Under section 505G(k)(3) of the FD&C Act, regulations establishing final monographs and the procedures governing the OTC drug review under part 330 and other relevant parts of title 21 of the CFR (as in effect on March 26,

2020) shall be withdrawn or revised to make technical changes to ensure conformity with appropriate terminology and cross-references. Section 505G(k)(3) of the FD&C Act also provides that any such withdrawal or technical changes shall be made without public notice and comment and shall be effective upon publication through notice in the **Federal Register** (or upon such date as specified in such notice).

FDA intends to issue a notice to withdraw the regulations establishing final monographs in title 21 of the CFR at a later date once all the relevant deemed final orders have been posted on FDA's *OTC monographs@FDA* web portal (*i.e.*, 21 CFR parts 331, 332, 333, 335, 336, 338, 340, 341, 343, 344, 346, 347, 348, 349, 350, 352, 355, 357, and 358). Prior to the withdrawal of such regulations, the public should reference the OTC monographs posted in the *OTC*

Monographs@FDA portal at <https://www.accessdata.fda.gov/scripts/cder/omuf/index.cfm>, to the extent the corresponding deemed final order has been added to the portal. Additionally, in either the same notice or a separate notice in the **Federal Register**, pursuant to section 505G(k)(3) of the FD&C Act, FDA intends to withdraw certain portions of the regulations governing the OTC drug review, and to make certain technical changes.

IV. Paperwork Reduction Act of 1995

Under section 505G(o) of the FD&C Act, the Paperwork Reduction Act of 1995 (Chapter 35 of title 44, United States Code) does not apply to collections of information made under section 505G of the FD&C Act. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required for collections of information, if any, in orders deemed to be final orders by section 505G of the FD&C Act.

Dated: September 16, 2021.

Lauren K. Roth,

Acting Principal Associate Commissioner for Policy.

[FR Doc. 2021-20393 Filed 9-20-21; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS-0990-0281]

Agency Father Generic Information Collection Request; 30-Day Public Comment Request

AGENCY: Office of the Secretary, Health and Human Service, HHS.

ACTION: Notice and request for comments.

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 October 21, 2021.

ADDRESSES: Submit your comments to OIRA_submission@omb.eop.gov or via facsimile to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, Sherrette.Funn@hhs.gov or (202) 795-7714. When requesting information, please include the document identifier 0990-0281-30D and project title for reference.

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: Prevention Communication Formative Research.

Type of Collection: Extension.

OMB No.: 0990-0281—Office of Disease Prevention and Health Promotion.

Abstract: The Office of Disease Prevention and Health Promotion (ODPHP) is focused on developing and disseminating health information to the public. ODPHP faces an increasingly urgent interest in finding effective ways to communicate health information to America's diverse population. ODPHP

strives to be responsive to the needs of America's diverse audiences while simultaneously serving all Americans across a range of channels, from print to new communication technologies. To carry out prevention information efforts, ODPHP is committed to conducting formative and usability research to provide guidance on the development and implementation of their communication and education efforts. The information collected will be used to improve communication, products, and services that support key office activities including: Healthy People, Dietary Guidelines for Americans, Physical Activity Guidelines for Americans, MyHealthfinder, the Move Your Way® Campaign, the President's Council on Sports, Fitness & Nutrition, health literacy and healthy aging. ODPHP communicates through its websites (www.health.gov) and through other channels including social media, print materials, interactive training modules, and reports. This request builds on previous formative research approaches to place more emphasis on Web-based data collection to allow greater geographical diversity among respondents, to decrease respondent burden, and to save government costs. Data collection will be qualitative and quantitative and may include in-depth interviews, focus groups, web-based surveys, omnibus surveys, card sorting, and various forms of usability testing of materials and interactive tools to assess the public's understanding of disease prevention and health promotion content, responses to prototype materials, and barriers to effective use. The program is requesting a 3-year clearance. The type of respondents are consumers and health professionals which will be surveyed on an annual basis.

ESTIMATED ANNUALIZED BURDEN TABLE

Type of respondent	Number of respondents	Number responses per respondent	Average burden per response (in hours)	Total burden hours
Consumers (screening & omnibus survey)	7725	1	10/60	1287.5
Consumers (qualitative testing)	1250	1	1	1250
Consumers (focus groups)	575	1	1.5	862.5
Consumers (screening & intercepts)	35250	1	5/60	2937.5
Consumers (survey)	10000	1	15/60	2500
Consumers (gatekeeper reviews)	325	1	30/60	162.5
Consumers (cognitive tests)	50	1	2	100
Health care professionals (screening)	1350	1	10/60	225
Health care professionals (interview)	50	1	1	50
Health care professionals (focus group)	400	1	1.5	600
Total				9,975

Sherrette A. Funn,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2021–20324 Filed 9–20–21; 8:45 am]

BILLING CODE 4150–32–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Tropical Medicine Research Centers (U01 Clinical Trial Not Allowed).

Date: October 18–19, 2021.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G62A, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Eleazar Cohen, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G62A, Rockville, MD 20852, (240) 669–5081, ecohen@niaid.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: September 15, 2021.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20370 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NIH Clinical Center Research Hospital Board.

The meeting will be held as a virtual meeting and open to the public. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH video <https://videocast.nih.gov/> and the CCRHB website <https://ccrhb.od.nih.gov/meetings.html>.

Name of Committee: NIH Clinical Center Research Hospital Board.

Date: October 15, 2021.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: CC CEO Update, Patient Safety and Clinical Quality Update, other business of the Board.

Place: National Institutes of Health, Building 1, 9000 Rockville Pike, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Gretchen Wood, Staff Assistant, National Institutes of Health, Office of the Director, One Center Drive, Building 1, Room 126, Bethesda, MD 20892, 301–496–4272, woodgs@od.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: September 15, 2021.

Patricia B. Hansberger,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20369 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health (NIMH); Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Interagency Autism Coordinating Committee.

The purpose of the IACC meeting is to discuss business, agency updates, and issues related to autism spectrum disorder (ASD) research and services activities. The meeting will be held as a virtual meeting and is open to the public. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting should notify the Contact Person listed below at least seven (7) business days in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocast website (<http://videocast.nih.gov/>).

Name of Committee: Interagency Autism Coordinating Committee (IACC).

Date: October 13–14, 2021 Meeting schedule subject to change.

Time: 1:00 p.m. to 5:00 p.m.

Meeting Access: Wednesday, October 13, 2021 <https://videocast.nih.gov/watch=42377> Thursday, October 14, 2021 <https://videocast.nih.gov/watch=42378>.

Agenda: To discuss business, updates, and issues related to ASD research and services activities.

Cost: The meeting is free and open to the public.

Registration: A registration web link will be posted on the IACC website (www.iacc.hhs.gov) prior to the meeting. Pre-registration is recommended.

Deadlines: Written/Virtual Public Comment Due *Date:* Friday, October 1, 2021, by 5:00 p.m. ET. For instructions, see below.

Contact Person: Ms. Rebecca Martin, Office of Autism Research Coordination, National Institute of Mental Health, NIH, 6001 Executive Boulevard, Bethesda, MD 20892–9669, Phone: 301–435–0886, Email: IACCPublicInquiries@mail.nih.gov.

Public Comments

The IACC welcomes public comments from members of the autism community. As the IACC will be updating its Strategic Plan, comments related to issues that the community would like to see highlighted in the new IACC Strategic Plan are welcome. Comments may be submitted in writing via email to IACCPublicInquiries@mail.nih.gov or using the web form at: <https://iacc.hhs.gov/meetings/public-comments/submit/index.jsp> by 5:00 p.m. ET on Friday, October 1, 2021. A limited number of slots are available for

individuals to provide a 2–3-minute summary or excerpt of their written comment to the Committee live during the virtual meeting using the virtual platform. For those interested in that opportunity, please indicate “Interested in providing virtual comment” in your written submission, along with your name, address, email, phone number, and professional/organizational affiliation so that OARC staff can contact you if a slot is available for you to provide a summary or excerpt of your comment via the virtual platform during the meeting. For any given meeting, priority for virtual comment slots will be given to commenters who have not previously provided virtual comments in the current calendar year. This will help ensure that as many individuals as possible have an opportunity to share comments. Commenters going over their allotted 3-minute slot may be asked to conclude immediately to allow other comments and the rest of the meeting to proceed on schedule.

Public comments received by 5:00 p.m. ET on Friday, October 1, 2021, will be provided to the IACC prior to the meeting for their consideration. Any written comments received after 5:00 p.m. ET, October 1, 2021, may be provided to the IACC either before or after the meeting, depending on the volume of comments received and the time required to process them in accordance with privacy regulations and other applicable Federal policies. The IACC is not able to individually respond to comments. All public comments become part of the public record. Attachments of copyrighted publications are not permitted, but web links or citations for any copyrighted works cited may be provided. For public comment guidelines, see: <https://iacc.hhs.gov/meetings/public-comments/guidelines/>.

Technical Issues

If you experience any technical problems with the webcast, please email IACCPublicInquiries@mail.nih.gov.

Disability Accommodations

All IACC Full Meetings provide Closed Captioning through the NIH videocast website. Individuals whose full participation in the meeting will require special accommodations (e.g., sign language or interpreting services, etc.) must submit a request to the Contact Person listed on the notice at least seven (7) business days prior to the meeting. Such requests should include a detailed description of the accommodation needed and a way for the IACC to contact the requester if more information is needed to fill the

request. Last-minute requests may be made, but may not be possible to accommodate.

Additional Information

Information about the IACC is available on the website: <http://www.iacc.hhs.gov>.

Dated: September 16, 2021.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20424 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research 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: Center for Inherited Disease Research Access Committee CIDR.

Date: November 5, 2021.

Time: 11:30 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Suite 3100, Room 3185, Bethesda, MD 20892–6908 (Virtual Meeting).

Contact Person: Barbara J. Thomas, Ph.D., Scientific Review Officer, Scientific Review Branch, National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Suite 3100, Room 3185, Bethesda, MD 20892–6908, 301–402–8837, barbara.thomas@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: September 15, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20374 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; 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: Environmental Health Sciences Review Committee.

Date: October 4–6, 2021.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute Environmental Health Sciences, Keystone Building, 530 Davis Drive, Research Triangle Park, NC 27713 (Virtual Meeting).

Contact Person: Linda K. Bass, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute Environmental Health Sciences, P.O. Box 12233, MD EC–30, Research Triangle Park, NC 27709, 984–287–3236, bass@niehs.nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Environmental Health Sciences Review Committee.

Date: November 9, 2021.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute Environmental Health Sciences, Keystone Building, 530 Davis Drive, Research Triangle Park, NC 27713 (Virtual Meeting).

Contact Person: Linda K. Bass, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute Environmental Health Sciences, P.O. Box 12233, MD EC–30, Research Triangle Park, NC 27709, 984–287–3236, bass@niehs.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health

Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: September 15, 2021.

David W. Freeman,
Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20375 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Investigator Initiated Program Project Applications (P01 Clinical Trial Not Allowed).

Date: October 15, 2021.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G56, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Poonam Tewary, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G56, Rockville, MD 20852, (301) 761–7219, tewaryp@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: September 15, 2021.

Tyeshia M. Roberson-Curtis,
Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20373 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; 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 Institute on Drug Abuse Special Emphasis Panel; Device-Based Treatments for Substance Use Disorders (UG3/UH3, Clinical Trial Optional).

Date: October 27, 2021.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Preethy Nayar, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Drug Abuse, NIH 301 North Stonestreet Avenue, 3WFN, MSC 6021, Bethesda, MD 20892, 301–443–4577, nayarp2@csr.nih.gov.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel; Cutting-Edge Basic Research Awards (CEBRA) (R21 Clinical Trial Optional).

Date: November 3, 2021.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Sheila Pirooznia, Ph.D., Scientific Review Officer, Division of Extramural Review, Scientific Review Branch, National Institute on Drug Abuse, NIH 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 496–9350, sheila.pirooznia@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: September 15, 2021.

Tyeshia M. Roberson-Curtis,
Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–20371 Filed 9–20–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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 Institute of Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders B Study Section.

Date: October 25–26, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Joel A Saydoff, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH NSC, 6001 Executive Blvd., Room 3205, MSC 9529, Bethesda, MD 20892, (301) 496–9223, joel.saydoff@nih.gov.

Name of Committee: National Institute of Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders A Study Section.

Date: October 28–29, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Natalia Strunnikova, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH/DHHS/Neuroscience Center, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892, (301)402–0288, natalia.strunnikova@nih.gov.

Name of Committee: National Institute of Neurological Disorders and Stroke Special

Emphasis Panel; BRAIN Initiative: Research Resource Grants for Technology Integration and Dissemination (U24 Clinical Trial Not Allowed).

Date: October 29, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Bo-Shiun Chen, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892, (301) 496-9223, bo-shiun.chen@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: September 15, 2021.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-20372 Filed 9-20-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2021-0002]

Final Flood Hazard Determinations

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

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The date of December 30, 2021 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbabit, Chief, Engineering Services

Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbabit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Community	Community map repository address
Northumberland County, Virginia (All Jurisdictions) Docket No.: FEMA-B-2030 Docket No.: FEMA-B-2030	
Unincorporated Areas of Northumberland County	Northumberland County Courthouse, Building and Zoning Department, 72 Monument Place, Heathsville, VA 22473.

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2021-20302 Filed 9-20-21; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2021-0002]

Changes in Flood Hazard Determinations

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

ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood

Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard

determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at <https://msc.fema.gov>.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local

circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances

that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,
Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Alabama: Calhoun (FEMA Docket No.: B-2136).	City of Oxford (20-04-1850P).	The Honorable Alton Craft, Mayor, City of Oxford, 145 Hamric Drive East, Oxford, AL 36203.	Department of Public Works, 42 Public Works Drive, Oxford, AL 36203.	Aug. 28, 2021	010023
Arizona: Santa Cruz (FEMA Docket No.: B-2141).	Unincorporated areas of Santa Cruz County (20-09-2050P).	The Honorable Manny Ruiz, Chairman, Santa Cruz County Board of Supervisors, District 1, 2150 North Congress Drive, Suite 119, Nogales, AZ 85621.	Santa Cruz County Complex, 2150 North Congress Drive, Suite 116, Nogales, AZ 85621.	Aug. 25, 2021	040090
Colorado:					
Arapahoe (FEMA Docket No.: B-2136).	City of Aurora (21-08-0025P).	The Honorable Mike Coffman, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	Engineering Department, 15151 East Alameda Parkway, Aurora, CO 80012.	Aug. 27, 2021	080002
Arapahoe (FEMA Docket No.: B-2136).	Unincorporated areas of Arapahoe County (21-08-0025P).	The Honorable Nancy Jackson, Chair, Arapahoe County Board of Commissioners, 5334 South Prince Street, Littleton, CO 80120.	Arapahoe County Public Works and Development Department, 6924 South Lima Street, Centennial, CO 80112.	Aug. 27, 2021	080011
Weld (FEMA Docket No.: B-2136).	City of Windsor (21-08-0099P).	The Honorable Paul Rennemeyer, Mayor, Town of Windsor, 301 Walnut Street, Windsor, CO 80550.	City Hall, 301 Walnut Street, Windsor, CO 80550.	Aug. 30, 2021	080264
Weld (FEMA Docket No.: B-2136).	Unincorporated areas of Weld County (21-08-0099P).	The Honorable Steve Moreno, Chairman, Weld County Board of Commissioners, P.O. Box 758, Greeley, CO 80631.	Weld County Administration Building, 1150 O Street, Greeley, CO 80631.	Aug. 30, 2021	080266
Delaware:					

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Sussex (FEMA Docket No.: B-2136).	City of Seaford (20-03-1397P).	The Honorable David Genshaw, Mayor, City of Seaford, P.O. Box 1100, Seaford, DE 19973.	City Hall, 414 High Street, Seaford, DE 19973.	Aug. 18, 2021	100048
Sussex (FEMA Docket No.: B-2136).	Unincorporated areas of Sussex County (20-03-1397P).	The Honorable Michael H. Vincent, President, Sussex County Council, P.O. Box 589, Georgetown, DE 19947.	Sussex County Administrative Building, 2 The Circle, Georgetown, DE 19947.	Aug. 18, 2021	100029
Florida:					
Charlotte (FEMA Docket No.: B-2133).	Unincorporated areas of Charlotte County (21-04-1486P).	The Honorable Bill Truex, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948.	Charlotte County Building Department, 18400 Murdock Circle, Port Charlotte, FL 33948.	Aug. 20, 2021	120061
Marion (FEMA Docket No.: B-2136).	City of Ocala (20-04-4466P).	The Honorable Kent Guinn, Mayor, City of Ocala, 110 Southeast Watula Avenue, Ocala, FL 34471.	Building Department, 110 Southeast Watula Avenue, Ocala, FL 34471.	Aug. 20, 2021	120330
Sarasota (FEMA Docket No.: B-2141).	Unincorporated areas of Sarasota County (21-04-1626P).	The Honorable Alan Maio, Chairman, Sarasota County Board of Commissioners, 1660 Ringling Boulevard, Sarasota, FL 34236.	Sarasota County Planning and Development Services Department, 1001 Sarasota Center Boulevard, Sarasota, FL 34240.	Aug. 27, 2021	125144
Georgia: Columbia (FEMA Docket No.: B-2136).	Unincorporated areas of Columbia County (21-04-0847P).	The Honorable Douglas Duncan, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	Columbia County Engineering Services Department, 630 Ronald Reagan Drive, Building A, Evans, GA 30809.	Aug. 19, 2021	130059
Maryland: Howard (FEMA Docket No.: B-2136).	Unincorporated areas of Howard County (21-03-0437P).	The Honorable Calvin Ball, Howard County Executive, 3430 Court House Drive, Ellicott City, MD 21043.	Howard County Stormwater Management Division, Bureau of Environmental Services, 9801 Broken Land Parkway, Columbia, MD 21046.	Aug. 20, 2021	240044
New Mexico:					
Bernalillo (FEMA Docket No.: B-2136).	Unincorporated areas of Bernalillo County (20-06-2787P).	The Honorable Charlene E. Pyskoty, Chair, Bernalillo County Board of Commissioners, 1 Civic Plaza Northwest, Albuquerque, NM 87102.	Bernalillo County Public Works Department, 2400 Broadway Boulevard, Albuquerque, NM 87102.	Aug. 27, 2021	350001
Taos (FEMA Docket No.: B-2133).	Unincorporated areas of Taos County (20-06-2988P).	Mr. Brent Jaramillo, Taos County Manager, 105 Albright Street, Suite G, Taos, NM 87571.	Taos County Planning Department, 105 Albright Street, Taos, NM 87571.	Aug. 20, 2021	350078
North Carolina:					
Wake (FEMA Docket, No.: B-2141).	Town of Apex (20-04-1215P).	The Honorable Jacques Gilbert, Mayor, Town of Apex, P.O. Box 250, Apex, NC 27502.	Engineering Department, 73 Hunter Street, Apex, NC 27502.	Aug. 24, 2021	370467
Wake (FEMA Docket, No.: B-2141).	Unincorporated, areas of Wake County (20-04-1215P).	The Honorable Matt Calabria, Chairman, Wake, County Board of Commissioners, P.O. Box 550, Raleigh, NC 27602.	Wake County Environmental Services Department, 336 Fayetteville, Street, Raleigh, NC 27601.	Aug. 24, 2021	370368
Pennsylvania:					
Lackawanna (FEMA Docket No.: B-2136).	Borough of Dickson City (21-03-0435P).	The Honorable Robert W. MacCallum, Mayor, Borough of Dickson City, 901 Enterprise Street, Dickson City, PA 18519.	Borough Hall, 901 Enterprise Street, Dickson City, PA 18519.	Aug. 23, 2021	420528

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Lackawanna (FEMA Docket No.: B-2136).	Borough of Moscow (21-03-0435P).	The Honorable Arthur Pencek, President, Borough of Moscow Council, 123 Van Brunt Street, Moscow, PA 18444.	Borough Hall, 123 Van Brunt Street, Moscow, PA 18444.	Aug. 23, 2021	420534
Lackawanna (FEMA Docket No.: B-2136).	Borough of Olyphant (21-03-0435P).	The Honorable John Sedlak, Jr., Mayor, Borough of Olyphant, 113 Willow Avenue, Olyphant, PA 18447.	Borough Hall, 113 Willow Avenue, Olyphant, PA 18447.	Aug. 23, 2021	420536
Lackawanna (FEMA Docket No.: B-2136).	Township of Clifton (21-03-0435P).	The Honorable Theodore Stout, Chairman, Township of Clifton Board of Supervisors, 361 State Road 435, Clifton, PA 18424.	Township Hall, 361 State Road 435, Clifton, PA 18424.	Aug. 23, 2021	421751
Montgomery (FEMA Docket No.: B-2136).	Township of Upper Merion (20-03-1496P).	Mr. Anthony Hamaday, Manager, Township of Upper Merion, 175 West Valley Forge Road, King of Prussia, PA 19406.	Township Hall, 175 West Valley Forge Road, King of Prussia, PA 19406.	Aug. 23, 2021	420957
South Carolina:					
Dorchester (FEMA Docket No.: B-2141).	Unincorporated areas of Dorchester County (21-04-0277P).	Mr. Jason L. Ward, Dorchester County Administrator, 201 Johnston Street, St. George, SC 29477.	Dorchester County Building Services Department, 500 North Main Street Summerville, SC 29483.	Aug. 27, 2021	450068
Horry (FEMA Docket No.: B-2133).	City of North Myrtle Beach (21-04-0539P).	Mr. Michael Mahaney, Manager, City of North Myrtle Beach, 1018 2nd Avenue South, North Myrtle Beach, SC 29582.	Planning and Development Department, 1018 2nd Avenue South, North Myrtle Beach, SC 29582.	Aug. 18, 2021	450110
Texas:					
Bexar (FEMA Docket No.: B-2141).	City of Converse (20-06-1620P).	The Honorable Al Suarez, Mayor, City of Converse, 403 South Seguin Road, Converse, TX 78109.	City Hall, 403 South Seguin Road, Converse, TX 78109.	Aug. 23, 2021	480038
Bexar (FEMA Docket No.: B-2141).	City of San Antonio (20-06-3462P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Stormwater Division, 114 West Commerce Street, San Antonio, TX 78205.	Aug. 23, 2021	480045
Bexar (FEMA Docket No.: B-2141).	Unincorporated areas of Bexar County (20-06-1399P).	The Honorable Nelson W. Wolff, Bexar County Judge, 101 West Nueva Street, 10th Floor, San Antonio, TX 78205.	Bexar County Public Works Department, 1948 Probandt Street, San Antonio, TX 78214.	Aug. 30, 2021	480035
Collin (FEMA Docket No.: B-2141).	City of Celina (20-06-3148P).	The Honorable Sean Terry, Mayor, City of Celina, 142 North Ohio Street, Celina, TX 75009.	City Hall, 142 North Ohio Street, Celina, TX 75009.	Aug. 24, 2021	480133
Collin (FEMA Docket No.: B-2136).	City of Murphy (20-06-3201P).	The Honorable Scott Bradley, Mayor, City of Murphy, 206 North Murphy Road, Murphy, TX 75094.	City Hall, 206 North Murphy Road, Murphy, TX 75094.	Aug. 23, 2021	480137
Coryell (FEMA Docket No.: B-2141).	City of Copperas Cove (20-06-3238P).	Mr. Ryan Haverlah, Manager, City of Copperas Cove, 914 South Main Street, Suite D, Copperas Cove, TX 76522.	Development Services Department, 914 South Main Street, Suite G, Copperas Cove, TX 76522.	Aug. 23, 2021	480155
Coryell (FEMA Docket No.: B-2141).	Unincorporated areas of Coryell County (20-06-3238P).	The Honorable Roger A. Miller, Coryell County Judge, 800 East Main Street, Suite A, Gatesville, TX 76528.	Coryell County Environmental/On-Site Sewage Facilities Office, 210 South 7th Street, Gatesville, TX 76528.	Aug. 23, 2021	480768

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Guadalupe (FEMA Docket No.: B-2136).	City of Seguin (20-06-3659P).	The Honorable Donna Dodgen, Mayor, City of Seguin, 205 North River Street, Seguin, TX 78155.	City Hall, 205 North River Street, Seguin, TX 78155.	Aug. 19, 2021	485508
Guadalupe (FEMA Docket No.: B-2136).	Unincorporated areas of Guadalupe County (20-06-3659P).	The Honorable Kyle Kutscher, Guadalupe County Judge, 211 West Court Street, Seguin, TX 78155.	Guadalupe County Engineering Department, 2605 North Guadalupe Street, Seguin, TX 78155.	Aug. 19, 2021	480266
Harris (FEMA Docket No.: B-2136).	Unincorporated areas of Harris County (20-06-3120P).	The Honorable Lina Hidalgo, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	Harris County Permit Office, 1005 Northwest Freeway, Suite 120, Houston, TX 77092.	Aug. 23, 2021	480287
Tarrant (FEMA Docket No.: B-2141).	City of Fort Worth (21-06-0038P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, Engineering Vault, 200 Texas Street, Fort Worth, TX 76102.	Aug. 30, 2021	480596
Vermont: Bennington (FEMA Docket No.: B-2133).	Town of Bennington (20-01-1034P).	Mr. Stuart Hurd, Manager, Town of Bennington, P.O. Box 469, Bennington, VT 05201.	Town Hall, 205 South Street, Bennington, VT 05201.	Aug. 19, 2021	500013

[FR Doc. 2021-20299 Filed 9-20-21; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2021-0002; Internal Agency Docket No. FEMA-B-2165]

Proposed Flood Hazard Determinations

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

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt

or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before December 20, 2021.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2165, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance

eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be

considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an

appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by

the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,
Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Dallas County, Iowa and Incorporated Areas	
Project: 19-07-0017S Preliminary Date: March 31, 2021	
City of Adel	City Hall, 301 South 10th Street, Adel, IA 50003.
City of Van Meter	City Hall, 310 Mill Street, Van Meter, IA 50261.
City of Waukee	City Hall, 230 West Hickman Road, Waukee, IA 50263.
Unincorporated Areas of Dallas County	Dallas County Planning and Development Department, 907 Court Street, Adel, IA 50003.

[FR Doc. 2021-20301 Filed 9-20-21; 8:45 am]
BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2021-0002; Internal Agency Docket No. FEMA-B-2167]

Changes in Flood Hazard Determinations

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

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in

accordance with Federal Regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbabit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbabit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to

adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain

management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository

address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,
Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Arizona:						
Coconino.	City of Flagstaff (21-09-0522P).	The Honorable Paul Deasy, Mayor, City of Flagstaff, 211 West Aspen Avenue, Flagstaff, AZ 86001.	Community Development Department, 211 West Aspen Avenue, Flagstaff, AZ 86001.	https://msc.fema.gov/portal/advanceSearch .	Dec. 3, 2021	040020
Maricopa.	City of Buckeye (19-09-1715P).	The Honorable Eric Orsborn, Mayor, City of Buckeye, 530 East Monroe Avenue, Buckeye, AZ 85326.	Engineering Department, 530 East Monroe Avenue, Buckeye, AZ 85326.	https://msc.fema.gov/portal/advanceSearch .	Dec. 10, 2021	040039
Maricopa.	City of Buckeye (20-09-1158P).	The Honorable Eric Orsborn, Mayor, City of Buckeye, 530 East Monroe Avenue, Buckeye, AZ 85326.	Engineering Department, 530 East Monroe Avenue, Buckeye, AZ 85326.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	040039
Maricopa.	Unincorporated Areas of Maricopa County (19-09-1715P).	The Honorable Jack Sellers, Chairman, Board of Supervisors, Maricopa County, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	Flood Control District of Maricopa County, 2801 West Durango Street, Phoenix, AZ 85009.	https://msc.fema.gov/portal/advanceSearch .	Dec. 10, 2021	040037
Pima.	Town of Marana (21-09-0693P).	The Honorable Ed Honea, Mayor, Town of Marana, 11555 West Civic Center Drive, Marana, AZ 85653.	Engineering Department, Marana Municipal Complex, 11555 West Civic Center Drive, Marana, AZ 85653.	https://msc.fema.gov/portal/advanceSearch .	Dec. 13, 2021	040118
California:						
San Diego.	City of San Diego (21-09-0611P).	The Honorable Todd Gloria, Mayor, City of San Diego, 202 C Street, 11th Floor, San Diego, CA 92101.	Development Services Department, 1222 1st Avenue, MS 301, San Diego, CA 92101.	https://msc.fema.gov/portal/advanceSearch .	Dec. 15, 2021	060295
San Diego.	Unincorporated Areas of San Diego County (21-09-0373P).	The Honorable Nathan Fletcher, Chairman, Board of Supervisors, San Diego County, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	San Diego County Flood Control District, Department of Public Works, 5510 Overland Avenue Suite 410, San Diego, CA 92123.	https://msc.fema.gov/portal/advanceSearch .	Dec. 16, 2021	060284
Santa Clara.	City of San Jose (20-09-1371P).	The Honorable Sam Liccardo, Mayor, City of San Jose, Mayor's Office, 200 East Santa Clara Street, San Jose, CA 95113.	Department of Public Works, 200 East Santa Clara Street Tower, 5th Floor, San Jose, CA 95113.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	060349

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Santa Clara.	Unincorporated Areas of Santa Clara County (20-09-1371P).	The Honorable Mike Wasserman, President, Board of Supervisors, Santa Clara County, 70 West Hedding Street, 10th Floor, San Jose, CA 95110.	Santa Clara County, Department of Planning and Development, 70 West Hedding Street, 7th Floor East Wing, San Jose, CA 95110.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	060337
Florida: St. Johns.	Unincorporated Areas of St. Johns County (20-04-5575P).	Mr. Jeremiah Ray Blocker, Chair, Commissioner District 4, St. Johns County, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	https://msc.fema.gov/portal/advanceSearch .	Nov. 29, 2021	125147
St. Johns.	Unincorporated Areas of St. Johns County (21-04-1058P).	Mr. Jeremiah Ray Blocker, Chair, Commissioner District 4, St. Johns County, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	https://msc.fema.gov/portal/advanceSearch .	Dec. 16, 2021	125147
Idaho: Ada.	City of Boise (21-10-0465P)	The Honorable Lauren McLean, Mayor, City of Boise, P.O. Box 500, Boise, ID 83701	City Hall, 150 North Capitol Boulevard, Boise, ID 83701.	https://msc.fema.gov/portal/advanceSearch .	Dec. 27, 2021	160002
Michigan: Wayne.	City of Northville (20-05-4952P).	The Honorable Brian Turnbull, Mayor, City of Northville, City Hall, 215 West Main Street, Northville, MI 48167.	City Hall, 215 West Main Street, Northville, MI 48167.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	260235
Minnesota: Washington:	City of Afton (20-05-4359P)	The Honorable Bill Palmquist, Mayor, City of Afton, 3033 St. Croix Trail, Afton, MN 55001.	City Hall, 3033 St. Croix Trail South, Afton, MN 55001.	https://msc.fema.gov/portal/advanceSearch .	Nov. 18, 2021	275226
Missouri: Boone.	City of Columbia (21-07-0032P).	The Honorable Brian Treece, Mayor, City of Columbia, P.O. Box 6015, Columbia, MO 65205.	City Hall, 701 East Broadway, Columbia, MO 65205.	https://msc.fema.gov/portal/advanceSearch .	Nov. 8, 2021	290036
Howell.	City of Willow Springs (21-07-0432P).	The Honorable Brooke Fair, Mayor, City of Willow Springs, City Hall, P.O. Box 190, Willow Springs, MO 65793.	City Hall, 900 West Main Street, Willow Springs, MO 65793.	https://msc.fema.gov/portal/advanceSearch .	Dec. 16, 2021	290167
Howell.	Unincorporated Areas of Howell County (21-07-0432P).	Mr. Mark Collins, County Commissioner, Howell County, 35 Court Square, West Plains, MO 65775.	Howell County Surveyor's Office, 1390 Bill Virdon Boulevard, West Plains, MO 65775.	https://msc.fema.gov/portal/advanceSearch .	Dec. 16, 2021	290806

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Nevada: Carson City.	City of Carson City (20-09-1029P).	The Honorable Lori Bagwell, Mayor, City of Carson City, City Hall, 201 North Carson Street, Suite 2, Carson City, NV 89701.	Building Division, Permit Center, 108 East Proctor Street, Carson City, NV 89701.	https://msc.fema.gov/portal/advanceSearch .	Nov. 29, 2021	320001
Oregon: Jackson.	City of Medford (21-10-0006P).	The Honorable Randy Sparacino, Mayor, City of Medford, City Hall, 411 West 8th Street, Medford, OR 97501.	City Hall, 411 West 8th Street, Medford, OR 97501.	https://msc.fema.gov/portal/advanceSearch .	Nov. 23, 2021	410096
Texas: Lubbock.	City of Lubbock (20-06-3021P).	The Honorable Dan Pope, Mayor, City of Lubbock, P.O. Box 2000, Lubbock, TX 79457.	City Hall, 1625 13th Street, Lubbock, TX 79401.	https://msc.fema.gov/portal/advanceSearch .	Dec. 7, 2021	480452
Tarrant.	City of Fort Worth (20-06-3225P)	The Honorable Mattie Parker, Mayor, City of Fort Worth, Mayor's Office, 200 Texas Street, Fort Worth, TX 76102.	Department of Transportation and Public Works, 200 Texas Street, Fort Worth, TX 76102.	https://msc.fema.gov/portal/advanceSearch .	Dec. 7, 2021	480596
Washington: Clark.	City of Washougal (21-10-1067P).	The Honorable Molly Coston, Mayor, City of Washougal, City Hall, 1701 C Street, Washougal, WA 98671.	City Hall, 1701 C Street, Washougal, WA 98671.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	530028
Clark.	Unincorporated Areas of Clark County (21-10-1067P).	Ms. Eileen Quiring O'Brien, Council Chair, Clark County, P.O. Box 5000, Vancouver, WA 98660.	Clark County Building Department, 1300 Franklin Street, Vancouver, WA 98660.	https://msc.fema.gov/portal/advanceSearch .	Nov. 26, 2021	530024
Wisconsin: Dane.	City of Sun Prairie (21-05-0005P).	The Honorable Paul T. Esser, Mayor, City of Sun Prairie, City Hall, 300 East Main Street, 2nd Floor, Sun Prairie, WI 53590.	City Hall, 300 East Main Street, Sun Prairie, WI 53590.	https://msc.fema.gov/portal/advanceSearch .	Dec. 15, 2021	550573

[FR Doc. 2021-20300 Filed 9-20-21; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**U.S. Citizenship and Immigration Services**

[OMB Control Number 1615-0025]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Waiver of Rights, Privileges, Exemptions and Immunities**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.**ACTION:** 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until October 21, 2021.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden

and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS-2008-0015. All submissions received must include the OMB Control Number 1615-0025 in the body of the letter, the agency name and Docket ID USCIS-2008-0015.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, Telephone number (240) 721-3000 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at (800) 375-5283; TTY (800) 767-1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on June 14, 2021, at 86 FR 31519, allowing for a 60-day public comment period. USCIS did receive one comment in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at <http://www.regulations.gov> and enter USCIS-2008-0015 in the search box. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies

should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Extension, Without Change, of a Currently Approved Collection

(2) *Title of the Form/Collection:* Waiver of Rights, Privileges, Exemptions and Immunities.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-508; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. This form is used by USCIS to determine eligibility of an applicant to retain the status of an alien lawfully admitted to the United States for permanent residence.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I-508 is 1,928 and the estimated hour burden per response is .75 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 1,446 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$15,424.

Dated: September 15, 2021.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2021-20338 Filed 9-20-21; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[212A2100DD/AAKC001030/ AOA501010.999900 253G; OMB Control Number 1076-0020]

Agency Information Collection Activities; Loan Guarantee, Insurance, and Interest Subsidy Program

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Information Collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Assistant Secretary—Indian Affairs (AS-IA) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before November 22, 2021.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to David Johnson, Acting Division Chief, Division of Capital Investment, Office of Indian Economic Development, U.S. Department of the Interior, 1849 C Street NW, MIB 4138, Washington, DC 20240; email: Davidb.Johnson@bia.gov. Please reference OMB Control Number 1076-0020 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, please contact David Johnson by telephone at: (202) 208-3026.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following

issues: (1) Is the collection necessary to the proper functions of the AS–IA; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the AS–IA enhance the quality, utility, and clarity of the information to be collected; and (5) how might the AS–IA minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: Submission of this information allows the Office of Indian Economic Development (OIED) to implement the Loan Guarantee, Insurance, and Interest Subsidy Program, 25 U.S.C. 1451 *et seq.*, the purpose of which is to encourage private lending to individual Indians and Indian organizations by providing lenders with loan guarantees or loan insurance to reduce their potential risk. The information collection allows OIED to determine the eligibility and credit-worthiness of respondents and loans and otherwise ensure compliance with Program requirements. This information collection includes the use of several forms.

Title of Collection: Loan Guarantee, Insurance, and Interest Subsidy Program.

OMB Control Number: 1076–0020.

Form Number: LGA10, LIA10, RGI10, ISR10, NOD10, CFL10, ALD10, NIL10, and LGC10.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Lenders, including commercial banks, and borrowers, including individual Indians and Indian organizations.

Total Estimated Number of Annual Respondents: 622.

Total Estimated Number of Annual Responses: 1,377.

Estimated Completion Time per Response: Ranging from 0.5 to 2 hours.

Total Estimated Number of Annual Burden Hours: 2,654 hours.

Respondent's Obligation: Required to Obtain or Retain a Benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Non-hour Burden Cost: None.

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

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2021–20346 Filed 9–20–21; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[18XD4523WT DWT000000.000000
DS64950000 DP.64920; OMB Control
Number 1090–0007]

Agency Information Collection Activities; American Customer Satisfaction Index (ACSI) Government Customer Satisfaction Surveys

AGENCY: Office of the Secretary, Office of Strategic Employee and Organization Development, Federal Consulting Group, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Federal Consulting Group (FCG), is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before October 21, 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. Please provide a copy of your comments to Federal Consulting Group, Attention: Rafael Williams, 1849 C St. NW, MS 4344, Washington, DC 20240–0001, or via email to rafael_williams@ios.doi.gov or by phone to (202) 748–3770. Please reference OMB Control Number 1090–0007 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Federal Consulting

Group, Attention: Rafael Williams, 1849 C St. NW, MS 4344, Washington, DC 20240–0001, or via email to rafael_williams@ios.doi.gov or by phone to (202) 748–3770. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the PRA and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on April 29, 2021 (86 FR 22701). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying

information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Government Performance and Results Act of 1993 (GPRA) (Pub. L. 103–62) requires agencies to “improve Federal program effectiveness and public accountability by promoting a new focus on results, service quality, and customer satisfaction.” To fulfill this responsibility, Federal agencies must collect data from their respective user groups to better understand the needs and desires of the public and to respond accordingly. Executive Order 12862 “Setting Customer Service Standards” also requires all executive departments to “survey customers to determine . . . their level of satisfaction with existing services.” FCG provides access for all Federal agencies to use the American Customer Satisfaction Index (ACSI) for customer satisfaction surveying to help the Federal government fulfill its responsibilities to provide excellence in government by proactively consulting with those we serve.

The Office of Management and Budget regulation @ 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. The Office of Strategic Employee and Organization Development, Federal Consulting Group will submit a request to the Office of Management and Budget to renew its approval of this collection of information for three years.

The proposed renewal of this information collection activity provides a means to consistently assess, benchmark, and improve customer satisfaction with Federal government agency programs and/or services within the Executive Branch. The Federal Consulting Group of the Department of the Interior serves as the executive agent for this methodology and has partnered with the Claes Fornell International Group (CFI Group) and the American Customer Satisfaction Index (ACSI) to offer the ACSI to Federal government agencies.

The CFI Group, a leader in customer satisfaction and customer experience management, offers a comprehensive model that quantifies the effects of quality improvements on citizen satisfaction. The CFI Group has developed the methodology and licenses it to the American Customer Satisfaction Index, an independent organization which produces the

American Customer Satisfaction Index (ACSI). This national indicator is developed for different economic sectors each quarter, which are then published in *The Wall Street Journal*. The ACSI was introduced in 1994 by Professor Claes Fornell under the auspices of the University of Michigan, the American Society for Quality (ASQ), and the CFI Group. The ACSI monitors and benchmarks customer satisfaction across more than 200 companies and many U.S. Federal agencies.

The ACSI is the only internationally recognized cross-industry, cross-agency methodology for obtaining comparable measures of customer satisfaction for Federal government programs and/or services. Along with other economic objectives—such as employment and growth—the quality of outputs (goods and services) is a part of measuring living standards. The ACSI’s ultimate purpose is to help improve the quality of goods and services available to American citizens.

ACSI surveys conducted by the Federal Consulting Group are subject to the Privacy Act of 1974, Public Law 93–579, December 31, 1974 (5 U.S.C. 552a). The agency information collection is an integral part of conducting an ACSI survey. The contractor will not be authorized to release any agency information upon completion of the survey without first obtaining permission from the Federal Consulting Group and the participating agency. In no case shall any new system of records containing privacy information be developed by the Federal Consulting Group, participating agencies, or the contractor collecting the data. In addition, participating Federal agencies may only provide information used to randomly select respondents from among established systems of records provided for such routine uses.

There is no other agency or organization able to provide the information accessible through the surveying approach used in this information collection. Further, the information will enable Federal agencies to determine customer satisfaction metrics with discrimination capability across variables. Thus, this information collection will assist Federal agencies in making the best use of resources in a targeted manner to improve service to the public.

This survey asks no questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, or other matters that are commonly considered private.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information

unless it is operating under a currently valid OMB control number. The Office of Management and Budget control number for this collection is 1090–0007. The control number will be displayed on the surveys used. Response to the surveys is voluntary.

Title of Collection: American Customer Satisfaction Index (ACSI) Government Customer Satisfaction Surveys.

OMB Control Number: 1090–0007.

Form Number: None.

Type of Review: Renewal of a currently approved collection.

Respondents/Affected Public: Individuals, Business, and State, Local, or Tribal Governments who have utilized Federal Government services.

Total Estimated Number of Annual Respondents: Participation by Federal agencies in the ACSI is expected to vary as new customer segment measures are added or deleted. However, based on historical records, projected average estimates for the next three years are as follows:

Average Expected Annual Number of Customer Satisfaction Surveys: 100 with 800 respondents per survey.

Total Estimated Number of Annual Responses: 80,000.

Estimated Completion Time per Response: 12.0 minutes

Total Estimated Number of Annual Burden Hours: 16,000.

Respondent’s Obligation: Voluntary.

Frequency of Collection: Once per survey.

Total Estimated Annual Nonhour Burden Cost: None.

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

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Jessica Reed,

Director, Federal Consulting Group.

[FR Doc. 2021–20243 Filed 9–20–21; 8:45 am]

BILLING CODE 4334–63–P

DEPARTMENT OF THE INTERIOR**Office of the Secretary**

[18XD4523WT_DS64950000_DWT000000.000000_DP.64920]; OMB Control Number 1090-0008]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; E-Government Website Customer Satisfaction Surveys

AGENCY: Office of the Secretary, Office of Strategic Employee and Organization Development, Federal Consulting Group, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Office of Strategic Employee and Organization Development, Federal Consulting Group is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before October 21, 2021.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at OIRA_Submission@omb.eop.gov; or via facsimile to (202) 395-5806. Please provide a copy of your comments to Federal Consulting Group, Attention: Lucy Adams, 1849 C St. NW, MS 4344, Washington, DC 20240-0001, or by facsimile to (202) 513-5184, or via email to Luciana_adams@ios.doi.gov. Please reference OMB Control Number 1090-0008 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Federal Consulting Group, Attention: Lucy Adams, 1849 C St. NW, MS 4344, Washington, DC 20240-0001, by telephone at (202) 513-7679, by facsimile to (202) 513-5184, or via email to Luciana_adams@ios.doi.gov. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information

collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on April 23, 2021 (86 FR 21762). No comments were received.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the Federal Consulting Group; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Federal Consulting Group enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Federal Consulting Group minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Office of Management and Budget regulation at 5 CFR 1320, which implements the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), requires that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. The Office of Strategic Employee and Organization Development, Federal Consulting Group has submitted a request to Office of Management and Budget to renew its approval of this collection of information for three years.

This information collection activity provides a means to consistently assess, benchmark, and improve customer satisfaction with Federal government agency websites within the Executive Branch. The Federal Consulting Group of the Department of the Interior serves as the executive agent for this methodology and has partnered with Verint (through ForeSee, which was acquired in 2018) to offer this assessment to federal agencies.

Verint/ForeSee is a leader in customer satisfaction and customer experience management on the web and related media. Its' methodology (Customer Experience Analytics or CXA) is founded on publicly available ACSI (American Customer Satisfaction Index) methodology, that uses a cause-and-effect "structural equation model" to precisely measure satisfaction quantitatively from Website users' surveys. The Verint/ForeSee CXA Methodology is a cross-agency methodology for obtaining comparable measures of satisfaction with Federal Government Websites. It is a predictive methodology that identifies specific areas for improvement and determines the impact of those improvements on citizen satisfaction and future citizen behaviors. The ultimate purpose of Verint/ForeSee CXA Predictive Methodology is to help improve the quality of goods and services available to American citizens, including those from the Federal government. The Verint E-Government Website Satisfaction Surveys will be completed subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 522a). The agency information collection will be used solely for the purpose of the survey. The contractor will not be authorized to release any agency information upon completion of the survey without first obtaining permission from the Federal Consulting Group and the participating agency. In no case shall any new system of records containing privacy information be developed by the Federal Consulting Group, participating agencies, or the contractor collecting the data. In addition, participating Federal agencies may only provide information used to randomly selected respondents from among established systems of records provided for such routine uses. There is no other agency or organization able to provide the information accessible through the surveying approach used in this information collection. Further, the information will enable Federal agencies to determine customer satisfaction metrics with discrimination capability across variables. Thus, this information collection will assist Federal agencies in making the best use of resources in a targeted manner to improve service to the public.

This survey asks no questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, or other matters that are commonly considered private.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it is operating under a currently

valid Office of Management and Budget control number. The Office of Management and Budget control number for this collection is 1090–0008. The control number will be displayed on the surveys used. For expeditious administration of the surveys, the expiration date will not be displayed on the individual instruments. Response to the surveys is voluntary.

Title of Collection: Verint Experience E-Gov Website Customer Satisfaction Surveys.

OMB Control Number: 1090–0008.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals, Business, and State, Local, or Tribal Governments who have utilized Federal Government services.

Estimated Completion Time per Response: Participation by Federal agencies will vary as new websites are added or deleted. However, based on our experience from the previous three-year approval period, the number of surveys has been very consistent with little change and estimate for the next three years are as follows:

Average Expected Annual Number of Customer Satisfaction Surveys: 250 with 5,000 respondents per survey.

Total Estimated Number of Annual Responses: 1,250,000 Responses.

Total Estimated Number of Annual Burden Hours: 60,764 hours.

Respondent's Obligation: Voluntary.
Frequency of Collection: Once per survey.

Total Estimated Annual Non hour Burden Cost: None.

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

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: September 15, 2021.

Jessica Reed,

Director, Federal Consulting Group.

[FR Doc. 2021–20244 Filed 9–20–21; 8:45 am]

BILLING CODE 4334–63–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCOS000000–L10200000–212L1109AF]

Notice of Public Meetings of the Southwest Colorado Resource Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S.

Department of the Interior, Bureau of Land Management (BLM) Southwest Colorado Resource Advisory Council (RAC) will meet as indicated below.

DATES: The RAC will conduct a field trip on Wednesday, October 20, 2021, from 8 a.m. to 4 p.m. The RAC will hold a business meeting on Thursday, October 21, 2021, from 10 a.m. to 3:30 p.m. The field trip and business meeting are open to the public.

ADDRESSES: If Centers for Disease Control and Prevention (CDC) COVID–19 guidelines preclude on-site meetings, the field trip will be cancelled. The Thursday, October 21 meeting will be held virtually via Zoom. The meeting link and participation instructions will be made available to the public via news media, social media, and the BLM Colorado website at: <https://www.blm.gov/get-involved/resource-advisory-council/near-you/colorado/southwest-rac>.

The field tour is to the Alpine Loop Scenic and Historic Byway outside Silverton, Colorado, and participants will start the trip at the San Juan Public Lands Center, 15 Burnett Ct, Durango, CO 81301.

FOR FURTHER INFORMATION CONTACT: Shawn Reinhardt, Public Affairs Specialist; BLM Southwest District Office, 2465 S Townsend Ave., Montrose, CO 81401; telephone: (970) 240–5339; email: sreinhardt@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact Mr. Reinhardt during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 15-member Southwest Colorado RAC advises the Secretary of the Interior, through the BLM, on a variety of public-land issues in the Southwest District, including the Uncompahgre, Tres Rios, and Gunnison Field Offices. On October 20, the RAC will tour sites along the Alpine Loop Scenic and Historic Byway, one of the most popular sites within the Southwest District, to learn about resource complexities. Members of the public are welcome to participate in the field tour but must provide their own transportation and meals. The field tour will follow current CDC COVID–19

guidance regarding social distancing and wearing of masks.

Agenda items for the October 21 business meeting include resource and recreation management, travel management plans, a fuels reduction project, and field office updates. The meetings are open to the public and will adhere to applicable CDC protocols regarding COVID–19. A public-comment period will be held during the business meeting at 1:30 p.m. Contingent on the number of people who wish to comment during the public-comment period, individual comments may be limited. The public may present written comments to the Southwest Colorado RAC prior to the meeting. Please include “RAC Comment” in your submission. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Individuals who plan to attend and need special assistance, such as sign language interpretation and other reasonable accommodations, should contact the BLM (see **FOR FURTHER INFORMATION CONTACT**), and participants must RSVP at least 2 weeks in advance.

Summary minutes for the RAC meetings will be maintained in the Southwest District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting. Previous minutes and agendas are available at: <https://www.blm.gov/get-involved/resource-advisory-council/near-you/colorado/southwest-rac>.

(Authority: 43 CFR 1784.4–2)

Jamie E. Connell,

BLM Colorado State Director.

[FR Doc. 2021–20314 Filed 9–20–21; 8:45 am]

BILLING CODE 4310–JB–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO80200–L10200000.PH0000–212]

Northwest Colorado Resource Advisory Council Meetings

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM) Colorado's Northwest Resource Advisory Council (RAC) will meet as follows.

DATES: The Northwest Colorado RAC will host a field tour on October 20, 2021, from 11:30 a.m. to 4:30 p.m. and a meeting on October 21, 2021. The RAC will also host a field tour on January 26, 2022, from 12:00 p.m. to 5:00 p.m. and a meeting on January 27, 2022. Both meetings will be held from 8 a.m. to 3 p.m. with public-comment periods each day at 2 p.m.

ADDRESSES: October 20 field trip attendees will meet at the BLM Northwest District Office at 455 Emerson St. in Craig at 11:30 a.m. The October 21 meeting will be held virtually. January 26 field tour attendees will meet at the BLM Grand Junction Field Office at 2815 H Road in Grand Junction at 12:00 p.m. The January 27 meeting will be held virtually. The virtual meetings will be held via the Zoom platform. To request virtual access, please register here: <https://blm.zoomgov.com/meeting/register/vJltDumhqDIjEKTarTs6YG>
Nw6AKPsiQPAZg.

An agenda for each meeting will be available prior to the meetings at <https://www.blm.gov/get-involved/resource-advisory-council/near-you/colorado/northwest-rac>.

FOR FURTHER INFORMATION CONTACT: Chris Maestas, Public Affairs Specialist; Northwest District Office, 455 Emerson St., Craig, CO 81625, email: cjmaestas@blm.gov; telephone: 970-826-5101. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Chris during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 15-member Northwest Colorado RAC advises the Secretary of the Interior, through the BLM, on a variety of public-land issues in the Northwest District, including the Little Snake, White River, Kremmling, Grand Junction, and Colorado River Valley Field Offices.

On October 20, the RAC will conduct a field tour of the Sand Wash Basin Herd Management Area (HMA) for an overview and introduction to BLM Colorado's HMAs. Agenda items for the October 21 meeting will include a field tour overview and discussions on the

Dominguez Escalante and Gunnison Gorge National Conservation Area Business Plan and the White River Field Office Travel Management Plan. On January 26, the RAC will tour the Grand Junction Special Recreation Management Area for an overview and introduction to BLM Colorado's Special Recreation Management Areas. Agenda items for the January 27 meeting will include a field tour overview and discussions on resources and recreation management. The meetings are open to the public, and public comment periods will be held for each meeting at 2 p.m. Depending on the number of people who wish to comment during the public comment period, individual comments may be limited. The public may present written comments to the Northwest RAC prior to the meeting. Please include "RAC Comment" in your submission. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Members of the public are welcome on field tours but must provide their own transportation and meals. Individuals who plan to attend must RSVP to the BLM Northwest District Office at least 2 weeks in advance of the field tours. Individuals that need special assistance, such as sign language interpretation and other reasonable accommodations, should contact the BLM (see **FOR FURTHER INFORMATION CONTACT**). The field tours will follow current Centers for Disease Control and Prevention COVID-19 guidance regarding social distancing and wearing of masks. Additional information regarding the meetings will be available on the RAC's website, <https://www.blm.gov/get-involved/resource-advisory-council/near-you/colorado/northwest-rac>.

Summary minutes for the RAC meetings will be maintained in the Northwest District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting. Previous minutes and agendas are available at: <https://www.blm.gov/get-involved/resource-advisory-council/near-you/colorado/northwest-rac>.

(Authority: 43 CFR 1784.4-2)

Jamie E. Connell,

BLM Colorado State Director.

[FR Doc. 2021-20305 Filed 9-20-21; 8:45 am]

BILLING CODE 4310-JB-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[18X LLWO60000.L1820000.XP0000]

National Call for Nominations for Resource Advisory Councils

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of call for nominations.

SUMMARY: The purpose of this notice is to request public nominations for 16 of the Bureau of Land Management's (BLM) statewide and regional Resource Advisory Councils (RAC) located in the West that have vacant positions and/or members whose terms are scheduled to expire. These RACs provide advice and recommendations to the BLM on land use planning and management of the National System of Public Lands within their geographic areas.

DATES: All nominations must be received no later than October 21, 2021.

ADDRESSES: Nominations and completed applications should be sent to the appropriate BLM offices listed in the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Carrie Richardson, BLM Office of Communications, 1849 C Street NW, Room 5614, Washington, DC 20240, email: crichardson@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Ms. Richardson during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Federal Land Policy and Management Act (FLPMA) directs the Secretary of the Interior to involve the public in planning and issues related to management of lands administered by the BLM. Section 309 of FLPMA (43 U.S.C. 1739) directs the Secretary to establish 10- to 15-member citizen-based advisory councils that are consistent with the Federal Advisory Committee Act (FACA). As required by FACA, RAC membership must be balanced and representative of the various interests concerned with the management of the public lands. The

rules governing RACs are found at 43 CFR subpart 1784. The RACs include the following three membership categories:

Category One—Holders of Federal grazing permits or leases within the area for which the RAC is organized; represent interests associated with transportation or rights-of-way; represent developed outdoor recreation, off-highway vehicle users, or commercial recreation activities; represent the commercial timber industry; or represent energy and mineral development.

Category Two—Representatives of nationally or regionally recognized environmental organizations; dispersed recreational activities; archaeological and historical interests; or nationally or regionally recognized wild horse and burro interest groups.

Category Three—Hold State, county, or local elected office; are employed by a State agency responsible for the management of natural resources, land, or water; represent Indian tribes within or adjacent to the area for which the RAC is organized; are employed as academicians in natural resource management or the natural sciences; or represent the affected public at large.

Individuals may nominate themselves or others. Nominees must be residents of the State in which the RAC has jurisdiction. The BLM will evaluate nominees based on their education, training, experience, and knowledge of the geographic area of the RAC. Nominees should demonstrate a commitment to collaborative resource decision-making.

The following must accompany all nominations:

- A completed RAC application, which can either be obtained through your local BLM office or online at: <https://www.blm.gov/sites/blm.gov/files/RPMC%20Nomination%20Form.pdf>
- Letters of reference from represented interests or organizations; and
- Any other information that addresses the nominee's qualifications.

Simultaneous with this notice, BLM State Offices will issue press releases providing additional information for submitting nominations.

Before including any address, phone number, email address, or other personal identifying information in the application, nominees should be aware this information may be made publicly available at any time. While the nominee can ask to withhold the personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

Nominations and completed applications for RACs should be sent to

the appropriate BLM offices listed below:

Alaska

Alaska RAC

Melinda Bolton, BLM Alaska State Office, 222 W 7th Avenue #13 Anchorage, AK 99513; Phone: (907) 271-3342.

Arizona

Arizona RAC

Dolores Garcia, BLM Arizona State Office, 1 North Central Avenue, Suite 800, Phoenix, AZ 85004; Phone: (602) 417-9241.

California

California Desert District RAC

Michelle Van Der Linden, BLM California Desert District Office, 1201 Bird Center Drive, Palm Springs, CA 92262; Phone: (760) 833-7172.

Central California RAC

Serena Baker, BLM Central California District Office, 5152 Hillside Circle, El Dorado Hills, CA 95762; Phone: (916) 941-3146.

Northern California District RAC

Jeff Fontana, BLM Eagle Lake Field Office, 2550 Riverside Drive, Susanville, CA 96130; Phone: (530) 252-5332.

Colorado

Rocky Mountain RAC

Brent Porter, BLM Rocky Mountain District Office, 3028 East Main Street, Cañon City, CO 81212; Phone (970) 901-9581.

Southwest RAC

Shawn Reinhardt, BLM Southwest Colorado District Office, 2465 South Townsend Avenue, Montrose, CO 81401; Phone (970) 240-5430.

Montana and Dakotas

Missouri Basin RAC

Mark Jacobsen, BLM Eastern Montana/Dakotas District, 111 Garryowen Road, Miles City, MT 59301; Phone: (406) 233-2831.

Western Montana RAC

David Abrams, BLM Western Montana District Office, 106 North Parkmont, Butte, MT 59701; Phone: (406) 533-7617.

Nevada

Mojave-Southern Great Basin RAC

Kirsten Cannon, BLM Southern Nevada District Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130; Phone: (702) 515-5057.

New Mexico

Southern New Mexico RAC

Glen Garnand, BLM Roswell Field Office, 2909 West Second Street, Roswell, NM 88201; Phone: (575) 627-0209.

Oregon/Washington

Eastern Washington RAC

Jeff Clark, BLM Spokane District Office, 1103 North Fancher Road, Spokane, WA 99212; Phone: (509) 536-1297.

John Day-Snake RAC

Larisa Bogardus, BLM Vale District Office, 3100 H Street, Baker City, OR 97814; Phone: (541) 523-1407.

Southeast Oregon RAC

Lisa McNee, BLM Lakeview District Office, 1301 South G Street, Lakeview, OR 97630; Phone: (541) 947-6811.

Utah

Utah RAC

Lola Bird, BLM Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, UT 84101; Phone (801) 539-4033.

Wyoming

Wyoming RAC

Brad Purdy, BLM Wyoming State Office, 5353 Yellowstone Road, Cheyenne, WY 82009; Phone: (307) 775-6328.

(Authority: 43 CFR 1784.4-1)

Matthew Buffington,

Assistant Director for Communications.

[FR Doc. 2021-20315 Filed 9-20-21; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[18X LLWO60000.L1820000.XP0000]

Call for Nominations to the Steens Mountain Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of call for nominations.

SUMMARY: The purpose of this notice is to request public nominations to the Bureau of Land Management's (BLM) Steens Mountain Advisory Committee. This citizen-based committee assists in the development of recommendations that address management of the Steens Mountain Cooperative Management and Protection Area and in promoting cooperative management under the Steens Act.

DATES: All nominations must be received no later than October 21, 2021.

ADDRESSES: Nominations and completed applications should be sent to the BLM office listed in the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Carrie Richardson, BLM Office of Communications, 1849 C Street NW, Room 5614, Washington, DC 20240; email: crichardson@blm.gov; telephone: 202-501-2634. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Ms. Richardson during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Federal Land Policy and Management Act (FLPMA) directs the Secretary of the Interior to involve the public in planning and issues related to management of lands administered by the BLM. Section 309 of FLPMA (43 U.S.C. 1739) directs the Secretary to establish 10- to 15-member citizen-based advisory councils that are consistent with the Federal Advisory Committee Act. The rules governing advisory councils are found at 43 CFR subpart 1784.

Individuals may nominate themselves or others for appointment by the Secretary. Nominees must be residents of the State in which the advisory committee has jurisdiction. The BLM will evaluate nominees based on their education, training, experience, and knowledge of the geographic area of the advisory committee. Nominees should demonstrate a commitment to collaborative resource decision-making.

Simultaneous with this notice, the BLM Oregon State Offices will issue a press release providing additional information for submitting nominations.

Before including any address, phone number, email address, or other personal identifying information in the application, nominees should be aware this information may be made publicly available at any time. While the nominee can ask to withhold the personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

Oregon/Washington

Steens Mountain Advisory Council (SMAC)

Tara Thissell, BLM Burns District Office, 28910 Hwy. 20 West, Hines, OR 97738; Phone: (541) 573-4519.

To Apply to the SMAC: Nomination forms and instructions can be obtained

by mail through phone request or online at <https://www.blm.gov/sites/blm.gov/files/RPMC%20Nomination%20Form.pdf>.

Nominees should note the interest area(s) they are applying to represent on their application. All applications must be accompanied by letters of reference that describe the nominee's experience and qualifications to serve on the SMAC from any represented interests or organizations, a completed SMAC application, and any other information that speaks to the nominee's qualifications. The SMAC consists of 13 members that include a private landowner in the Steens Mountain Cooperative Management and Protection Area (CMPA); two representatives who are grazing permittees on Federal lands in the CMPA; a representative interested in fish and recreational fishing in the CMPA; a representative of the Burns Paiute Tribe; two representatives who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area; a representative who participates in dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horseback riding, or trail walking; a representative who is a recreational permit holder or is a representative of a commercial recreation operation in the CMPA; a representative who participates in mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing; a representative with expertise and interest in wild horse management on Steens Mountain; a representative who has no financial interest in the CMPA to represent statewide interests; and one non-voting representative to serve as the State government liaison to the Council.

Members of the SMAC appointed as special Government employees (SGEs) are subject to applicable Federal ethics statutes and regulations, to include applicable exceptions and exemptions. Additionally, SGE members are required, prior to appointment and annually thereafter, to file a Confidential Financial Disclosure Report. SGE members are also required to receive initial ethics training prior to performing any SMAC duties and to receive annual ethics training thereafter. The Department of the Interior will provide materials to those members serving as special Government employees, explaining their ethical obligations.

(Authority: 43 CFR 1784.4-1)

Matthew Buffington,

Assistant Director for Communications.

[FR Doc. 2021-20316 Filed 9-20-21; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NRNHL-DTS#-32674; PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before September 11, 2021, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by October 6, 2021.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line "Public Comment on <property or proposed district name, (County) State.>" If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 7228, Washington, DC 20240, sherry_frear@nps.gov, 202-913-3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before September 11, 2021. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

MINNESOTA

Hennepin County

Excelsior Commercial Historic District,
Roughly bounded by Lake St., West Dr.,
3rd St., and East Dr., Excelsior,
SG100007070

Alano Society of Minneapolis Clubhouse,
2218 1st Ave. South, Minneapolis,
SG100007071

MINNEHAHA (steamboat), 104 George St.,
Excelsior, SG100007073

Martin County

Sherburn Community Building, (Federal
Relief Construction in Minnesota, 1933–
1943 MPS (AD)), 116 North Main St.,
Sherburn, MP100007072

Winona County

Windom Park Residential Historic District,
Roughly bounded by West 5th, Huff, West
Broadway, Harriet, and Wilson Sts.,
Winona, SG100007069

NEW YORK

Steuben County

Rockland Silk Mill, 18 North Main St.,
Hornell, SG100007076

PUERTO RICO

Yauco Municipality

Public Health Unit at Yauco, (Puerto Rico
Reconstruction Administration MPS), 64
Comercio St., Yauco, MP100007078

RHODE ISLAND

Providence County

Donwell's Diner-Worcester Lunch Car
Company Diner No. 774,
560 Mineral Springs Ave., Pawtucket,
SG100007075

TEXAS

Cameron County

Palmville, 1400 North Reagan St., San Benito,
SG100007077

Comal County

Main Plaza, Main Plz., New Braunfels,
SG100007074

(Authority: Section 60.13 of 36 CFR part 60)

Dated: September 11, 2021.

Sherry A. Frear,

Chief, National Register of Historic Places/
National Historic Landmarks Program.

[FR Doc. 2021–20350 Filed 9–20–21; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF LABOR

Employment and Training Administration

Virtual Public Meeting of the Reestablished Advisory Committee on Apprenticeship (ACA)

AGENCY: Employment and Training
Administration (ETA), Labor.

ACTION: Notice of a virtual public
meeting.

SUMMARY: Pursuant to the Federal
Advisory Committee Act (FACA), notice
is hereby given to announce a public
meeting of the ACA to be held virtually
on October 6, 2021. All meetings of the
ACA are open to the public.

DATES: The meeting will begin at 3:30
p.m. Eastern Standard Time on October
6, 2021, at

[https://www.workforcegps.org/events/
2021/09/13/17/41/Public-Meeting-of-
the-Advisory-Committee-on-
Apprenticeship-ACA](https://www.workforcegps.org/events/2021/09/13/17/41/Public-Meeting-of-the-Advisory-Committee-on-Apprenticeship-ACA), and adjourn at
5:00 p.m. Any updates to the agenda
and meeting logistics will be posted on
the Office of Apprenticeship's website
at: [https://www.apprenticeship.gov/
advisory-committee-apprenticeship](https://www.apprenticeship.gov/advisory-committee-apprenticeship).

FOR FURTHER INFORMATION CONTACT: The
Designated Federal Officer, Mr. John V.
Ladd, Administrator, Office of
Apprenticeship, Employment and
Training Administration, U.S.
Department of Labor, 200 Constitution
Avenue NW, Room C–5321,
Washington, DC 20210; Email:
[AdvisoryCommitteeonApprenticeship@
dol.gov](mailto:AdvisoryCommitteeonApprenticeship@dol.gov); Telephone: (202) 693–2796
(this is not a toll-free number).

SUPPLEMENTARY INFORMATION: The ACA
is a discretionary committee
reestablished by the Secretary of Labor,
in accordance with FACA (5 U.S.C.
App. 2 § 10), as amended in 5 U.S.C.
App. 2, and its implementing
regulations (41 CFR 101–6 and 102–3).
The first public meeting of the
reestablished ACA will be held on
October 6, 2021. In order to promote
openness, and increase public
participation, webinar and audio
conference technology will be used to
convene the meeting. Webinar and
audio instructions will be posted
prominently on the Office of
Apprenticeship's website at: [https://
www.apprenticeship.gov/advisory-
committee-apprenticeship](https://www.apprenticeship.gov/advisory-committee-apprenticeship).

Notice of Intent To Attend the Meeting

All meeting participants must register
by September 29, 2021, via [https://
www.workforcegps.org/events/2021/09/
13/17/41/Public-Meeting-of-the-
Advisory-Committee-on-](https://www.workforcegps.org/events/2021/09/13/17/41/Public-Meeting-of-the-Advisory-Committee-on-Apprenticeship-ACA)

Apprenticeship-ACA. If individuals
have special needs and/or disabilities
that will require special
accommodations, please contact Kenya
Huckaby at (202) 693–3795 or via email
at huckaby.kenya@dol.gov no later than
September 29, 2021.

1. Any member of the public who
wishes to file written data or comments
pertaining to the agenda may do so by
sending the data or comments to Mr.
John V. Ladd via email at
[AdvisoryCommitteeonApprenticeship@
dol.gov](mailto:AdvisoryCommitteeonApprenticeship@dol.gov), subject line “October 6, 2021
ACA Meeting.” Such submissions will
be included in the record for the
meeting if received by September 29,
2021.

2. See below regarding members of
the public wishing to speak at the ACA
meeting.

Purpose of the Meeting and Topics To Be Discussed

The purpose of the October 6, 2021,
meeting is to explore apprenticeship
priorities in the upcoming year. The
agenda topics for this meeting include
the following:

- Diversity, Equity, and Inclusion in
Registered Apprenticeship
- Expansion into New Industries
- Registered Apprenticeship
Modernization
- Pre-Apprenticeship, Youth
Apprenticeship, Degreed
Apprenticeships and Other Models
- Public Comment
- Adjourn

The agenda and meeting logistics may
be updated should priority items come
before the ACA between the time of this
publication and the scheduled date of
the ACA meeting. All meeting updates
will be posted to the Office of
Apprenticeship's website at: [https://
www.apprenticeship.gov/advisory-
committee-apprenticeship](https://www.apprenticeship.gov/advisory-committee-apprenticeship). Any member
of the public who wishes to speak at the
meeting should indicate the nature of
the intended presentation and the
amount of time needed by furnishing a
written statement to the Designated
Federal Officer, Mr. John V. Ladd, via
email at
[AdvisoryCommitteeonApprenticeship@
dol.gov](mailto:AdvisoryCommitteeonApprenticeship@dol.gov), by September 29, 2021. The
Chairperson will announce at the
beginning of the meeting the extent to
which time will permit the granting of
such requests.

Lenita Jacobs-Simmons,

Acting Assistant Secretary for Employment
and Training, Labor.

[FR Doc. 2021–20397 Filed 9–20–21; 8:45 am]

BILLING CODE 4510–FR–P

DEPARTMENT OF LABOR**Employment and Training Administration****Final Finding of No Significant Impact, Earle C. Clements Job Corps Center Proposed Disposal and Reuse of Excess Property**

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration, pursuant to the Council on Environmental Quality Regulations implementing procedural provisions of the National Environmental Policy Act (NEPA), gives final notice of the proposed disposal of 2 parcels totaling 469.15 acres of excess property located southwest and east of the portion of the Earle C. Clements Job Corps Center campus to remain and that this project will not have a significant adverse impact on the environment.

DATES: These findings are effective as of September 21, 2021.

ADDRESSES: For further information contact Jose Velazquez, Department of Labor, 200 Constitution Avenue NW, Room N-4460, Washington, DC 20210; Telephone (202) 693-3099 (this is not a toll free number).

FOR FURTHER INFORMATION CONTACT: Jose Velazquez at (202) 693-3099 (this is not a toll free number).

SUPPLEMENTARY INFORMATION: Pursuant to the Council on Environmental Quality Regulations (40 CFR part 1500-08) implementing procedural provisions of the National Environmental Policy Act (NEPA), in accordance with 29 CFR 11.11(d), gives final notice of the proposed disposal of 2 parcels totaling 469.15 acres of excess property located southwest and east of the portion of the Earle C. Clements Job Corps Center campus to remain and that this project will not have a significant adverse impact on the environment. A public notice of availability of the draft environmental assessment (EA) was published in the Union County Advocate in Morganfield, Kentucky, on December 16, 2020. The review period extended for 24 days, ending on January 8, 2021. No public comments were received. No changes to the findings of the EA have been made.

Implementation of the proposed action alternative will not have significant impacts on the human environment. The determination is sustained by the analysis in the EA, agency, and Native American tribal consultation, the inclusion and consideration of public review, and the capability of mitigations to reduce or avoid impacts. Any adverse environmental effects that could occur

are no more than minor in intensity, duration and context and less-than-significant. As described in the EA, there are no highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence. There are no previous, planned, or implemented actions, which, in combination with the proposed action alternative, would have significant effects on the human environment. Requirements of NEPA have been satisfied, and preparation of an Environmental Impact Statement is not required.

Lenita Jacobs-Simmons,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2021-20312 Filed 9-20-21; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR**Employment and Training Administration****Agency Information Collection Activities; Comment Request; ETA 191, Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers Report**

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL's) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, *Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers*. This comment request is part of DOL's continuing 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 November 22, 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 Cindy Le by telephone at (202) 693-2829, TTY 1-877-889-5627 (these are not toll-free numbers), or by email at Le.Cindy@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S-4524, 200 Constitution Avenue NW, Washington, DC 20210, by email: Le.Cindy@dol.gov; or by Fax (202) 693-3975.

FOR FURTHER INFORMATION CONTACT: Cynthia Greene by telephone at 202-693-2724 (this is not a toll-free number) or by email at Cynthia.Greene.M@dol.gov.

Authority: 44 U.S.C. 3506(c)(2)(A).

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

Public Law 97-362, Miscellaneous Revenue Act of 1982, amended the Unemployment Compensation for Ex-Servicemembers (UCX) law (5 U.S.C. 8509), and Public Law 96-499, Omnibus Budget Reconciliation Act, amended the Unemployment Compensation for Federal Employees (UCFE) law (5 U.S.C. 8501, *et. seq.*) requiring each Federal employing agency to pay the costs of regular and extended UCFE/UCX benefits paid to its employees by the State Workforce Agencies (SWAs). The ETA 191 report submitted quarterly by each SWA shows the amount of benefits that should be charged to each Federal employing agency. ETA's Office of Unemployment Insurance uses this information to aggregate the SWA quarterly charges and submit one official bill to each Federal agency being charged. Federal agencies then reimburse the Federal Employees Compensation Account maintained by the U.S. Department of the Treasury. The Social Security Act, Section 303 (a) (6), 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 1205–0162.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL–ETA.

Type of Review: Extension without change.

Title of Collection: Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers Report.

Form: ETA 191.

OMB Control Number: 1205–0162.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 53.

Frequency: Quarterly.

Total Estimated Annual Responses: 212.

Estimated Average Time per Response: 6 hours.

Estimated Total Annual Burden

Hours: 1,272 hours.

Total Estimated Annual Other Cost Burden: \$0.

Lenita Jacobs-Simmons,

Acting Assistant Secretary for the Employment and Training Administration.

[FR Doc. 2021–20313 Filed 9–20–21; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Employer Adoption of Voluntary Health and Safety Standards

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of the Assistant Secretary for Policy, Chief Evaluation Office (CEO)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before October 21, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–

693–0456 or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The U.S. Department of Labor's (DOL) Chief Evaluation Office (CEO), in collaboration with the Occupational Safety and Health Administration (OSHA), has commissioned an evaluation of the use of voluntary consensus standards for occupational health and safety management systems (OHSMS). For additional substantive information about this ICR, see the related notice published in the **Federal Register** on December 19, 2019 (84 FR 69779).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: CEO.

Title of Collection: Employer Adoption of Voluntary Health and Safety Standards.

OMB Control Number: 1290–0NEW.

Affected Public: Private Sector: Businesses or other for-profits.

Total Estimated Number of Respondents: 333.

Total Estimated Number of Responses: 333.

Total Estimated Annual Time Burden: 167 hours.

Total Estimated Annual Other Costs Burden: \$0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Crystal Rennie,

Senior PRA Analyst.

[FR Doc. 2021–20386 Filed 9–20–21; 8:45 am]

BILLING CODE 4510–HX–P

DEPARTMENT OF LABOR**Occupational Safety and Health Administration**

[Docket No. OSHA–2018–0005]

Migrant Worker Whistleblower Stakeholder Meeting**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.**ACTION:** Notice of public meeting.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is announcing a public meeting to solicit comments and suggestions from stakeholders on issues facing the agency in the administration of the whistleblower laws it enforces.

DATES: The public meeting will be held on October 13, 2021, from 2:00 p.m. to 5:00 p.m., ET via telephone and virtually via Teams. Persons interested in attending the meeting must register by October 6, 2021. In addition, comments relating to the “Scope of Meeting” section of this document must be submitted by October 6, 2021.

ADDRESSES: *Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking portal. Follow the on-line instructions for submissions. All comments should be identified with Docket No. OSHA–2018–0005.

Registration to Attend and/or to Participate in the Meeting: If you wish to attend the public meeting, make an oral presentation at the meeting, or participate in the meeting, you must register using this link: <https://www.eventbrite.com/e/migrant-worker-whistleblower-stakeholder-meeting-registration-167604348117> or this link for registration in Spanish <https://www.eventbrite.com/e/registro-reunion-para-partes-interesadas-sobre-los-denunciantes-que-son-trabajadores-168742426139> by close of business on October 6, 2021. Each participant will be allowed to speak for up to 5 minutes. If there is extra time at the end of the meeting, participants may be given extra time to speak. There is no fee to register for the public meeting. After reviewing the requests to present, OSHA will contact each participant prior to the meeting to inform them of the speaking order. We will provide Spanish language translation.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693–1999; email: meilinger.francis2@dol.gov.

For general information: Mr. Anthony Rosa, Acting Director, OSHA Directorate of Whistleblower Protection Programs, U.S. Department of Labor; telephone: (202) 693–2199; email: osha.dwpp@dol.gov.

SUPPLEMENTARY INFORMATION:**A. Scope of Meeting**

OSHA is interested in obtaining information from the public on key issues facing the agency’s whistleblower program. This meeting is the eighth in a series of meetings requesting public input on this program. The agency is seeking suggestions on how it can improve the program, particularly where migrant and other vulnerable workers are concerned. Please note that the agency does not have the authority to change the statutory language and requirements of the laws it enforces. In particular, the agency invites input on the following:

1. How can OSHA deliver better whistleblower customer service?
2. What kind of assistance can OSHA provide to help explain the agency’s whistleblower laws to employees and employers?
3. What can OSHA do to ensure that workers are protected from retaliation for raising concerns related to the pandemic?

B. Request for Comments

Regardless of attendance at the public meeting, interested persons may submit written or electronic comments (see **ADDRESSES** above). Electronic comments include recorded oral comments. Comments may be submitted in any language. Submit a single copy of electronic comments or two paper copies of any mailed comments. To permit time for interested persons to submit data, information, or views on the issues in the “Scope of Meeting” section of this notice, please submit comments by October 6, 2021, and include Docket No. OSHA–2018–0005. If you have questions regarding how to submit comments, please contact osha.dwpp@dol.gov or 202–693–2199.

C. Access to the Public Record

Electronic copies of this **Federal Register** notice are available at: <http://www.regulations.gov>. This notice, as well as news releases and other relevant information, is also available on the Directorate of Whistleblower Protection Programs’ web page at: <http://www.whistleblowers.gov>.

Authority and Signature

James S. Frederick, Acting Assistant Secretary for Occupational Safety and Health, authorized the preparation of

this notice under the authority granted by Secretary’s Order 08–2020 (May 15, 2020).

Signed at Washington, DC, on September 15, 2021.

James S. Frederick,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021–20311 Filed 9–20–21; 8:45 am]

BILLING CODE 4510–26–P**NATIONAL CREDIT UNION ADMINISTRATION****Sunshine Act Meetings**

TIME AND DATE: 10:00 a.m., Thursday, September 23, 2021.

PLACE: Due to the COVID–19 Pandemic, the meeting will be open to the public via live webcast only. Visit the agency’s homepage (www.ncua.gov) and access the provided webcast link.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

1. Board Briefing, Share Insurance Fund Quarterly Report.
2. NCUA’s 2021 Mid-Session Budget.
3. Oregon Member Business Lending Rule.
4. NCUA Board Agenda.
5. NCUA Rules and Regulations, Subordinated Debt.

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703–518–6304.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2021–20450 Filed 9–17–21; 11:15 am]

BILLING CODE 7535–01–P**RAILROAD RETIREMENT BOARD****Agency Forms Submitted for OMB Review, Request for Comments**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and

clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

1. *Title and purpose of information collection:* Railroad Service and Compensation Reports/System Access Application; OMB 3220-0008.

Under Section 9 of the Railroad Retirement Act (RRA) (45 U.S.C. 231h) and Section 6 of the Railroad Unemployment Insurance Act (RUIA) (45 U.S.C. 356), the Railroad Retirement Board (RRB) maintains for each railroad employee, a record of compensation paid to that employee by all railroad employers for whom the employee worked after 1936. This record, which is used by the RRB to determine eligibility for, and amount of, benefits due under the laws it administers, is conclusive as to the amount of compensation paid to an employee during such period(s) covered by the report(s) of the compensation by the employee's railroad employer(s), except in cases when an employee files a protest pertaining to his or her reported compensation within the statute of limitations cited in Section 9 of the RRA and Section 6 of the RUIA.

To enable the RRB to establish and maintain the record of compensation, employers are required to file with the RRB, reports of their employees' compensation, in such manner and form and at such times as the RRB prescribes. Railroad employers' reports and responsibilities are prescribed in 20 CFR 209. The RRB currently utilizes Form

BA-3, *Annual Report of Creditable Compensation*, and Form BA-4, *Report of Creditable Compensation Adjustments*, to secure the required information from railroad employers. Form BA-3 provides the RRB with information regarding annual creditable service and compensation for each individual who worked for a railroad employer covered by the RRA and RUIA in a given year. Form BA-4 provides for the adjustment of any previously submitted reports and also the opportunity to provide any service and compensation that had been previously omitted. Requirements specific to Forms BA-3 and BA-4 are prescribed in 20 CFR 209.8 and 209.9.

Employers currently have the option of submitting BA-3 and BA-4 reports electronically by CD-ROM, secure Email, File Transfer Protocol (FTP), or online via the RRB's Employer Reporting System (ERS).

The information collection also includes RRB Form BA-12, Application for Employer Reporting internet Access, and Form G-440, Report Specifications Sheet. Form BA-12 is completed by railroad employers to obtain system access to ERS. Once access is obtained, authorized employees may submit reporting forms online to the RRB. The form determines what degree of access (view/only, data entry/modification or approval/submission) is appropriate for that employee. It is also used to terminate an employee's access to ERS. Form G-440, Report Specifications Sheet, serves as a certification document for Forms BA-3 and BA-4 as well as other RRB employer reporting forms (Form BA-6a, BA-6 Address Report (OMB 3220-0005), Form BA-9, Report of Separation Allowance or Severance Pay (OMB 3220-0173) and Form BA-11, Report of Gross Earnings (OMB 3220-0132)). It records the type of medium

the report was submitted on, and serves as a summary recapitulation sheet for reports filed on paper.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 38507 on July 21, 2021) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Railroad Service and Compensation Reports/System Access Application.

OMB Control Number: 3220-0008.

Form(s) submitted: BA-3, BA-3 (internet), BA-4, BA-4 (internet), BA-12 and G-440.

Type of request: Revision of a currently approved collection.

Affected public: Private Sector; Businesses or other for-profits.

Abstract: Under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, employers are required to report service and compensation for each employee to update Railroad Retirement Board records for payments of benefits. The collection obtains service and compensation information and information needed to ensure secure system access from employers who voluntarily opt to use the RRB's internet-based Employer Reporting System to submit reporting forms and information needed to certify employer reporting transactions.

Changes proposed: The RRB proposes no changes to Forms BA-3 (internet), BA-4 (internet), BA-12, and G-440. The RRB proposes to remove Form BA-3 (Paper) and BA-4 (Paper) from the Information Collection due to less than 10 responses per year.

The burden estimate for the ICR is as follows:

Reporting	Responses	Time (minutes)	Burden (hours)
BA-3:			
Electronic Media 2/	96	46.25 (2,775 min)	4,440
BA-3 (Internet)	617	46.25 (2,775 min)	28,536
Total BA-3	713	.....	32,976
BA-4:			
Electronic Media 2/	355	1.00 (60 min)	355
BA-4 (Internet)	3,942	.33 (20 min)	1,314
Total BA-4	4,297	.....	1,669
BA-12:			
Initial Access	295	.33 (20 min)	98
Access Termination	38	.166 (10 min)	7
Total BA-12	333	.....	105
G-440 (certification):			
Form BA-3 (no employees)	19	.25 (15 min)	5
Form BA-11 (no employees)	60	.25 (15 min)	15
Paper forms (without recap)	7	.25 (15 min)	1

Reporting	Responses	Time (minutes)	Burden (hours)
Form BA-15	600	.25 (15 min)	150
Electronic transactions	94	.50 (30 min)	47
BA-3 and BA-4 (with recap)	125	1.25 (75 min)	156
Total G-440	905	.....	374
Grand Total	6,248	.....	35,194

2. Title and purpose of information collection: Evidence for Application of Overall Minimum, OMB 3220-0083.

Under Section 3(f)(3) of the Railroad Retirement Act (RRA) (45 U.S.C. 231b), the total monthly benefits payable to a railroad employee and his/her family are guaranteed to be no less than the amount which would be payable if the employee's railroad service had been covered by the Social Security Act. This is referred to as the Social Security Overall Minimum Guarantee, which is prescribed in 20 CFR 229. To administer this provision, the Railroad Retirement Board (RRB) requires information about a retired employee's spouse and child(ren) who would not be eligible for benefits under the RRA but would be eligible for benefits under the Social Security Act if the employee's railroad

service had been covered by that Act. The RRB obtains the required information by the use of Forms G-319, Statement Regarding Family and Earnings for Special Guaranty Computation, and G-320, Student Questionnaire for Special Guaranty Computation. One response is required of each respondent. Completion is required to obtain or retain benefits. The RRB proposes no changes to Forms G-319 and G-320.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 38508 on July 21, 2021) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Evidence for Application of Overall Minimum.

OMB Control Number: 3220-0083.

Forms submitted: G-319 and G-320.

Type of request: Extension without change of a currently approved collection.

Affected public: Individuals or Households.

Abstract: Under Section 3(f)(3) of the Railroad Retirement Act, the total monthly benefits payable to a railroad employee and his/her family are guaranteed to be no less than the amount which would be payable if the employee's railroad service had been covered by the Social Security Act.

Changes proposed: The RRB proposes no changes to Forms G-319 and G-320.

The burden estimate for the ICR is as follows:

Form number	Annual responses	Time (minutes)	Burden (hours)
G-319 (completed by the employee):			
With assistance	5	26	2
Without assistance	230	55	211
G-319 (completed by spouse):			
With assistance	5	30	2
Without assistance	10	60	10
G-320:			
(Age 18 at Special Guaranty Begin Date or Special Guaranty Age 18 Attainments)	30	15	7
G-320:			
(Student Monitoring done in Sept, March and at end of school year)	10	15	2
Total	290	.....	234

3. Title and purpose of information collection: Gross Earnings Report; OMB 3220-0132. In order to carry out the financial interchange provisions of Section 7(c)(2) of the Railroad Retirement Act (RRA) (45 U.S.C. 231f), the RRB obtains annually from railroad employer's the gross earnings for their employees on a one-percent basis, i.e., 1% of each employer's railroad employees. The gross earnings sample is based on the earnings of employees whose social security numbers end with the digits "30." The gross earnings are used to compute payroll taxes under the financial interchange.

The gross earnings information is essential in determining the tax amounts involved in the financial

interchange with the Social Security Administration and Centers for Medicare & Medicaid Services. Besides being necessary for current financial interchange calculations, the gross earnings file tabulations are also an integral part of the data needed to estimate future tax income and corresponding financial interchange amounts. These estimates are made for internal use and to satisfy requests from other government agencies and interested groups. In addition, cash flow projections of the social security equivalent benefit account, railroad retirement account and cost estimates made for proposed amendments to laws administered by the RRB are dependent

on input developed from the information collection.

The RRB utilizes Form BA-11 to obtain gross earnings information from railroad employers. Employers have the option of preparing and submitting BA-11 reports online via the RRB's Employer Reporting System or on paper (or in like format) on magnetic tape cartridges, by File Transfer Protocol (FTP), or secure Email. The online BA-11 includes the option to file a "negative report" (no employees, or no employees with the digits "30"). Completion is mandatory. One response is requested of each respondent.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 38508 on July 21,

2021) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Gross Earnings Report.
OMB Control Number: 3220-0132.
Form(s) submitted: BA-11, BA-11 (internet).
Type of request: Extension without change of a currently approved collection.

Affected public: Private Sector; Businesses or other for-profits.

Abstract: Section 7(c)(2) of the Railroad Retirement Act requires a financial interchange between the OASDHI trust funds and the railroad retirement account. The collection obtains gross earnings of railway employees on a 1% basis. The information is used to determine the

amount which would place the OASDHI trust funds in the position they would have been if railroad service had been covered by the Social Security and FIC Acts.

Changes proposed: The RRB proposes no changes to Form BA-11.

The burden estimate for the ICR is as follows:

Form number	Annual responses	Time (minutes)	Burden (hours)
BA-11 CD-ROM	0	30	0
BA-11 File Transfer Protocol	11	300	55
BA-11 Secure Email	0	30	0
BA-11 (Internet)—Positive	424	30	77
BA-11 (Internet)—Negative	154	15	106
Total	589	.....	238

Additional Information or Comments: Copies of the forms and supporting documents can be obtained from Kennisha Tucker at (312) 469-2591 or Kennisha.Tucker@rrb.gov. Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-1275 or Brian.Foster@rrb.gov.

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.

Brian Foster,
Clearance Officer.

[FR Doc. 2021-20420 Filed 9-20-21; 8:45 am]

BILLING CODE 7905-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93000; File No. SR-NYSE-2021-51]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Content of the NYSE Best Quote & Trades

September 15, 2021.

Pursuant to Section 19(b)(1) ¹ of the Securities Exchange Act of 1934 (the

“Act”)² and Rule 19b-4 thereunder,³ notice is hereby given that on September 3, 2021, New York Stock Exchange LLC (“NYSE” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the content of the NYSE Best Quote & Trades (“NYSE BQT”) data feed to identify the current day consolidated high and low prices. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below,

of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to enhance the content of NYSE BQT to identify the current day consolidated high and low price for all listed equity securities.

The NYSE BQT⁴ data feed provides a unified view of best bid and offer (“BBO”) and last sale information for the Exchange and its affiliates, NYSE Arca, Inc. (“NYSE Arca”), NYSE American LLC (“NYSE American”), NYSE National, Inc. (“NYSE National”) and NYSE Chicago, Inc. (“NYSE Chicago”) and consists of data elements from ten existing market data feeds: NYSE Trades,⁵ NYSE BBO,⁶ NYSE Arca Trades,⁷ NYSE Arca BBO,⁸ NYSE

⁴ See Securities Exchange Act Release No. 73553 (November 6, 2014), 79 FR 67491 (November 13, 2014) (Notice of Amendment No. 1 and Order Granting Accelerated Approval to a Proposed Rule Change, as Modified by Amendment No. 1, To Establish the NYSE Best Quote and Trades Data Feed).

⁵ See Securities Exchange Act Release Nos. 59290 (January 23, 2009), 74 FR 5707 (January 30, 2009) (SR-NYSE-2009-05); and 59606 (March 19, 2009), 74 FR 13293 (March 26, 2009) (SR-NYSE-2009-04).

⁶ See Securities Exchange Act Release No. 62181 (May 26, 2010), 75 FR 31488 (June 3, 2010) (SR-NYSE-2010-30).

⁷ See Securities Exchange Act Release Nos. 59289 (January 23, 2009), 74 FR 5711 (January 30, 2009) (SR-NYSEArca-2009-06); and 59598 (March 18, 2009), 74 FR 12919 (March 25, 2009) (SR-NYSEArca-2009-05).

⁸ See Securities Exchange Act Release No. 62188 (May 27, 2010), 75 FR 31484 (June 3, 2010) (SR-NYSEArca-2010-23).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

¹ 15 U.S.C. 78s(b)(1).

American Trades,⁹ NYSE American BBO,¹⁰ NYSE National Trades,¹¹ NYSE National BBO,¹² NYSE Chicago Trades,¹³ and NYSE Chicago BBO.¹⁴

NYSE BBO, NYSE Arca BBO, NYSE American BBO, NYSE National BBO and NYSE Chicago BBO are existing data feeds that distribute on a real-time basis the same BBO information that NYSE, NYSE Arca, NYSE American, NYSE National and NYSE Chicago, respectively, report under the Consolidated Quotation (“CQ”) Plan for inclusion in the CQ Plan’s consolidated quotation information data stream. NYSE Trades, NYSE Arca Trades, NYSE American Trades, NYSE National Trades and NYSE Chicago Trades are existing data feeds that distribute on a real-time basis the same last sale information that NYSE, NYSE Arca, NYSE American, NYSE National and NYSE Chicago, respectively, report under the Consolidated Tape Association (“CTA”) Plan for inclusion in the CTA Plan’s consolidated data streams. Among other things, NYSE BQT also includes consolidated volume for all listed equity securities regardless of where the transaction was executed.

Now, in addition to the information currently provided in NYSE BQT, the Exchange proposes to include the current day consolidated high and low price for all listed equity securities as obtained directly from the securities information processors (“SIPs”). The consolidated high and low price for all equity securities would be disseminated via NYSE BQT after the Consolidated Tape Association (“CTA”) and Unlisted Trading Privileges (“UTP”) Plan SIP delay period, which is currently 15 minutes. Such information would provide NYSE BQT users with a static benchmark against which to compare price movements shown on NYSE BQT using high and low prices in the consolidated market. The Exchange’s proposal is in response to requests by subscribers using NYSE BQT, and also

to recent changes by a competitor exchange to its end of day messages.¹⁵

The NYSE BQT data feed is offered in a capacity similar to that of a vendor.¹⁶ The Exchange, NYSE Arca, NYSE American, NYSE National and NYSE Chicago are the exclusive distributors of the 10 BBO and Trades feeds¹⁷ from which certain data elements is taken to create the NYSE BQT. By contrast, the Exchange would not be the exclusive distributor of the aggregated and consolidated information that composes the NYSE BQT data feed. Other vendors would be able, if they chose, to create a data feed with the same information included in NYSE BQT, and to distribute it to clients with no greater latency than the Exchange would be able to distribute NYSE BQT.

The Exchange proposes that this change become operative on October 18, 2021. The Exchange is not proposing any change to the fees for NYSE BQT as a result of this modification.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)¹⁸ of the Act (“Act”), in general, and furthers the objectives of Section 6(b)(5)¹⁹ of the Act, in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, 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 it is not designed to permit unfair discrimination among customers, brokers, or dealers. This proposal is in keeping with those principles in that it promotes increased transparency through the dissemination of the NYSE BQT market data feed to

those interested in receiving it. The NYSE BQT data feed is a product that relies on the Exchange’s receipt of underlying data, which is available to all market participants, before it can aggregate and consolidate information to create the NYSE BQT; this is a process that a vendor could also perform. Accordingly, the Exchange is not the only distributor of the NYSE BQT data feed.

The Exchange also believes that the proposed rule change is consistent with Section 11(A) of the Act²⁰ in that it supports (1) fair competition among brokers and dealers, among exchange markets, and between exchange markets and markets other than exchange markets and (2) the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities.

Furthermore, the Exchange believes that the proposed rule change is consistent with Rule 603 of Regulation NMS,²¹ which provides that any national securities exchange that distributes information with respect to quotations for or transactions in an NMS stock do so on terms that are not unreasonably discriminatory. In adopting Regulation NMS, the Commission granted self-regulatory organizations and broker dealers increased authority and flexibility to offer new and unique market data to consumers of such data. It was believed that this authority would expand the amount of data available to users and consumers of such data and also spur innovation and competition for the provision of market data.

The proposed rule change is designed to promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system by identifying the consolidated high and low price for all listed equity securities as obtained directly from the SIPs. Such information would provide NYSE BQT users with a static benchmark against which to compare price movements shown on NYSE BQT using high and low prices in the consolidated market. Therefore, the consolidated high and low price for listed equity securities would provide meaningful information to investors.

The Exchange also believes this proposal is consistent with Section 6(b)(5) of the Act because it protects investors and the public interest and promotes just and equitable principles of trade by providing investors with new options for receiving such

⁹ See Securities Exchange Act Release No. 62187 (May 27, 2010), 75 FR 31500 (June 3, 2010) (SR–NYSEAmex–2010–35).

¹⁰ See Securities Exchange Act Release No. 62187 (May 27, 2010), 75 FR 31500 (June 3, 2010) (SR–NYSEAmex–2010–35).

¹¹ See Securities Exchange Act Release No. 83350 (May 31, 2018), 83 FR 26332 (June 6, 2018) (SR–NYSENAT–2018–09).

¹² See Securities Exchange Act Release No. 83350 (May 31, 2018), 83 FR 26332 (June 6, 2018) (SR–NYSENAT–2018–09).

¹³ See Securities Exchange Act Release No. 87389 (October 23, 2019), 84 FR 57904 (October 29, 2019) (SR–NYSECHX–2019–15).

¹⁴ See Securities Exchange Act Release No. 87389 (October 23, 2019), 84 FR 57904 (October 29, 2019) (SR–NYSECHX–2019–15).

¹⁵ See Securities Exchange Act No. 92301 (June 30, 2021), 86 FR 35845 (July 7, 2021) (SR–CboeBYX–2021–014).

¹⁶ [The Commission notes that its order approving the exchange’s proposal to offer the NYSE BQT feed states that the Commission believes that “a data feed offered by an exchange that contains that exchange’s own market data (including a feed that also contains data from other exchanges) is a ‘material aspect of the operation of the facilities of the self-regulatory organization,’ and that therefore, such a data product and any related fees are subject to the rule filing process of Section 19(b) of the Act.” Securities Exchange Act Release No. 73554 (Nov. 6, 2014), 79 FR 67491, 67494 (Nov. 13, 2014) (SR–NYSE–2014–40).]

¹⁷ These other data feeds are offered pursuant to pre-existing and already effective rules filed with the Commission; those rules will not be altered by this filing.

¹⁸ 15 U.S.C. 78f(b).

¹⁹ 15 U.S.C. 78f(b)(5).

²⁰ 15 U.S.C. 78k–1.

²¹ 17 CFR 242.603.

information. As noted above, another exchange currently provides consolidated high and low price information in their competing market data products.²² Therefore, the Exchange believes the proposed rule change removes impediments to and perfects the mechanism of a free and open market and a national market system, and, in general, protects investors and the public interest as it would provide an additional avenue for investors to receive this information from a competing product.

In addition, this proposal would not permit unfair discrimination because NYSE BQT will continue to be available to all of the Exchange's customers through SFTI and market data vendors on an equivalent basis. In addition, any customer that wished to continue to be able to purchase one or more of the individual underlying data feeds would be able to do so.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,²³ the Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change will enhance competition because it would enable the Exchange to include the consolidated high and low price as part of NYSE BQT, thereby enabling it to better compete with similar market data products offered by another exchange that includes such information.²⁴ As noted above, the Exchange already offers NYSE BQT and this proposed rule change simply amends the content of the current market data product to include the consolidated high and low price for all listed equity securities. The Exchange is not the exclusive distributor of the consolidated high and low price information that would compose the amended NYSE BQT data feed. Vendors would be able, if they chose, to create a data feed with the same information as NYSE BQT and distribute it to their clients on a level-playing field with respect to latency and cost as compared to the Exchange's product. Specifically, a competing vendor could receive the consolidated high and low price from the SIPs and include that information as part of their market data products to be disseminated

to customers pursuant to the same terms and policies as the Exchange.²⁵

The Exchange believes the proposal will have no impact on intramarket competition as the proposal is not targeted at, or expected to be limited in its applicability to, any particular segment of market participants and no segment of retail investors, the general investing public, or any other market participant is expected to benefit more than any other. Therefore, the Exchange believes the inclusion of the consolidated high and low price in NYSE BQT would not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act²⁶ and Rule 19b-4(f)(6) thereunder.²⁷ Because the proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act²⁸ and Rule 19b-4(f)(6)(iii) thereunder.²⁹

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of

²⁵ See CTA Consolidated Volume Display Policy with FAQ at <https://www.ctaplan.com/publicdocs/ctaplan/notifications/traderupdate/CTA%20Consolidated%20Volume%20Policy%20FAQ.pdf>.

²⁶ 15 U.S.C. 78s(b)(3)(A)(iii).

²⁷ 17 CFR 240.19b-4(f)(6).

²⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

²⁹ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has fulfilled this requirement.

investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)³⁰ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NYSE-2021-51 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number SR-NYSE-2021-51. 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

³⁰ 15 U.S.C. 78s(b)(2)(B).

²² See, note 15, *supra*.

²³ 15 U.S.C. 78f(b)(8).

²⁴ See, note 15, *supra*.

to make available publicly. All submissions should refer to File Number SR–NYSE–2021–51 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³¹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021–20331 Filed 9–20–21; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–93002; File No. SR–FINRA–2021–023]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Extend the Effectiveness of Temporary Supplementary Material .17 (Temporary Relief To Allow Remote Inspections for Calendar Year 2020 and Calendar Year 2021) Under FINRA Rule 3110 (Supervision)

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) ¹ and Rule 19b–4 thereunder,² notice is hereby given that on September 14, 2021, the Financial Industry Regulatory Authority, Inc. (“FINRA”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. FINRA has designated the proposed rule change as constituting a “non-controversial” rule change under paragraph (f)(6) of Rule 19b–4 under the Act,³ which renders the proposal effective upon receipt of this filing by the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

FINRA is proposing to extend temporary Supplementary Material .17 (Temporary Relief to Allow Remote Inspections for Calendar Year 2020 and Calendar Year 2021) under FINRA Rule 3110 (Supervision) to include calendar year 2022 inspection obligations

through June 30, 2022 within the scope of the supplementary material.⁴ The proposed extension of Rule 3110.17 is necessary to address the continuing operational challenges resulting from the COVID–19 pandemic many member firms face in planning for and timely conducting, during the first half of calendar year 2022, the on-site inspection component of Rule 3110(c) (Internal Inspections) at locations requiring inspection in calendar year 2022.

Below is the text of the proposed rule change. Proposed new language is in italics; proposed deletions are in brackets.

* * * * *

3100. SUPERVISORY RESPONSIBILITIES

3110. Supervision

(a) through (f) No Change.

* * * Supplementary Material: _____
.01 through .16 No Change.
.17 Temporary Relief to Allow Remote Inspections for Calendar Years 2020 and [Calendar Year] 2021, *and Through June 30 of Calendar Year 2022.*

(a) Use of Remote Inspections. Each member obligated to conduct an inspection of an office of supervisory jurisdiction, branch office or non-branch location in calendar years 2020, [and calendar year] 2021 *and 2022* pursuant to, as applicable, paragraphs (c)(1)(A), (B) and (C) under Rule 3110 may, subject to the requirements of this Rule 3110.17, satisfy such obligation by conducting the applicable inspection remotely, without an on-site visit to the office or location. In accordance with Rule 3110.16, inspections for calendar year 2020 must be completed on or before March 31, 2021 and inspections for calendar year 2021 must be completed on or before December 31, 2021. *With respect to a member’s obligation to conduct an inspection of an office or location in calendar year 2022, a member has the option to conduct those inspections remotely only through June 30, 2022.* Notwithstanding Rule 3110.17, a member shall remain subject to the other requirements of Rule 3110(c).

(b) Written Supervisory Procedures for Remote Inspections. Consistent with a member’s obligation under Rule 3110(b)(1), a member that elects to conduct [each of] its [calendar year 2020 or calendar year 2021] inspections remotely *for any of the calendar years specified in this supplementary material* must amend or supplement its written supervisory procedures to provide for remote inspections that are reasonably designed to assist in detecting and preventing violations of and achieving compliance with applicable securities laws and regulations, and with applicable FINRA rules. Reasonably designed procedures for conducting remote inspections of offices or locations should include, among other things: (1) A

description of the methodology, including technologies permitted by the member, that may be used to conduct remote inspections; and (2) the use of other risk-based systems employed generally by the member firm to identify and prioritize for review those areas that pose the greatest risk of potential violations of applicable securities laws and regulations, and of applicable FINRA rules.

(c) Effective Supervisory System. The requirement to conduct inspections of offices and locations is one part of the member’s overall obligation to have an effective supervisory system and therefore, the member must continue with its ongoing review of the activities and functions occurring at all offices and locations, whether or not the member conducts inspections remotely. A member’s use of a remote inspection of an office or location will be held to the same standards for review as set forth under Rule 3110.12. Where a member’s remote inspection of an office or location identifies any indicators of irregularities or misconduct (*i.e.*, “red flags”), the member may need to impose additional supervisory procedures for that office or location or may need to provide for more frequent monitoring of that office or location, including potentially a subsequent physical, on-site visit on an announced or unannounced basis when the member’s operational difficulties associated with COVID–19 abate, nationally or locally as relevant, and the challenges a member is facing in light of the public health and safety concerns make such on-site visits feasible using reasonable best efforts. The temporary relief provided by this Rule 3110.17 does not extend to a member’s inspection requirements beyond [calendar year 2021] *June 30, 2022* and such inspections must be conducted in compliance with Rule 3110(c).

(d) Documentation Requirement. A member must maintain and preserve a centralized record for each of calendar years 2020 and [calendar year] 2021, *and for calendar year 2022 through June 30, 2022* only that separately identifies: (1) All offices or locations that had inspections that were conducted remotely; and (2) any offices or locations for which the member determined to impose additional supervisory procedures or more frequent monitoring, as provided in Rule 3110.17(c). A member’s documentation of the results of a remote inspection for an office or location must identify any additional supervisory procedures or more frequent monitoring for that office or location that were imposed as a result of the remote inspection.

* * * * *

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared

³¹ 17 CFR 200.30–3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ 17 CFR 240.19b–4(f)(6).

⁴ The proposed rule change will automatically sunset on June 30, 2022. FINRA will submit a separate rule filing if it seeks to extend the duration of the temporary proposed rule beyond June 30, 2022.

summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The COVID-19 pandemic has caused a host of operational disruptions to the securities industry and impacted member firms, regulators, investors and other stakeholders. In response to the pandemic, FINRA began providing temporary relief to member firms from specified FINRA rules and requirements, including Rule 3110. In June 2020, FINRA adopted Rule 3110.16 (Temporary Extension of Time to Complete Office Inspections), which has expired by its terms, that extended the time by which member firms must complete their calendar year 2020 inspection obligations under Rule 3110(c) to March 31, 2021, but with the expectation that firms would conduct their inspections on-site.⁵ FINRA subsequently adopted Rule 3110.17, which automatically sunsets on December 31, 2021, to provide firms the option of satisfying their inspection obligations under Rule 3110(c) remotely for calendar years 2020 and 2021, subject to specified conditions,⁶ due to the logistical challenges of going on-site while public health and safety concerns related to COVID-19 persisted. While there are signs of improvement, much uncertainty remains. The emergence of the Delta variant,⁷ dissimilar vaccination rates throughout the United States, and the uptick in transmissions in many locations indicate that COVID-

19 remains an active and real public health concern.⁸

Through recent discussions with FINRA's advisory committees and other industry representatives, FINRA understands that while some firms have taken affirmative steps to develop and implement phased-in office re-entry plans based on local conditions, there are many other member firms that have not. Those firms continue to assess the complexity of when and how to effectively and safely recall their employees back into offices alongside fashioning permanent telework arrangements or a hybrid workforce model in which some employees may work on-site in a commercial office space and other employees may work off-site in an alternative location (e.g., personal residence).⁹ Many member firms, like other employers across the U.S., still maintain telework arrangements with their employees and have not resumed travel schedules at pre-pandemic levels as travel remains a risk, particularly for the segment of the U.S. population that is not fully vaccinated and for their families.¹⁰ Continuing health and safety protocols and policies regarding the opening of mass transit systems and schools in many areas also are key factors being considered by firms in developing their plans.

Against this setting, firms are trying to plan for calendar year 2022 inspections

of their offices of supervisory jurisdiction, branch offices, and non-branch locations to comply with Rule 3110(c). The need for firms to establish inspection schedules for the coming year and ensure there is adequate, experienced staff available to travel and conduct on-site inspections within the context of fluid work locations presents a unique complexity for many firms in terms of planning and deploying resources. Even with increased availability of vaccines and other promising signs that the pandemic is receding in the U.S., FINRA understands that many firm personnel are still working from alternative work locations, and have not resumed traveling or are reluctant to do so at pre-pandemic levels amid persistent significant health and safety concerns.¹¹ For unvaccinated persons in particular, health and safety risks in connection with returning to the office with other personnel still remain worrisome and travel still poses a risk of contracting and spreading COVID-19.¹²

As we are now late into the third quarter of calendar year 2021, FINRA believes extending Rule 3110.17 through June 30, 2022 represents a prudent accommodation.¹³ The proposed extension would provide clarity to firms on regulatory requirements and account for the time needed for many firms to carefully assess when and how to have their employees safely return to their offices in light of vaccination coverage in the U.S. and transmission levels of the virus, including any emergent variants throughout the country.

By extending Rule 3110.17 to cover part of calendar year 2022 inspection obligations through June 30, 2022 only, FINRA is not proposing to amend the other conditions of the temporary rule.

⁵ See Securities Exchange Act Release No. 89188 (June 30, 2020), 85 FR 40713 (July 7, 2020) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2020-019).

⁶ See Securities Exchange Act Release No. 90454 (November 18, 2020), 85 FR 75097 (November 24, 2020) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2020-040).

⁷ See The Centers for Disease Control and Prevention ("CDC"), What You Need to Know about Variants (stating, in part, that "the Delta variant causes more infections and spreads faster than earlier forms of the virus that causes COVID-19."), <https://www.cdc.gov/coronavirus/2019-ncov/variants/variant.html> (updated September 3, 2021). See also CDC, The Possibility of COVID-19 Illness after Vaccination: Breakthrough Infections (stating, in part, that "COVID-19 vaccines are effective at preventing infection, serious illness, and death. Most people who get COVID-19 are unvaccinated. However, since vaccines are not 100% effective at preventing infection, some people who are fully vaccinated will still get COVID-19. . . . People who get vaccine breakthrough infections can be contagious."), <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/effectiveness/why-measure-effectiveness/breakthrough-cases.html> (updated August 23, 2021).

⁸ For example, President Joe Biden on July 29, 2021, announced several measures to increase the number of people vaccinated against COVID-19 and to slow the spread of the Delta variant, including strengthening safety protocols for federal government employees and contractors. See <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/29/fact-sheet-president-biden-to-announce-new-actions-to-get-more-americans-vaccinated-and-slow-the-spread-of-the-delta-variant/>. More recently, President Joe Biden on August 31, 2021, briefed the press on, among other things, the government's response to the COVID-19 surge, noting the government's continuing efforts to help states with Delta variant outbreaks. See <https://www.whitehouse.gov/briefing-room/press-briefings/2021/08/31/press-briefing-by-white-house-covid-19-response-team-and-public-health-officials-53/>.

⁹ Even FINRA staff, with limited exceptions, continue to work remotely to protect their health and safety. As indicated in its previous filings concerning other pandemic-related temporary relief from specified FINRA rules and requirements, FINRA has established a COVID-19 task force to develop a data-driven, staged plan for FINRA staff to safely return to working in FINRA office locations and resume other in-person activities. See Securities Exchange Act Release No. 92685 (August 17, 2021), 86 FR 47169, 47170 (August 23, 2021) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2021-019).

¹⁰ The CDC counts people as being "fully vaccinated" if they received two doses on different days (regardless of time interval) of a two-dose vaccine or received one dose of a single-dose vaccine. See CDC, COVID-19 Vaccinations in the United States, <https://covid.cdc.gov/covid-data-tracker/#vaccinations> (last visited September 13, 2021).

¹¹ See Emily Cadman, Stephan Kahl, et al., Surging Delta Cases Reverse the World's March Back to the Office (stating, in part, "The spread of the delta variant has forced many U.S. employers that had been hoping to get staff back to their desks after Labor Day to delay those plans until at least October—or even next year."), Bloomberg (August 20, 2021), <https://www.bloomberg.com/graphics/2021-return-to-office/>; see also Rob Stein & Selena Simmons-Duffin, The Delta Variant Will Drive A Steep Rise In U.S. COVID Deaths, A New Model Shows, NPR (July 22, 2021), <https://www.npr.org/sections/health-shots/2021/07/22/1019475669/delta-variant-will-drive-a-steep-rise-in-covid-deaths-model-shows>.

¹² See CDC, Workplaces and Businesses, <https://www.cdc.gov/coronavirus/2019-ncov/community/workplaces-businesses/index.html> (updated September 8, 2021); CDC, Domestic Travel During COVID-19, <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html> (updated August 25, 2021); and CDC, When NOT to Travel: Avoid Spreading COVID-19, <https://www.cdc.gov/coronavirus/2019-ncov/travelers/when-to-delay-travel.html> (updated August 20, 2021).

¹³ See *supra* note 4.

The proposed amendments to Rule 3110.17 would simply provide that for calendar year 2022, a member has the option to conduct those inspections remotely through June 30, 2022. The current conditions of the supplementary material for firms that elect to conduct remote inspections would remain unchanged: Such firms must amend or supplement their written supervisory procedures for remote inspections, use remote inspections as part of an effective supervisory system, and maintain the required documentation. The additional period of time would also enable FINRA to further monitor the effectiveness of remote inspections and their impacts—positive or negative—on firms' overall supervisory systems in the evolving workplace.

FINRA continues to believe this temporary remote inspection option is a reasonable alternative to provide to firms to fulfill their Rule 3110(c) obligations during the pandemic, and is designed to achieve the investor protection objectives of the inspection requirements under these unique circumstances. Firms should consider whether, under their particular operating conditions, reliance on remote inspections would be reasonable under the circumstances. For example, firms with offices that are open to the public or that are otherwise doing business as usual should consider whether some form of in-person inspections would be feasible and appropriately contribute to a supervisory system that is reasonably designed to achieve compliance with applicable securities laws and regulations, and with applicable FINRA rules.

FINRA has filed the proposed rule change for immediate effectiveness. FINRA is proposing to make the proposed rule change operative on January 1, 2022.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,¹⁴ which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. In recognition of the ongoing impact of COVID-19 on performing the on-site inspection component of Rule 3110(c), the proposed rule change is intended to provide firms a temporary regulatory option to conduct inspections of offices and locations remotely during the first

half of calendar year 2022. This temporary proposed supplementary material does not relieve firms from meeting the core regulatory obligation to establish and maintain a system to supervise the activities of each associated person that is reasonably designed to achieve compliance with applicable securities laws and regulations, and with applicable FINRA rules that directly serve investor protection. In a time when faced with ongoing challenges resulting from the COVID-19 pandemic, FINRA believes that the proposed rule change provides sensibly tailored relief that will afford firms the ability to assess when and how to implement their work re-entry plans as measured against the health and safety of their personnel, while continuing to serve and promote the protection of investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The potential economic impacts of Rule 3110.17 as described in File No. SR-FINRA-2020-040 continue to have applicability to the proposed rule change herein. The proposed rule change would extend the temporary relief to include calendar year 2022 inspection obligations through June 30, 2022 within the scope of the supplementary material without making substantive changes to the other aspects of the provision. FINRA believes that the proposed temporary extension would afford firms the time needed to determine when and how to effectively and safely implement their work re-entry plans, which must take into account multiple factors, including local health and safety conditions, without diminishing investor protection.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has

become effective pursuant to Section 19(b)(3)(A) of the Act¹⁵ and Rule 19b-4(f)(6) thereunder.¹⁶

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-FINRA-2021-023 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-FINRA-2021-023. 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 a.m. and 3 p.m. Copies of such filing

¹⁴ 15 U.S.C. 78o-3(b)(6).

¹⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁶ 17 CFR 240.19b-4(f)(6).

also will be available for inspection and copying at the principal office of FINRA. 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-FINRA-2021-023 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20333 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92987; File No. SR-BX-2021-038]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Incorporate BX Options 4 Rules By Reference to Nasdaq ISE, LLC Options 4 Rules

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on September 3, 2021, Nasdaq BX, Inc. (“BX” or “Exchange”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to incorporate the BX Options 4 Rules by reference to Nasdaq ISE, LLC (“ISE”) Options 4 Rules.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/bx/rules>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The BX Options 4 Listing Rules provide for the options that may be listed and traded on BX. The Exchange proposes to incorporate the BX Options 4 Rules by reference to Nasdaq ISE, LLC (“ISE”) Options 4 Rules.

Currently, the BX Options 4 Rules are very similar to the ISE Options 4 Rules. The differences between the BX and ISE Options 4 Rules are non-substantive technical differences.³ Other changes

³ BX Options 4, Section 2 has an extra “as”. BX Options 4, Section 3(a)(1) contains a “The” instead of “the.” BX Options 4, Section 3(b) uses the term “foregoing” as compared to “forgoing” on ISE. BX Options 4, Section 3(h) defines the term “NMS stock” whereas ISE defines the term “NMS.” BX Options 4, Section 3(k)(1)(B) has an extra “this.” The term “such” within BX Options 4, Section 4(f)(5) is lowercase. BX Options 4, Section 5(a) has an extra “by the Exchange.” BX Options 4, Section 5(b) has a “the” and ISE Options 4, Section 5(b) has a “that.” Options 4, Section 5(e) has a lowercase “rule” and unlike the same rule in ISE does not have the registered trademarks. BX Supplementary .01(a) to Options 4, Section 5 uses “\$50” instead of “\$50.00,” has the term “option” instead of “options,” spells out “one hundred fifty” and incorrectly uses the term “LEAPS” instead of “LEAPs.” BX Supplementary .01(b) to Options 4, Section 5 has the terms “security” instead of “stock” and “the” instead of “its.” BX Supplementary .01(d) to Options 4, Section 5 uses the term “Strike Program” instead of “Strike Price Program;” uses an extra “the;” and phrases the last paragraph as, “Notwithstanding the above delisting policy, the Exchange may grant member requests to add strikes and/or maintain strikes in series of options classes traded pursuant to the \$1 Strike Program that are eligible for delisting.” The last paragraph of ISE Supplementary .01(d) to Options 4, Section 5 states, “Notwithstanding the above delisting policy, Member requests to add strikes and/or maintain strikes in series of options classes traded pursuant to the \$1 Strike Price Interval Program that are eligible for delisting may be granted.” These differences are non-substantive. BX Supplementary .02(d) to Options 4, Section 5 has the term “section” instead of “Rule.” BX Supplementary .03(e) to Options 4, Section 5 has rule in lowercase. BX Options 4, Section 6(a) uses a different phrase than ISE Options 4, Section 6(a), “Select provisions of the OLPP” versus “The

are non-substantive word choice differences.⁴ Finally, certain rules utilize the phrase “this Rule” instead of a citation.⁵ Of note, BX Options 4, Section 3(h) does not list reverse repurchase agreements in the defined term “Financial Instruments”. The Exchange proposes to include “reverse repurchase agreements” within the list of securities deemed appropriate for options trading on BX in order that the Exchange may list the same products as ISE may list today. Also, BX Options 4, Section 8(a) should include the words “and continuity.” BX’s continuity rules utilize the LEAP term. ISE has this rule text within its Options 4, Section 8(a).

The Exchange proposes to incorporate by reference the BX Options 4 Rules to ISE Options 4 Rules. To that end, BX proposes to replace the current BX Options 4 Rules with the following rule text:

The rules contained in Nasdaq ISE Options 4, as such rules may be in effect from time to time (the “Options 4 Rules”), are hereby incorporated by reference into this BX Options 4, and are thus BX Rules and thereby applicable to BX Participants and associated persons. BX Participants shall comply with the Options 4 Rules as though such rules were fully set forth herein. All defined terms, including any variations thereof, contained in the Options 4 Rules shall be read to refer to the BX related meaning of such term. Solely by way of example, and not in limitation or in exhaustion: The defined term “Exchange” in the Options 4 Rules shall be read to refer to BX; the defined term “Rule” in the Options 4 Rules shall be read to refer to the BX Rule; the defined terms “Competitive Market Maker” and “Market

provisions set forth in this Rule.” This aforementioned difference is non-substantive. BX Options 4, Section 6(b)(3) uses the term “options” instead of “option.” BX Options 4, Section 6(b)(ii)(1) uses the term “options” instead of “option,” the term “Strike Program” instead of “Strike Price Interval Program” and, “rules” instead of “Rules.” BX Options 4, Section 9 uses the term “Fund Shares” instead of “Exchange-Traded Fund Shares.”

⁴ BX Options 4, Section 4(b)(5) should cite to “Options 4, Section 3(c)” instead of “Options 4, Section 3.” In addition, BX Options 4, Section 4(b)(5) has two stray commas. BX Options 4, Section 4(f) has an extra “in”. BX Options 4, Section 4(g)(2) has an extra “of Options 4” and two stray commas. BX Options 4, Section 5(d) incorrectly cites to Section 3(i) instead of Section 3(h). BX Options 4, Section 6(b) incorrectly cites to Section 3(i) instead of Section 3(h). BX Options 4, Section 6(b)(i) incorrectly cites to Supplementary Material .03(d) instead of Supplementary Material .02(d). This paragraph also uses the term “options” instead of “option.” Options 3, Section 6(b)(ii) incorrectly cites to subparagraph (a) instead of subparagraph (i).

⁵ See BX Options 4, Section 3(c)(2). BX utilizes citations to Options 4, Section 3(b)(1) and Options 4, Section 3(b)(2) instead of simply citing to “this Rules” as is the case with ISE Options 4, Section 3(c)(2). Other examples include BX Options 4, Section 3(c)(3) which cites to Options 4, Section 3(b)(4), BX Options 4, Section 3(c)(4)(B)(ii) which cites to Options 4, Section 3(b)(5)(i).

¹⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Maker” in the Options 4 Rules shall be read to refer to the BX Market Maker; the defined term “Primary Market Maker” in the Options 4 Rules shall be read to refer to the BX Lead Market Maker; and the defined terms “Electronic Access Member,” “EAM,” or “Member” in the Options 4 Rules shall be read to refer to the BX Participant.

This rule text will account for differences that may exist in the usage of terms as between BX and ISE. The proposed rule text list instances in which cross references in the ISE Options 4 Rules to BX Options 4 Rules shall be read to refer instead to the Exchange Rules, and references to ISE terms (whether or not defined) shall be read to refer to the Exchange-related meanings of those terms. For instance, references to defined terms “Exchange” or “ISE” shall be read to refer to ISE.

The Exchange proposes to delete in their entirety the BX Options 4 Rules and incorporate by reference the ISE Options 4 Rules.⁶ Today, the rules of Nasdaq GEMX, LLC and Nasdaq MRX, LLC are incorporated by reference to the rules of ISE. The Exchange will also separately file to incorporate the Options 4 Rules of The Nasdaq Options Market LLC and Nasdaq Phlx LLC to the ISE Options 4 Rules, respectively, to ISE. The Exchange believes that harmonizing the Options 4 Rules across its 6 Nasdaq Affiliated Options Exchanges will assist the Exchange in listing options across its affiliated markets. Also, incorporating by reference the ISE Options 4 Rules into the Exchange’s rulebook will organize those listing rules in a more logical order, thereby eliminating unnecessary complexity in the listing process and otherwise streamlining the Exchange’s existing listing rules and their associated procedures.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁷ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁸ in particular, in that it is designed to promote just and equitable principles of trade and to protect investors and the public interest. The Exchange believes that its proposal to delete its existing listing rules and incorporate by reference the ISE Options 4 Rules will promote a free and open market, and

⁶ The Exchange will separately request an exemption from the rule filing requirements of Section 19(b) of the Act for changes to BX Options 4 Rules to the extent such rules are affected solely by virtue of a change to ISE Options 4 Rules. The Exchange’s proposed rule change will not become effective unless and until the Commission grants this exemption request.

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(5).

will benefit investors, the public, and the markets, because the new rules will be clearer, better organized, and simpler. Also, the proposal is just and equitable because it will render the Exchange’s listing rules easier for Participants to read and understand.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not expect that its proposed changes to incorporate BX’s Options 4 Rules to ISE’s Options 4 Rules will have any competitive impact on BX’s listing rules, to the contrary, the Exchange hopes that by clarifying, reorganizing, and streamlining its listing rules, the Exchange’s listing process will be clear. The proposed changes will apply equally to all market participants.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-BX-2021-038 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-BX-2021-038. 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-BX-2021-038 and should be submitted on or before October 12, 2021.

¹¹ 17 CFR 200.30-3(a)(12).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹¹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20326 Filed 9-20-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92990; File No. SR-Phlx-2021-53]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Incorporate the Phlx Options 4 Rules By Reference to Nasdaq ISE, LLC Options 4 Rules

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on September 3, 2021, Nasdaq PHLX LLC (“Phlx” or “Exchange”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to incorporate the Phlx Options 4 Rules by reference to Nasdaq ISE, LLC (“ISE”) Options 4 Rules.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/phlx/rules>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of

the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Phlx Options 4 Listing Rules provide for the options that may be listed and traded on Phlx. The Exchange proposes to incorporate the Phlx Options 4 Rules by reference to Nasdaq ISE, LLC (“ISE”) Options 4 Rules.

Options 4, Section 3, Criteria for Underlying Securities

Currently, the Phlx Options 4 Rules are very similar to the ISE Options 4 Rules, except for Options 4, Section 3(h). The differences between the Phlx and ISE Options 4 Rules are non-substantive technical differences.³ Other changes are non-substantive word choice differences.⁴ Finally, certain

³ Phlx capitalizes the “of” and “and” in title to Options 4, Section 2, while ISE does not capitalize those words. Phlx Options 4, Section 3(c)(2)(A)(ii) uses a “that” instead of a “than” like ISE. Phlx Options 4, Section 3(c)(3) has an extra phrase “of this Rule” as does Phlx Options 4, Section 3(c)(4)(B)(ii). Also, Phlx Options 4, Section 3(c)(4)(B)(ii) cites to “Options 4, Section 3(b)(5)(i)” instead of “Options 4, Section 3(b)(5)(l)” like ISE. Phlx defines a “market information sharing agreement” within Options 4, Section 3(g)(2), whereas ISE defines the same term within Options 4, Section 3(i). ISE Options 4, Section 4(b)(5) has a reference to “paragraph (b)” where Phlx does not have the reference to (b) it only states of this paragraph. Options 4, Section 4(g) lacks an “if” similar to ISE. Phlx Options 4, Section 4(f)(1) lacks an “of” similar to ISE. ISE Options 4, Section 5(a), unlike Phlx, has an extra “as”, specific reference to “Options 4, Section 6(b)” and use of the phrase “to this Section 5” in two places. ISE Options 4, Section 5(d) has an extra “the.” Phlx Options 4, Section 5 at Supplementary Material .03 is missing a reference to “and QQQ” which should appear as it does in the remainder of the rule filing. Phlx Options 4, Section 5 at Supplementary Material .04 has the term “P.M. settled” where ISE does not and capitalizes some terms that ISE does not capitalize. The word “approximate” appears in Phlx Options 4, Section 5 at Supplementary Material .04(c) and not in ISE. Phlx Options 4, Section 5 at Supplementary Material .04(d) references Options 1, Section 1(b)(13) when it should reference Options 4, Section 3(h) similar to ISE. Options 4, Section 3(f)(1) should have an “and” and an “a” similar to ISE instead of an “or.” Phlx Options 4, Section 5 at Supplementary Material .06 uses the term “Strike Price Program” instead of “Strike Program” like ISE. Phlx Options 4, Section 8 uses the term “intervals” instead of the singular “interval” like ISE and references Options 2, Section 4(c)(1)(A) instead of Options 2, Section 4(b)(4)(i)(A) like ISE. Phlx Options 4, Section 9 uses the term “Exchange-Traded Fund Shares” and ISE uses the term “Fund Shares.” Options 4, Section 10 references different exchange names and terms for members and market makers.

⁴ Options 4, Section 3(f)(4) states, “the SEC has otherwise authorized the listing” whereas ISE states “the SEC has otherwise authorized the listing.” Unlike ISE, Phlx does not have the phrase “In the case of options covering Fund Shares approved pursuant to” at the beginning of Options 4, Section

rules utilize the phrase “this Rule” instead of a citation.⁵

Also, ISE recently amended its Options 4, Section 3(h)⁶ to make certain amendments which Phlx proposes to adopt in order that its rules may be identical.

First, Phlx would remove rule text within Options 4, Section 3(h) at the end of the paragraph which provides, “all of the following conditions are met.” Paragraph (h) would simply end with “provided that:” and direct market participants to subparagraphs (1) and (2).

Second, the Exchange proposes to capitalize “the” at the beginning of Options 4, Section 3(h)(1) and remove “; and” at the end of the paragraph and instead at a period so that subparagraphs (1) and (2) are not linked, but rather read independently. Today, Options 4, Section 3(h)(1) applies to all Exchange-Traded Fund Shares.

Third, the Exchange proposes to clarify that Options 4, Section 3(h)(2) applies to only international or global Exchange-Traded Fund Shares. Specifically, the Exchange proposes to provide within Options 4, Section 3(h)(2) that, “Exchange-Traded Fund Shares based on international or global indexes, or portfolios that include non-U.S. securities, shall meet the following criteria.” Proposed Options 4, Sections 3(h) generally concerns securities deemed appropriate for options trading. The proposed rule text adds language stating that subparagraph (h)(2) of Options 4, Section 3 applies to the extent the Exchange-Traded Fund Share is based on international or global indexes, or portfolios that include non-U.S. securities. This language is intended to serve as a guidepost and clarify that (1) subparagraph (h)(2) does not apply to an Exchange-Traded Fund Shares based on a U.S. domestic index or portfolio, and (2) subparagraph (h)(2) includes Exchange-Traded Fund Shares that track a portfolio and do not track an index.

⁵ 4(g)(2). ISE Options 4, Section 5(b) uses “shall” and Phlx uses “will.” Phlx Options 4, Section 5 at Supplementary .01 has an extra phrase, “(a) The interval of strike prices of series of options on individual stocks may be:” and a period after Strike Price Interval Program. Phlx Options 4, Section 5 at Supplementary .01(b) uses the term “security” instead of “stock” and numbers the subsections differently. Phlx has the sentence, “A security shall remain in the \$1 Strike Price Interval Program until otherwise designated by the Exchange” and ISE does not have the same sentence, although ISE has the same ability to determine what listings are in the \$1 Strike Price Interval Program. Also, ISE uses the phrase “Strike Price Interval Program” in that paragraph and Phlx uses “Strike Program.”

⁶ See Phlx Options 4, Section 3(c)(2).

⁷ See Securities Exchange Act Release No. 92226 (June 22, 2021) (SR-ISE-2021-14).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Fourth, the Exchange proposes to remove a phrase within Options 4, Section 3(h)(2)(A), which provides, “for series of portfolio depository receipts and index fund shares based on international or global indexes.” Today, Options 4, Section 3(h), subparagraphs (h)(1)⁷ and (h)(v)⁸ permit the Exchange to list options on Exchange-Traded Fund Shares based on generic listing standards for portfolio depository receipts and index fund shares without applying component-based requirements in subparagraphs (h)(2)(B)–(D). By removing the proposed rule text, the Exchange would make clear that subparagraph (h)(2)(A) applies to Exchange-Traded Fund Shares based on international or global indexes, or portfolios that include non-U.S. securities, that are listed pursuant to generic listing standards and comply with Options 4, Section 3(h) and subparagraph (h)(1).

Fifth, the Exchange proposes to replace the term “comprehensive surveillance agreement” within Options 4, Section 3(h)(2) (A)–(D) with the term “comprehensive surveillance sharing agreement.” This will bring greater clarity to the term. Further, the Exchange proposes to add the phrase “if not available or applicable, the Exchange-Traded Fund’s” within

Options 4, Section 3(h)(2)(B), (C), and (D) to clarify that when component securities are not available, the portfolio of securities upon which the Exchange-Traded Fund Share is based can be used instead. The Exchange notes that “not available” is intended for cases where the Exchange does not have access to the index components, in those cases the Exchange would look to the portfolio components. The term “not applicable” is intended if the fund is active and does not track an index and only the portfolio is available. The Exchange also proposes to wordsmith Options 4, Section 3(h)(2)(B) to provide, “any non-U.S. component securities of an index on which the Exchange-Traded Fund Shares are based or if not available or applicable, the Exchange-Traded Fund’s portfolio of securities that are not subject to comprehensive surveillance sharing agreements do not in the aggregate represent more than 50% of the weight of the index or portfolio;”. Finally, the Exchange proposes to wordsmith Options 4, Section 3(h)(2)(C) and (D) to relocate the phrase “on which the Exchange-Traded Fund Shares are based” and add “or portfolio” to bring greater clarity to the rule text by conforming the rule text of (C) and (D) to the language within (B). The Exchange believes that the revised wording will bring greater clarity to the rule text. The Exchange proposes to change “than” to “that” within Options 4, Section 3(C)(2)(A)(ii). Also, the Exchange proposes to change “In” to “in” within Options 4, Section 3(h)(1).

Incorporation by Reference

The Exchange proposes to incorporate by reference the Phlx Options 4 Rules to ISE Options 4 Rules. To that end, Phlx proposes to replace the current Phlx Options 4 Rules with the following rule text:

The rules contained in Nasdaq ISE Options 4, as such rules may be in effect from time to time (the “Options 4 Rules”), are hereby incorporated by reference into this Nasdaq PHLX Options 4, and are thus Nasdaq PHLX Rules and thereby applicable to Nasdaq PHLX members, member organizations, and associated persons and other personnel. Nasdaq PHLX members and member organizations shall comply with the Options 4 Rules as though such rules were fully set forth herein. All defined terms, including any variations thereof, contained in the Options 4 Rules shall be read to refer to the Nasdaq PHLX related meaning of such term. Solely by way of example, and not in limitation or in exhaustion: The defined term “Exchange” in the Options 4 Rules shall be read to refer to Nasdaq PHLX; the defined term “Rule” in the Options 4 Rules shall be read to refer to the Nasdaq PHLX Rule; the defined term “Market Maker” in the Options 4 Rules shall be read to refer to the Nasdaq PHLX Market

Maker; the defined term “Primary Market Maker” in the Options 4 Rules shall be read to refer to the Nasdaq PHLX Lead Market Maker; the defined term “Competitive Market Maker” in the Options 4 Rules shall be read to refer to Nasdaq PHLX Market Maker; and the defined terms “Electronic Access Member,” “EAM,” or “Member” in the Options 4 Rules shall be read to refer to the Nasdaq PHLX member organization.

This rule text will account for differences that may exist in the usage of terms as between Phlx and ISE. The proposed rule text list instances in which cross references in the ISE Options 4 Rules to Phlx Options 4 Rules shall be read to refer instead to the Exchange Rules, and references to ISE terms (whether or not defined) shall be read to refer to the Exchange-related meanings of those terms. For instance, references to defined terms “Exchange” or “ISE” shall be read to refer to ISE.

The Exchange proposes to delete in their entirety the Phlx Options 4 Rules and incorporate by reference the ISE Options 4 Rules.⁹ Today, the rules of Nasdaq GEMX, LLC and Nasdaq MRX, LLC are incorporated by reference to the rules of ISE. The Exchange will also separately file to incorporate the Options 4 Rules of Nasdaq BX, Inc. and The Nasdaq Stock Market LLC to the ISE Options 4 Rules, respectively, to ISE. The Exchange believes that harmonizing the Options 4 Rules across its 6 Nasdaq Affiliated Options Exchanges will assist the Exchange in listing options across its affiliated markets. Also, incorporating by reference the ISE Options 4 Rules into the Exchange’s rulebook will organize those listing rules in a more logical order, thereby eliminating unnecessary complexity in the listing process and otherwise streamlining the Exchange’s existing listing rules and their associated procedures.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹¹ in particular, in that it is designed to promote just and equitable principles of trade and to protect investors and the public interest.

The Exchange’s proposal to remove the rule text at the end of the paragraph

⁹ The Exchange will separately request an exemption from the rule filing requirements of Section 19(b) of the Act for changes to Phlx Options 4 Rules to the extent such rules are affected solely by virtue of a change to ISE Options 4 Rules. The Exchange’s proposed rule change will not become effective unless and until the Commission grants this exemption request.

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

⁷ Subsection (h)(i) concerns passive Exchange-Traded Fund Shares. Subsection (h)(1) provides, “represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or financial instruments, including, but not limited to, stock index futures contracts, options on futures, options on securities and indices, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements (the “Financial Instruments”), and money market instruments, including, but not limited to, U.S. government securities and repurchase agreements (the “Money Market Instruments”) comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments).”

⁸ Subsection (h)(v) concerns active Exchange-Traded Fund Shares. Subsection (h)(v) Provides, “represents an interest in a registered investment company (“Investment Company”) organized as an open-end management company or similar entity, that invests in a portfolio of securities selected by the Investment Company’s investment adviser consistent with the Investment Company’s investment objectives and policies, which is issued in a specified aggregate minimum number in return for a deposit of a specified portfolio of securities and/or a cash amount with a value equal to the next determined net asset value (“NAV”), and when aggregated in the same specified minimum number, may be redeemed at a holder’s request, which holder will be paid a specified portfolio of securities and/or cash with a value equal to the next determined NAV (“Managed Fund Share”).”

within Options 4, Section 3(h) which provides, “all of the following conditions are met,” and creating separate paragraphs for Options 4, Section 3(h)(1) and (2) is consistent with the Act. This will de-link these subparagraphs so they are read independently. Today, Options 4, Section 3(h)(1) applies to all Exchange-Traded Fund Shares. The Exchange’s proposal to clarify that Options 4, Section 3(h)(2) applies to only international or global indexes or portfolios that include non-U.S. securities will bring greater clarity to the qualification standards for listing options on Exchange-Traded Fund Shares. ISE Options 4, Section 3(h) currently has similar rule text. Proposed Options 4, Sections 3(h) generally concerns securities deemed appropriate for options trading. The proposed rule text adds language stating that subparagraph (h)(2) of Options 4, Section 3 applies to the extent the Exchange-Traded Fund Share is based on international or global indexes or portfolios that include non-U.S. securities. This language is intended to serve as a guidepost and clarify that (1) subparagraph (h)(2) does not apply to an Exchange-Traded Fund Shares based on a U.S. domestic index or portfolio, and (2) subparagraph (h)(2) includes Exchange-Traded Fund Shares that track a portfolio and do not track an index.

The Exchange’s proposal to remove the phrase “for series of portfolio depository receipts and index fund shares based on international or global indexes,” within Options 4, Section 3(h)(2)(A) is consistent with the Act. Today, Options 4, Section 3(h), subparagraphs (h)(1) and (h)(v) permit the Exchange to list options on Exchange-Traded Fund Shares based on generic listing standards for portfolio depository receipts and index fund shares without applying component-based requirements in subparagraphs (h)(2)(B)–(D). By removing the proposed rule text, the Exchange would make clear that subparagraph (h)(2)(A) applies to Exchange-Traded Fund Shares based on international or global indexes, or portfolios that include non-U.S. securities, that are listed pursuant to generic listing standards and comply with Options 4, Section 3(h) and subparagraph (h)(1).

The Exchange’s proposal to replace the term “comprehensive surveillance agreement” within Options 4, Section 3(h)(2) (A)–(D) with the term “comprehensive surveillance sharing agreement” is consistent with the Act as the proposed phrase will bring greater clarity to the rule.

Adding the phrase “if not available or applicable, the Exchange-Traded Fund’s” to Options 4, Section 3(h)(2)(B), (C), and (D) is consistent with the Act as it will clarify that when component securities are not available, the portfolio of securities upon which the Exchange-Traded Fund Share is based can be used instead. This rule text currently exists within ISE Options 4, Section 3(h).

The Exchange’s proposal to relocate the rule text within Options 4, Section 3(h)(2)(B), (C), and (D) will bring greater clarity to the current rule text by explicitly providing that the index being referenced is the one on which the Exchange-Traded Fund Shares is based. Also, adding “or portfolio” to Options 4, Section 3(h)(2)(C), and (D) will bring greater clarity to the rule text by conforming the rule text of (C) and (D) to the language within (B).

As proposed herein, the rule text of Options 3, Section 3 will conform to ISE Options 3, Section 3. The proposal 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 by easing the Participants’, market participants’, and the general public’s navigation and reading of the rules, lessening potential confusion, and adding clarity for market participants.

As a general matter, deleting its existing listing rules and incorporating by reference the ISE Options 4 Rules will promote a free and open market, and will benefit investors, the public, and the markets, because the new rules will be clearer, better organized, and simpler. Also, the proposal is just and equitable because it will render the Exchange’s listing rules easier for members and member organizations to read and understand.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Removing rule text within Options 4, Section 3(h) at the end of the paragraph and creating separate paragraphs for Options 4, Section 3(h)(1) and (2) does not impose an undue burden on competition, rather it will de-link these subparagraphs so they are read independently. Today, Options 4, Section 3(h)(1) applies to all Exchange-Traded Fund Shares. Clarifying Options 4, Section 3(h)(2) applies to only international or global Exchange-Traded Fund Shares that include non-U.S. securities will bring greater clarity to the

qualification standards for listing options on Exchange-Traded Fund Shares. Specifically, this language is intended to serve as a guidepost and clarify that (1) subparagraph (h)(2) does not apply to an Exchange-Traded Fund Shares based on a U.S. domestic index or portfolio, and (2) subparagraph (h)(2) includes Exchange-Traded Fund Shares that track a portfolio and do not track an index. The Exchange will uniformly apply the criteria within Options 4, Section 3 when it lists options products on Phlx.

Removing rule text within Options 4, Section 3(h)(2)(A) does not impose an undue burden on competition. Today, Options 4, Section 3(h), subparagraphs (h)(1) and (h)(v) permit the Exchange to list options on Exchange-Traded Fund Shares based on generic listing standards for portfolio depository receipts and index fund shares without applying component-based requirements in subparagraphs (h)(2)(B)–(D). By removing the proposed rule text, the Exchange would make clear that subparagraph (h)(2)(A) applies to Exchange-Traded Fund Shares based on international or global indexes, or portfolios that include non-U.S. securities, that are listed pursuant to generic listing standards and comply with Options 4, Section 3(h) and subparagraph (h)(1). The Exchange will uniformly apply the criteria within Options 4, Section 3 when it lists options products on Phlx.

Replacing the term “comprehensive surveillance agreement” within Options 4, Section 3(h)(2)(A)–(D) with “comprehensive surveillance sharing agreement” does not impose an undue burden on competition as the new phrase will bring greater clarity to the rule.

Adding the phrase “if not available or applicable, the Exchange-Traded Fund’s” to Options 4, Section 3(h)(2)(B), (C), and (D) does not impose an undue burden on competition as it will clarify that when component securities are not available, the portfolio of securities upon which the Exchange-Traded Fund Share is based can be used instead.

Relocating the rule text within Options 4, Section 3(h)(2)(B), (C), and (D) will bring greater clarity to the current rule text by explicitly providing that the index being referenced is the one on which the Exchange-Traded Fund Shares is based. Also, adding “or portfolio” to Options 4, Section 3(h)(2)(C), and (D) will bring greater clarity to the rule text by conforming the rule text of (C) and (D) to the language within (B).

The Exchange does not expect that its proposed changes to incorporate Phlx’s

Options 4 Rules to ISE's Options 4 Rules will have any competitive impact on Phlx's listing rules, to the contrary, the Exchange hopes that by clarifying, reorganizing, and streamlining its listing rules, the Exchange's listing process will be clear. The proposed changes will apply equally to all market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act¹² and subparagraph (f)(6) of Rule 19b-4 thereunder.¹³

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-Phlx-2021-53 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2021-53. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2021-53 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

J. Matthew DeLesDernier,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93004; File No. SR-MRX-2021-10]

Self-Regulatory Organizations; Nasdaq MRX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 3, Section 17 To Decommission the Exchange's Quote Removal Kill Switch Functionality

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on September 2, 2021, Nasdaq MRX, LLC ("MRX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to decommission the Exchange's quote removal Kill Switch functionality at Options 3, Section 17.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/mrx/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁴ 17 CFR 200.30-3(a)(12).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Options 3, Section 17 to decommission the Exchange's quote removal Kill Switch functionality, which is an optional tool that allows Market Makers to initiate a message⁴ to the System⁵ to promptly cancel and restrict their quote activity on the Exchange. Market Makers may submit a Kill Switch request to the System for certain identifier(s) ("Identifier") on either a user or group level.⁶ If quotes are cancelled by the Market Maker using Kill Switch, it will result in the removal of all quotes requested for the Identifier(s). The Market Maker will be unable to enter any additional quotes for the affected Identifier(s) until the Market Maker sends a re-entry request to the Exchange.⁷

Due to the lack of demand for the quote removal Kill Switch by Market Makers, the Exchange proposes to decommission this optional tool by the end of Q4 2021.⁸ Through consultation with individual Market Maker firms prior to filing this rule change, the Exchange did not receive any negative feedback for its proposal to decommission the quote removal Kill Switch functionality. The Exchange has also provided all market participants with advance notice that it will decommission this functionality in Q4 2021.⁹ With the proposed changes, the

⁴ Today, Market Makers can log in through a graphical user interface ("GUI") to send a message to the Exchange to initiate the quote removal or order cancellation Kill Switch. See Options 3, Section 17(a)(2). The Exchange also currently offers an order cancellation Kill Switch through its order entry ports (*i.e.*, FIX and OTTO) as an alternative to its GUI Kill Switch. See Options 3, Section 17(a)(1). The Exchange is not amending the port Kill Switch functionality with this proposal.

⁵ The term "System" means the electronic system operated by the Exchange that receives and disseminates quotes, executes orders and reports transactions. See Options 1, Section 1(a)(49).

⁶ Identifiers include Exchange accounts, ports, and/or badges or mnemonics. Thus, a Market Maker using Kill Switch may elect to remove quotes for an individual Identifier (*e.g.*, badge) or any group of Identifiers (*e.g.*, all badges within one Market Maker firm). Permissible groups must reside within a single Member firm.

⁷ See Options 3, Section 17(a)(2) and (3). The GUI Kill Switch tool also currently allows Members to cancel open orders and prevent new order submission. As noted above, the Exchange also offers an order cancellation Kill Switch through its order entry ports. See *supra* note 4. The Exchange is not proposing to decommission the order cancellation portion of the GUI Kill Switch or the order cancellation port Kill Switch at this time.

⁸ No Market Makers have used the Kill Switch for quote removal in 2021.

⁹ See Options Trader Alert #2021-49.

Exchange seeks to streamline its product offerings and to reallocate Exchange resources to other business and risk management initiatives. While the Exchange will no longer offer this optional functionality to Market Makers, it will continue to offer similar quote management tools that would assist Market Makers with their efforts to manage their risk with respect to quotes on the Exchange. For example, Market Makers are currently able to send a mass purge request through Specialized Quote Feed ("SQF") to pull their existing quotes from the market and inhibit the entry of new quotes until the Market Maker sends a message to the Exchange to re-enter the System.¹⁰ Indeed, the Exchange has found that Market Makers utilize this SQF purge functionality instead of the Kill Switch quote removal tool when they want to remove their quotes from the market.

In addition, all Members, including Market Makers, may contact the Exchange's market operations staff to request that the Exchange cancel any of their existing bids, offers, or orders in any series of options.¹¹ Furthermore, the Exchange will continue to have mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met. This includes risk protections such as rapid fire risk controls¹² and cancel on disconnect.¹³

¹⁰ "SQF" is an interface that allows Market Makers to connect, send, and receive messages related to quotes, Immediate-or-Cancel Orders, and auction responses to the Exchange. Features include the following: (1) Options symbol directory messages (*e.g.*, underlying and complex instruments); (2) system event messages (*e.g.*, start of trading hours messages and start of opening); (3) trading action messages (*e.g.*, halts and resumes); (4) execution messages; (5) quote messages; (6) Immediate-or-Cancel Order messages; (7) risk protection triggers and purge notifications; (8) opening imbalance messages; (9) auction notifications; and (10) auction responses. The SQF Purge Interface only receives and notifies of purge requests from the Market Maker. Market Makers may only enter interest into SQF in their assigned options series. See Supplementary Material .03(c) to Options 3, Section 7.

¹¹ See Options 3, Section 19.

¹² The rapid fire risk controls automatically remove Market Maker quotes submitted over SQF when certain firm-set thresholds are met. Once the thresholds are triggered, the Market Maker must send a re-entry indicator to re-enter the System. See Options 3, Section 15(a)(3)(B).

¹³ When the SQF Port detects the loss of communication with a Member's Client Application because the Exchange's server does not receive a Heartbeat message for a certain time period ("nn" seconds), the Exchange will automatically logoff the Member's affected Client Application and automatically cancel all of the Member's open quotes pursuant to Section 18(e). Quotes will be cancelled across all Client Applications that are associated with the same MRX Market Maker ID and underlying issues. See Options 3, Section 18(b).

To effect the decommissioning of the quote removal Kill Switch, the Exchange proposes to amend Options 3, Section 17 by eliminating all references to quote cancellation within this Rule.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁴ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁵ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Additionally, the Exchange believes that the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Specifically, the Exchange does not believe that the proposed rule change will affect the protection of investors or the public interest or the maintenance of a fair and orderly market because no Market Makers have used the quote removal Kill Switch risk control in 2021. In addition, the Exchange notes that the use of this tool is completely optional, and the Exchange will continue to offer Market Makers similar risk management tools such as the SQF mass quote purge functionality. As discussed above, the Exchange has found that Market Makers use the SQF purge functionality much more frequently than the quote removal Kill Switch to pull their quotes from the market. Furthermore, Market Makers will retain the ability to contact market operations staff to manually purge their quotes from the market. In addition, the Exchange will continue to implement mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met (*i.e.*, rapid fire and cancel on disconnect).

Also, the Exchange believes that the low usage rate for the quote removal Kill Switch does not warrant the continuous resources necessary for System support of such tools. As a result, the Exchange also believes that the proposal will remove impediments to and perfect the mechanism of a free and open market and a national market system by allowing the Exchange to reallocate System capacity and resources currently used to maintain this functionality to

¹⁴ 15 U.S.C. 78f(b).

¹⁵ 15 U.S.C. 78f(b)(5).

the development and maintenance of other business initiatives and risk management products.

As noted above, the Exchange will retain the ability for Members to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers is unfairly discriminatory because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants. Furthermore, as discussed above, the Exchange has determined that Market Makers currently use the mass purge functionality on SQF to pull their quotes from the market instead of using the quote removal Kill Switch tool to achieve the same result.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will allow the Exchange to decommission a risk management tool that is rarely, if ever, used on the Exchange. As discussed above, Market Makers currently have a variety of similar tools like the quote removal Kill Switch that allow them to pull their quotes from the market and inhibit the entry of new quotes, including the mass quote purge functionality on SQF that the Exchange has found Market Makers use much more frequently than the quote removal Kill Switch to achieve the same result.

As noted above, the Exchange will retain the ability for Members to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers will impose an undue burden on competition because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁶ and Rule 19b-4(f)(6) thereunder.¹⁷

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-MRX-2021-10 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-MRX-2021-10. 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

¹⁶ 15 U.S.C. 78s(b)(3)(A).

¹⁷ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Commission, 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-MRX-2021-10 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-20335 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93010; File No. SR-GEMX-2021-09]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 3, Section 17, To Decommission the Exchange's Quote Removal Kill Switch Functionality

September 15, 2021.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on September 2, 2021, Nasdaq GEMX, LLC ("GEMX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit

¹⁸ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to decommission the Exchange's quote removal Kill Switch functionality at Options 3, Section 17.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/gemx/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Options 3, Section 17 to decommission the Exchange's quote removal Kill Switch functionality, which is an optional tool that allows Market Makers to initiate a message⁴ to the System⁵ to promptly cancel and restrict their quote activity on GEMX, or across both GEMX and its affiliate, Nasdaq ISE, in either case as set by the Market Maker. Market Makers may submit a Kill Switch request to the System for certain identifier(s) ("Identifier") on either a user or group level.⁶ If quotes are

⁴ Today, Market Makers can log in through a graphical user interface ("GUI") to send a message to the Exchange to initiate the quote removal or order cancellation Kill Switch. See Options 3, Section 17(a)(2). The Exchange also currently offers an order cancellation Kill Switch through its order entry ports (*i.e.*, FIX, OTTO, and Precise) as an alternative to its GUI Kill Switch. See Options 3, Section 17(a)(1). The Exchange is not amending the port Kill Switch functionality with this proposal.

⁵ The term "System" means the electronic system operated by the Exchange that receives and disseminates quotes, executes orders and reports transactions. See Options 1, Section 1(a)(49).

⁶ Identifiers include Exchange accounts, ports, and/or badges or mnemonics. Thus, a Market Maker using Kill Switch may elect to remove quotes for an individual Identifier (*e.g.*, badge) or any group

cancelled by the Market Maker using Kill Switch, it will result in the removal of all quotes requested for the Identifier(s). The Market Maker will be unable to enter any additional quotes for the affected Identifier(s) until the Market Maker sends a re-entry request to the Exchange.⁷

Due to the lack of demand for the quote removal Kill Switch by Market Makers, the Exchange proposes to decommission this optional tool by the end of Q4 2021.⁸ Through consultation with individual Market Maker firms prior to filing this rule change, the Exchange did not receive any negative feedback for its proposal to decommission the quote removal Kill Switch functionality. The Exchange has also provided all market participants with advance notice that it will decommission this functionality in Q4 2021.⁹ With the proposed changes, the Exchange seeks to streamline its product offerings and to reallocate Exchange resources to other business and risk management initiatives. While the Exchange will no longer offer this optional functionality to Market Makers, it will continue to offer similar quote management tools that would assist Market Makers with their efforts to manage their risk with respect to quotes on the Exchange. For example, Market Makers are currently able to send a mass purge request through Specialized Quote Feed ("SQF") to pull their existing quotes from the market and inhibit the entry of new quotes until the Market Maker sends a message to the Exchange to re-enter the System.¹⁰

of Identifiers (*e.g.*, all badges within one Market Maker firm). Permissible groups must reside within a single Member firm.

⁷ See Options 3, Section 17(a)(2) and (3). The GUI Kill Switch tool also currently allows Members to cancel open orders and prevent new order submission. As noted above, the Exchange also offers an order cancellation Kill Switch through its order entry ports. See *supra* note 3. The Exchange is not proposing to decommission the order cancellation portion of the GUI Kill Switch or the order cancellation port Kill Switch at this time.

⁸ No Market Makers have used the Kill Switch for quote removal in 2021.

⁹ See Options Trader Alert #2021-49.

¹⁰ "SQF" is an interface that allows Market Makers to connect, send, and receive messages related to quotes, Immediate-or-Cancel Orders, and auction responses to the Exchange. Features include the following: (1) Options symbol directory messages (*e.g.*, underlying instruments); (2) System event messages (*e.g.*, start of trading hours messages and start of opening); (3) trading action messages (*e.g.*, halts and resumes); (4) execution messages; (5) quote messages; (6) Immediate-or-Cancel Order messages; (7) risk protection triggers and purge notifications; (8) opening imbalance messages; (9) auction notifications; and (10) auction responses. The SQF Purge Interface only receives and notifies of purge requests from the Market Maker. Market Makers may only enter interest into SQF in their assigned options series. See Supplementary Material .03(c) to Options 3, Section 7.

Indeed, the Exchange has found that Market Makers utilize this SQF purge functionality instead of the Kill Switch quote removal tool when they want to remove their quotes from the market.

In addition, all Members, including Market Makers, may contact the Exchange's market operations staff to request that the Exchange cancel any of their existing bids, offers, or orders in any series of options.¹¹ Furthermore, the Exchange will continue to have mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met. This includes risk protections such as rapid fire risk controls¹² and cancel on disconnect.¹³

To effect the decommissioning of the quote removal Kill Switch, the Exchange proposes to amend Options 3, Section 17 by eliminating all references to quote cancellation within this Rule.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁴ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁵ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Additionally, the Exchange believes that the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Specifically, the Exchange does not believe that the proposed rule change will affect the protection of investors or the public interest or the maintenance of a fair and orderly market because no Market Makers have used the quote removal Kill Switch risk control in

¹¹ See Options 3, Section 19.

¹² The rapid fire risk controls automatically remove Market Maker quotes submitted over SQF when certain firm-set thresholds are met. Once the thresholds are triggered, the Market Maker must send a re-entry indicator to re-enter the System. See Options 3, Section 15(a)(3)(B).

¹³ When the SQF Port detects the loss of communication with a Member's Client Application because the Exchange's server does not receive a Heartbeat message for a certain time period ("nn" seconds), the Exchange will automatically logoff the Member's affected Client Application and automatically cancel all of the Member's open quotes pursuant to Section 18(e). Quotes will be cancelled across all Client Applications that are associated with the same GEMX Market Maker ID and underlying issues. See Options 3, Section 18(b).

¹⁴ 15 U.S.C. 78f(b).

¹⁵ 15 U.S.C. 78f(b)(5).

2021. In addition, the Exchange notes that the use of this tool is completely optional, and the Exchange will continue to offer Market Makers similar risk management tools such as the SQF mass quote purge functionality. As discussed above, the Exchange has found that Market Makers use the SQF purge functionality much more frequently than the quote removal Kill Switch to pull their quotes from the market. Furthermore, Market Makers will retain the ability to contact market operations staff to manually purge their quotes from the market. In addition, the Exchange will continue to implement mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met (*i.e.*, rapid fire and cancel on disconnect).

Also, the Exchange believes that the low usage rate for the quote removal Kill Switch does not warrant the continuous resources necessary for System support of such tools. As a result, the Exchange also believes that the proposal will remove impediments to and perfect the mechanism of a free and open market and a national market system by allowing the Exchange to reallocate System capacity and resources currently used to maintain this functionality to the development and maintenance of other business initiatives and risk management products.

As noted above, the Exchange will retain the ability for Members to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers is unfairly discriminatory because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants. Furthermore, as discussed above, the Exchange has determined that Market Makers currently use the mass purge functionality on SQF to pull their quotes from the market instead of using the quote removal Kill Switch tool to achieve the same result.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will allow the Exchange to decommission a risk management tool that is rarely, if ever, used on the Exchange. As discussed above, Market Makers currently have a

variety of similar tools like the quote removal Kill Switch that allow them to pull their quotes from the market and inhibit the entry of new quotes, including the mass quote purge functionality on SQF that the Exchange has found Market Makers use much more frequently than the quote removal Kill Switch to achieve the same result.

As noted above, the Exchange will retain the ability for Members to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers will impose an undue burden on competition because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁶ and Rule 19b-4(f)(6) thereunder.¹⁷

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.

¹⁶ 15 U.S.C. 78s(b)(3)(A).

¹⁷ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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-GEMX-2021-09 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-GEMX-2021-09. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-GEMX-2021-09 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20336 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

¹⁸ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92988; File No. SR–CBOE–2021–053]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 5.5(c) and Rule 5.6(d) in Connection With Time-In-Force Instructions Available for Bulk Messages for the Account of a Market Maker

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”) ¹ and Rule 19b–4 thereunder, ² notice is hereby given that on September 9, 2021, Cboe Exchange, Inc. (the “Exchange” or “Cboe Options”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act ³ and Rule 19b–4(f)(6) thereunder. ⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of the Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the “Exchange” or “Cboe Options”) proposes to amend Rule 5.5(c) and Rule 5.6(d) in connection with Time-in-Force instructions available for bulk messages. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange’s website (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange’s Office of the Secretary, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these

statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 5.5(c) and Rule 5.6(d) to allow Users to instruct bulk messages with a Time-in-Force of Immediate-or-Cancel (“IOC”). Currently, Users may not designate bulk messages as IOC, which, pursuant to Rule 5.6(d), instructs a limit order to execute in whole or in part as soon as the System receives it. The System cancels and does not post to the Book an IOC order (or unexecuted portion) not executed immediately on the Exchange or another options exchange. A bulk message is a single electronic message a User submits with an M Capacity (*i.e.*, for the account of a Market-Maker) to the Exchange in which the User may enter, modify, or cancel up to an Exchange-specified number of bids and offers. More, specifically, bulk message functionality is available to Market-Makers and permits them to update their electronic quotes in block quantities across series in a class. Rule 5.5(c)(3)(A)(i) currently provides that a bulk message submitted through a dedicated logical port (*i.e.*, a “bulk port”) has a Time-in-Force of Day. Pursuant to Rule 5.6(d), the term “Day” means, for an order so designated, an order or quote that, if not executed, expires at the RTH market close. All bulk messages have a Time in Force of Day, as set forth in Rule 5.5(c). The Exchange notes that, pursuant to Rule 5.6(a), a Time-in-Force applied to a bulk message applies to each bid and offer within that bulk message.

The Exchange proposes to allow Market-Makers to designate bulk messages as IOC by amending the following: Rule 5.3(c)(3)(A)(i) to provide that a bulk message submitted through a bulk port has a Time-in-Force of Day or IOC; the definition of IOC in Rule 5.6(d) to provide that Users may designate bulk messages as IOC; and the definition of “Day” in Rule 5.6(d) to remove the language that all bulk messages have a Time-in-Force of Day, as set forth in Rule 5.5(c), and instead provide that Users may designate bulk messages as Day.

A Market-Maker’s primary purpose is to provide liquidity to the market, which it may do in various ways,

including resting quotes on the Book as well as submitting quotes to trade against other resting interest on the Book. In addition to providing liquidity via continuous quotes in a Market-Maker’s appointed classes, ⁵ as part of its quoting obligations, a Market-Maker is also required to maintain active markets in its appointed classes, update quotations in response to changed market conditions in its appointed classes and compete with other Market-Makers in its appointed classes. ⁶ As part of a Market-Maker’s efforts to satisfy these obligations, a Market-Maker may update quotes with the specific purpose of removing interest resting in the Book. This may provide additional execution opportunities for customers, thereby encouraging an increase in overall participation in an appointed class.

Currently, if a Market-Maker wishes to execute against interest in the Book, a Market-Maker will enter a Book Only bulk message or modify an existing bulk message to attempt to execute against such interest, followed immediately by a bulk message to cancel the preceding bulk message (or unexecuted portion) so that no portion of that bulk message will remain displayed on the Book. Essentially, in order to execute against interest on the Book, Market-Makers may currently send a sequence of bulk messages that mimic the result of an IOC instruction—ultimately the bulk message is cancelled and does not post to the Book if it is not executed immediately against resting interest. Sending a bulk message to cancel immediately following the submission of a bulk message or a bulk message modification to execute against resting interest creates an extra step for Market-Makers (compared to Trading Permit Holders (“TPHs”) that may use IOC orders to accomplish this) using bulk message functionality and requires the System to process additional messages. As such, the proposed rule change to permit Market-Makers to designate their bulk messages as IOC would allow them to attempt more effectively and efficiently to execute against interest in the Book and would reduce message traffic by eliminating the need for Market-Makers to send multiple messages to attempt this. The Exchange notes that Market-Makers may already use bulk messages to remove liquidity from the Book (if they so elect) using the “Book Only” instruction and, as described above, Market-Makers may already use bulk messages to remove liquidity without letting nonexecuted size rest on the Book. The proposed rule

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b–4(f)(6).

⁵ See Rule 5.51(a)(1).

⁶ See Rule 5.51(a)(3)–(5).

change merely streamlines the manner in which Market-Makers may already utilize bulk messages to execute against interest on the Book without sending an unexecuted bulk message (or unexecuted portion) to the Book thereafter. Also, Market-Makers may already designate their quotes submitted in an order as IOC.⁷

The Exchange notes that bulk message functionality is designed to facilitate Market-Makers quoting on the Exchange in connection with their responsibility as liquidity providers. For example, the current requirement that bulk messages have a Time-in-Force of Day is consistent with general practice of Market-Makers to enter new quotes at the beginning of each trading day, as well as a Market-Maker's obligation to update its quotes in response to changed market conditions in its appointed classes. The provision that allows Market-Makers to designate their bulk messages as Post Only or Book Only is intended to provide Market-Makers with flexibility to use these instructions to permit them to execute against resting interest upon entry or add liquidity to the Book in connection with their various obligations in a manner they deem appropriate.⁸ The Exchange believes that the proposed rule change likewise permits Market-Makers to use an instruction with respect to their bulk messages as an additional tool to provide liquidity to the market and meet their various obligations (such as maintaining active markets in an appointed class, updating quotations in response to changed market conditions in an appointed class and competing with other Market-Makers in an appointed class) in a manner they deem appropriate, which may include removing interest in the Book to subsequently post updated quotes at potentially tighter spreads and to provide additional execution opportunities at potentially improved prices. The Exchange also believes that

the proposed rule change enhances a current means by which Market-Makers use bulk messages to facilitate the provision of liquidity on the Exchange. That is, Market-Makers using bulk messages with an IOC instruction, as proposed, may more efficiently execute against resting interest, thereby increasing execution opportunities for orders resting on the Book. An increase in transactions on the Exchange may facilitate tighter spreads and price discovery, and, as a result, encourage increased participation and additional order flow from other market participants. The Exchange notes that the submission of bulk messages to the Exchange is voluntary and that Market-Makers may continue to elect to use bulk messages designated as Day in the same manner as they do today, including sending a bulk message immediately followed by a cancel to attempt to execute against resting interest.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁹ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁰ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹¹ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that the proposed rule change allowing Market-Makers to designate their bulk messages as IOC will remove impediments to and perfect the mechanism of a free and open market and national market system and benefit investors by permitting Market-Makers to more effectively and efficiently

execute bulk messages against specific interest on the Book without posting an unexecuted bulk message (or unexecuted portion) to the Book thereafter. As described above, Market-Makers already submit bulk messages in a manner that mimics an IOC instruction; the proposed rule change merely streamlines this process for Market-Makers by allowing them to use a Time-in-Force instruction currently available for their orders (which may also contain a Market-Maker's quotes) on the Exchange today. In addition to this, Market-Makers may already include Book Only instructions that permit their bulk messages to remove liquidity from the Book. The proposed rule change is designed to benefit market participants by increasing efficiency and reducing additional message traffic by eliminating the need for Market-Makers to send an additional bulk message to cancel along with their bulk messages in instances in which they wish to execute against interest that appears on the Book. The proposed rule change allows Market-Makers to elect to use their bulk messages as additional tools to meet their various obligations in a manner they deem appropriate, consistent with the purpose of bulk message functionality to facilitate Market-Makers' provision of liquidity, which may include removing interest in the Book to subsequently post updated quotes at potentially tighter spreads and to provide additional execution opportunities at potentially improved prices. Also, the use of IOC bulk messages for Market-Makers may ultimately facilitate the provision of additional liquidity on the by increasing execution opportunities on the Exchange, as an increase in transactions on the Exchange may facilitate tighter spreads and price discovery, thereby encouraging increased participation and additional order flow from other market participants, to the benefit of all investors. Market-Makers may continue to elect to use bulk messages designated as Day in the same manner as they do today, including sending a bulk message immediately followed by a cancel to attempt to execute against resting interest.

Additionally, the Exchange does not believe that the proposed rule change would permit unfair discrimination as bulk message functionality is principally designed to facilitate the provision of liquidity by Market-Makers to the Exchange and help Market-Makers' satisfy their obligations. The Exchange believes that Market-Makers play a unique and critical role in the

⁷ A "quote" or "quotation" is a firm bid or offer a Market-Maker may submit electronically in an order or bulk message. See Rule 1.1. The Exchange also notes that, while Market-Makers may currently instruct their orders, including quotes submitted as orders, as IOC, the Exchange understands that Market-Makers predominantly conduct their trading activity through and design their business models around the use [sic] bulk messages.

⁸ See Securities Exchange Release Nos. 86374 (July 15, 2019), 84 FR 34963 (July 19, 2019) (SR-CBOE-2019-033); and 88816 (May 6, 2020), 85 FR 28131 (May 12, 2020) (SR-CBOE-2020-041). The Exchange notes that SR-CBOE-2019-033 implemented bulk message functionality to replace the Exchange's prior block quoting functionality, which likewise allowed a Market-Maker to submit a single message containing bids and offers in multiple series; however, the Exchange Rules did not prohibit an IOC designation for quotes submitted in block quantities.

⁹ 15 U.S.C. 78f(b).

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ *Id.*

options market by providing liquid and active markets and are subject to various quoting obligations (which other market participants are not), including an obligation to maintain active markets, to update quotations in response to changed market conditions and to compete with other Market-Makers in its appointed classes. Bulk message functionality, including an IOC bulk message, provides Market-Makers with a means to help them satisfy these obligations. As noted above, Market-Makers are already able to use Book Only bulk messages to execute against resting liquidity in multiple series across a class and to cancel quotes in multiple series across a class. The proposed rule change simply allows Market-Makers to utilize their bulk messages in the same manner, just with a single message.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change will change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the IOC instruction for bulk messages will be available for all Market-Makers that choose to submit bulk messages. Use of the IOC instruction for bulk messages is voluntary, and Market-Makers may choose to continue to only apply the Day Time-in-Force to bulk messages and continue to attempt to execute bulk messages against resting interest using multiple messages as they do today. The proposed rule change permits Market-Makers to use a Time-in-Force that is already available to all TPHs, including Market-Makers, to apply to their orders. While only Market-Makers may submit IOC bulk messages (as only Market-Makers may currently submit any bulk messages), the Exchange believes this is appropriate given the various obligations Market-Makers must satisfy under the Rules and the unique and critical role Market-Makers play in the options market by providing liquid and active markets. The Exchange believes providing Market-Makers with flexibility to use the IOC instruction with respect to bulk messages will provide Market-Makers with an enhanced tool to provide liquidity to the market and satisfy their obligations in a manner they deem appropriate, as they are similarly able to do today by electing

the Book Only and Post Only instructions for their bulk messages.

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act as it relates to quoting functionality available to Market-Makers on the Exchange. The Exchange notes that market participants on other exchanges are welcome to become Market-Makers on the Exchange if they determine that this proposed rule change has made participation as a Market-Maker on the Exchange more attractive or favorable.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. Significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹² and Rule 19b-4(f)(6)¹³ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6).

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-CBOE-2021-053 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2021-053. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CBOE-2021-053, and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20327 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

¹⁴ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34365A; 813-00393]

Point72 Employee Investment Fund, L.P. and Point72 Asset Management, L.P.

September 15, 2021.

AGENCY: Securities and Exchange Commission (“Commission”).

ACTION: Notice.

Notice of application for an order under sections 6(b) and 6(e) of the Investment Company Act of 1940 (the “Act”) granting an exemption from all provisions of the Act and the rules and regulations thereunder, except sections 9, 17, 30, and 36 through 53 of the Act, and the rules and regulations thereunder (the “Rules and Regulations”). With respect to sections 17(a), (d), (e), (f), (g) and (j) and 30(a), (b), (e), and (h) of the Act, and the Rules and Regulations, and rule 38a–1 under the Act, the exemption is limited as set forth in the application.

SUMMARY OF APPLICATION: Applicants request an order to exempt certain limited partnerships, limited liability companies, business trusts or other entities (“Funds”) formed for the benefit of eligible employees of Point72 Asset Management, L.P. (“Point72”) and its affiliates from certain provisions of the Act. Each series of a Fund will be an “employees’ securities company” within the meaning of section 2(a)(13) of the Act.¹

APPLICANTS: Point72 Employee Investment Fund, L.P. and Point72 Asset Management, L.P.

FILING DATES: The application was filed on September 28, 2018 and amended on July 21, 2020, and June 16, 2021.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by emailing the Commission’s Secretary at *Secretarys-Office@sec.gov* and serving applicants with a copy of the request by email. Hearing requests should be received by the Commission by 5:30 p.m. on October 12, 2021, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the 1940

Act, hearing requests should state the nature of the writer’s interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested.

Persons who wish to be notified of a hearing may request notification by emailing the Commission’s Secretary at *Secretarys-Office@sec.gov*.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov*. Applicants: Jessica Forbes, Esq. *Jessica.Forbes@friedfrank.com*.

FOR FURTHER INFORMATION CONTACT: Bruce R. MacNeil, Senior Counsel, at (202) 551–6817, or Nadya Roytblat, Assistant Director, at (202) 551–6825 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission’s website by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551–8090.

Applicants’ Representations

1. Point72 Asset Management, L.P. and its “affiliates,” as defined in rule 12b–2 under the Securities Exchange Act of 1934 (the “Exchange Act”) (collectively, “Point72,” and each, a “Point72 Entity”), have organized Point72 Employee Investment Fund, L.P., a Delaware limited partnership (the “Initial Partnership”) and will in the future organize limited partnerships, limited liability companies, business trusts or other entities (each a “Future Fund” and, collectively with the Initial Partnership, the “Funds”) as “employees’ securities companies,” as defined in section 2(a)(13) of the Act. The Funds are intended to provide investment opportunities that are competitive with those at other investment management and financial services firms and to facilitate the recruitment and retention of high caliber professionals.

2. The Initial Partnership was formed on August 17, 2018 as a Delaware limited partnership. Point72 Capital Management, LLC acts as general partner to the Initial Partnership. Point72 serves as investment adviser to the Initial Partnership. The Initial Partnership currently invests substantially all of its assets in private investment funds managed by Point72 (each, a “Subsidiary Fund”). The investments of the Initial Partnership and the Subsidiary Funds may include, without limitation, equities, secured and unsecured debt, futures, forward

contracts, options, convertible bonds, derivative instruments, swaps, currencies, commodities and pooled investment vehicles managed by third parties.

3. A Future Fund may be structured as a domestic or offshore limited or general partnership, limited liability company, corporation, business trust or other entity. Point72 may also form parallel funds organized under the laws of various jurisdictions in order to create the same investment opportunities for Eligible Employees (defined below) in other jurisdictions. Interests in a Fund may be issued in one or more series, each of which corresponds to particular Fund investments (each, a “Series”). Each Series will be an “employees’ securities company” within the meaning of section 2(a)(13) of the Act. A Future Fund may operate as a “diversified” or “non-diversified” vehicle within the meaning of the Act. The investment objectives and policies may vary from one Future Fund to the next.

4. Point72 will control each Fund within the meaning of section 2(a)(9) of the Act. Each Fund has, or will have, a Point72 Entity serving as a general partner, managing member or other such similar entity that manages, operates and controls such Fund (a “General Partner”). The General Partner will be responsible for the overall management of the Fund. The General Partner may appoint a Point72 Entity to serve as investment adviser (“Investment Adviser”) to a Fund and delegate to the Investment Adviser the authority to make all decisions regarding the acquisition, management and disposition of Fund investments.

5. Each of the General Partner and the Investment Adviser will be an investment adviser within the meaning of sections 9 and 36 of the Act and subject to those sections. The Investment Adviser expects to be paid a management fee for its services to a Fund. The General Partner or Investment Adviser may receive a performance-based fee or allocation (an “Incentive Fee”) based on the net gains of the Fund’s investments, in addition to any amount allocable to the General Partner’s or Investment Adviser’s capital contribution.² Point72 will not receive

² If a General Partner or Investment Adviser is registered under the Investment Advisers Act of 1940 (“Advisers Act”), the Incentive Fee payable to it by a Fund will be pursuant to an arrangement that complies with rule 205–3 under the Advisers Act. All or a portion of the Incentive Fee may be paid to individuals who are officers, employees or equity holders of the Investment Adviser or its affiliates. If the General Partner or Investment Adviser is not required to register under the Advisers Act, the Incentive Fee payable to it will comply with section

¹ The Commission issued a notice of application on August 26, 2021, Release No. IC–34365 (“Notice”). Due to a clerical error, the Notice was not published in the **Federal Register** and, therefore, the Commission is now publishing this notice in the **Federal Register**.

any management fee or other compensation at both the Fund level and the Underlying Fund (as defined below) level with respect to a Fund's investment in an Underlying Fund (so as to avoid duplication).

6. If the General Partner elects to recommend that a Fund enter into any side-by-side investment with an unaffiliated entity, the General Partner will be permitted to engage as sub-investment adviser the unaffiliated entity (an "Unaffiliated Subadviser"), which will be responsible for the management of such side-by-side investment.

7. Interests in the Funds will be offered in a transaction exempt from registration under section 4(a)(2) of the Securities Act of 1933, as amended (the "1933 Act"), or Regulation D or Regulation S promulgated thereunder, and will be sold only to Qualified Participants, which term refers to: (i) Eligible Employees (as defined below); (ii) Eligible Family Members (as defined below); (iii) Eligible Investment Vehicles (as defined below); and (iv) Point72. Prior to offering interests in a Fund to a Qualified Participant, Point72 must reasonably believe that the Eligible Employee or Eligible Family Member will be capable of understanding and evaluating the merits and risks of participation in a Fund and that each such individual is able to bear the economic risk of such participation and afford a complete loss of his or her investments in the Fund.

8. The term "Eligible Employees" is defined as current or former employees, officers and directors of Point72 (including people in administration, marketing and operations) and current consultants engaged on retainer to provide services and professional expertise on an ongoing basis to Point72 ("Consultants").³ The term "Eligible

205(b)(3) of the Advisers Act (with such Fund treated as though it were a business development company solely for the purpose of that section).

³In order to participate in the Funds, Consultants must be currently engaged by Point72 and will be required to be sophisticated investors who qualify as accredited investors ("Accredited Investors") under rule 501(a) of Regulation D. If a Consultant is an entity (such as, for example, a law firm or consulting firm), and the Consultant proposes to invest in the Fund through a partnership, corporation or other entity that is controlled by the Consultant, the individual participants in such partnership, corporation or other entity will be limited to senior level employees, members or partners of the Consultant who are responsible for the activities of the Consultant or the activities of the Consultant in relation to Point72 and will be required to qualify as Accredited Investors. In addition, such entities will be limited to businesses controlled by individuals who have levels of expertise and sophistication in the area of investments in securities that are comparable to other Eligible Employees who are employees,

Family Members" is defined as spouses, parents, children, spouses of children, brothers, sisters and grandchildren of Eligible Employees, including step and adoptive relationships.⁴ The term "Eligible Investment Vehicles" is defined as: (i) A trust of which a trustee, grantor and/or beneficiary is an Eligible Employee;⁵ (ii) a partnership, corporation, or other entity controlled by an Eligible Employee; and (iii) a trust or other entity established solely for the benefit of Eligible Employees and/or Eligible Family Members. Each Eligible Employee and Eligible Family Member will be an Accredited Investor under rule 501(a)(5), 501(a)(6), 501(a)(10) or 501(a)(11) of Regulation D under the 1933 Act.

9. A Qualified Participant may purchase an interest through an Eligible Investment Vehicle only if either (i) the investment vehicle is an accredited investor, as defined in rule 501(a) of Regulation D under the 1933 Act or (ii) the Eligible Employee is a settlor⁶ and principal investment decision-maker with respect to the investment vehicle.

10. The terms of each Fund will be fully disclosed to each Qualified Participant (or person making the investment on behalf of the Qualified Participant) at the time the Qualified Participant is invited to participate in the Fund. The Fund will send its investors an annual financial statement with respect to those investments in which the investor had an interest within 120 days after the end of each fiscal year of the Fund, or as soon as practicable after the end of the Fund's fiscal year. The financial statement will

officers or directors of Point72 and who have an interest in maintaining an ongoing relationship with Point72. The individuals participating through such entities will belong to that class of persons who will have access to the directors and officers of the General Partner and its affiliates and/or the officers of Point72 responsible for making investments for the Funds similar to the access afforded other Eligible Employees who are employees, officers or directors of Point72.

⁴In order to ensure that a close nexus between the Qualified Participants and Point72 is maintained, the terms of each governing document for a Fund will provide that any Eligible Family Member participating in such Fund (either through direct beneficial ownership of an interest or as an indirect beneficial owner through an Eligible Investment Vehicle) cannot, in any event, be more than two generations removed from an Eligible Employee.

⁵The inclusion of partnerships, corporations, or other entities controlled by an Eligible Employee in the definition of "Eligible Investment Vehicle" is intended to enable Eligible Employees to make investments in the Funds through personal investment vehicles for the purpose of personal and family investment and estate planning objectives.

⁶If such investment vehicle is an entity other than a trust, the term "settlor" will be read to mean a person who created such vehicle, alone or together with other eligible individuals, and contributed funds to such vehicle.

be audited⁷ by independent certified public accountants. In addition, as soon as practicable after the end of each calendar year, a report will be sent to each investor setting forth the information with respect such investor's share of income, gains, losses, credits, and other items for U.S. federal and state income tax purposes resulting from the operation of the Fund during that year.

11. Interests in a Fund will not be transferable except with the express consent of the General Partner, and then only to a Qualified Participant. No sales load or similar fee of any kind will be charged in connection with the sale of interests in a Fund.

12. A Fund may or may not offer investors the right to redeem their interests at such times and subject to such conditions as are set forth in the governing documents of the Fund. A General Partner may have the right, but not the obligation, to repurchase, cancel, mandatorily redeem, cancel or transfer to another Qualified Participant the interest of (i) an Eligible Employee who ceases to be an employee, officer, director or current consultant of any Point72 Entity for any reason or (ii) any Eligible Family Member of any person described in clause (i). The governing documents for each Fund will describe, if applicable, the amount that an investor would receive upon repurchase, cancellation, redemption or transfer of its interest.

13. The Initial Partnership currently invests, and a Future Fund may invest in Subsidiary Funds. The Initial Partnership and a Future Fund may also in the future invest in one or more pooled investment vehicles (including private funds relying on sections 3(c)(1) and 3(c)(7) under the Act and funds relying on section 3(c)(5) under the Act) managed by third parties (each a "Third Party Underlying Fund," and together with the Subsidiary Funds, the "Underlying Funds").⁸ One Fund may also invest in another Fund in a "master-feeder" or similar structure.⁹ A Fund may also be operated as a parallel

⁷"Audit" has the meaning defined in rule 1-02(d) of Regulation S-X.

⁸ Applicants are not requesting any exemption from any provision of the Act or any rule thereunder that may govern a Fund's eligibility to invest in an Underlying Fund relying on section 3(c)(1) or 3(c)(7) of the Act or an Underlying Fund's status under the Act.

⁹For example, a Fund established under non-U.S. law may be organized primarily for non-U.S. Eligible Employees that would invest in a Fund established under U.S. law primarily with U.S. resident Eligible Employees in order to more efficiently address U.S. or non-U.S. tax issues.

fund making investments on a side-by-side basis with Underlying Funds.

14. A Fund may co-invest in a portfolio company (or a pooled investment vehicle) with a Point72 Entity or with an investment fund or separate account organized primarily for the benefit of investors who are not affiliated with Point72 ("Third Party Investors") and over which a Point72 Entity exercises investment discretion or which is sponsored by a Point72 Entity (a "Point72 Third Party Fund"). Co-investments with a Point72 Entity or with a Point72 Third Party Fund in a transaction in which Point72's investment was made pursuant to a contractual obligation to a Point72 Third Party Fund will not be subject to Condition 3 below. All other side-by-side investments held by Point72 entities will be subject to Condition 3.

15. If Point72 makes loans to a Fund, the lender will be entitled to receive interest, provided that the interest rate will be no less favorable to the borrower than the rate obtainable on an arm's length basis. The possibility of any such borrowings, as well as the terms thereof, would be disclosed to Qualified Participants prior to their investment in a Fund. Any indebtedness of the Fund will be the debt of the Fund and without recourse to the investors. A Fund will not borrow from any person if the borrowing would cause any person not named in section 2(a)(13) of the Act to own securities of the Fund (other than short-term paper). A Fund will not lend any funds to a Point72 Entity.

16. A Fund will not acquire any security issued by a registered investment company if immediately after such acquisition such Fund will own more than 3% of the outstanding voting stock of the registered investment company.

Applicants' Legal Analysis

1. Section 6(b) of the Act provides that the Commission shall exempt employees' securities companies from the provisions of the Act if and to the extent that such exemption is consistent with the protection of investors. Section 6(b) provides that the Commission will consider, in determining the provisions of the Act from which the company should be exempt, the company's form of organization and capital structure, the persons owning and controlling its securities, the price of the company's securities and the amount of any sales load, how the company's funds are invested, and the relationship between the company and the issuers of the securities in which it invests. Section 2(a)(13) defines an employees' securities company, in relevant part, as any

investment company all of whose securities (other than short-term paper) are beneficially owned (a) by current or former employees, or persons on retainer, of one or more affiliated employers, (b) by immediate family members of such persons, or (c) by such employer or employers together with any of the persons in (a) or (b).

2. Section 7 of the Act generally prohibits investment companies that are not registered under section 8 of the Act from selling or redeeming their securities. Section 6(e) of the Act provides that in connection with any order exempting an investment company from any provision of section 7, certain specified provisions of the Act shall be applicable to such company, and to other persons in their transactions and relations with such company, as though such company were registered under the Act, if the Commission deems it necessary and appropriate in the public interest or for the protection of investors. Applicants submit that it would be appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the Commission to issue an order under sections 6(b) and 6(e) of the Act exempting the Funds from all provisions of the Act and the rules and regulations thereunder, except sections 9, 17, 30, and 36 through 53 of the Act, and the Rules and Regulations. With respect to sections 17(a), (d), (e), (f), (g) and (j) and 30(a), (b), (e), and (h) of the Act, and the Rules and Regulations, and rule 38a-1 under the Act, Applicants request a limited exemption as set forth in the application.

3. Section 17(a) of the Act generally prohibits any affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, from knowingly selling or purchasing any security or other property to or from the investment company. Applicants request an exemption from section 17(a) to the extent necessary to (a) permit a Point72 Entity or a Point72 Third Party Fund (or any affiliated person of such Point72 Entity or Point72 Third Party Fund), or any affiliated person of a Fund (or affiliated persons of such persons), acting as principal, to engage in any transaction directly or indirectly with any Fund or any company controlled by such Fund; and (b) to permit a Fund to invest or engage in any transaction with any Point72 Entity, acting as principal, (i) in which such Fund, any company controlled by such Fund or any Point72 Entity or any Point72 Third Party Fund has invested or will invest, or (ii) with

which such Fund, any company controlled by such Fund or any Point72 Entity or Point72 Third Party Fund is or will become otherwise affiliated; and (c) permit a Third Party Investor, acting as a principal, to engage in any transaction directly or indirectly with a Fund or any company controlled by such Fund. The transactions to which any Fund is a party will be effected only after a determination by the General Partner that the requirements of Conditions 1, 2 and 6 (set forth below) have been satisfied. Applicants, on behalf of the Funds, represent that any transactions otherwise subject to section 17(a) of the Act, for which exemptive relief has not been requested, would require approval of the Commission.

4. Applicants submit that an exemption from section 17(a) is consistent with the policy of each Fund and the protection of investors. Applicants state that the investors in each Fund will have been fully informed of the possible extent of such Fund's dealings with Point72 and of the potential conflicts of interest that may exist. Applicants also state that, as professionals employed in the investment management business, or in administrative, financial, accounting, legal, sales, marketing, risk management or operational activities related thereto, the investors will be able to understand and evaluate the attendant risks. Applicants assert that the community of interest among the investors in each Fund, on the one hand, and Point72, on the other hand, is the best insurance against any risk of abuse. Applicants acknowledge that the requested relief will not extend to any transactions between a Fund and an Unaffiliated Subadviser or an affiliated person of the Unaffiliated Subadviser, or between a Fund and any person who is not an employee, officer or director of Point72 or is an entity outside of Point72 and is an affiliated person of the Fund as defined in section 2(a)(3)(E) of the Act ("Advisory Person") or any affiliated person of such person.

5. Section 17(d) of the Act and rule 17d-1 thereunder prohibit any affiliated person or principal underwriter of a registered investment company, or any affiliated person of such a person or principal underwriter, acting as principal, from participating in any joint arrangement with the company unless authorized by the Commission. Applicants request an exemption from section 17(d) and rule 17d-1 to the extent necessary to permit affiliated persons of each Fund, or affiliated persons of any of such persons, to participate in, or effect any transaction in connection with, any joint enterprise

or other joint arrangement or profit-sharing plan in which such Fund or a company controlled by such Fund is a participant. The exemption would permit, among other things, co-investments by each Fund, Point72 Third Party Fund and individual members or employees, officers, directors or consultants of Point72 making their own individual investment decisions apart from Point72. Applicants acknowledge that the requested relief will not extend to any transaction in which an Unaffiliated Subadviser or an Advisory Person or an affiliated person of either has an interest.

6. Applicants assert that compliance with section 17(d) would prevent each Fund from achieving a principal purpose, which is to provide a vehicle for Eligible Employees (and other permitted investors) to co-invest with Point72 or, to the extent permitted by the terms of the Fund, with other employees, officers, directors or consultants of Point72 or Point72 Entities or with a Point72 Third Party Fund. Applicants further contend that compliance with section 17(d) would cause a Fund to forego investment opportunities simply because an investor in such Fund or other affiliated person of such Fund also had, or contemplated making, a similar investment. Applicants submit that it is likely that suitable investments will be brought to the attention of a Fund because of its affiliation with Point72's large capital resources and investment management experience, and that attractive investment opportunities of the types considered by a Fund often require each participant in the transaction to make funds available in an amount that may be substantially greater than those the Fund would independently be able to provide. Applicants contend that, as a result, a Fund's access to such opportunities may have to be through co-investment with other persons, including its affiliates. Applicants assert that the flexibility to structure co-investments and joint investments will not involve abuses of the type section 17(d) and rule 17d-1 were designed to prevent. In addition, Applicants represent that any transactions otherwise subject to section 17(d) of the Act and rule 17d-1 thereunder, for which exemptive relief has not been requested, would require approval by the Commission.

7. Co-investments with a Point72 Entity or with a Point72 Third Party Fund in a transaction in which Point72's investment was made pursuant to a contractual obligation to a Point72 Third Party Fund will not be

subject to Condition 3 below. Applicants believe that the interests of the Eligible Employees participating in a Fund will be adequately protected in such situations because Point72 is likely to invest a portion of its own capital in Point72 Third Party Fund investments, either through such Point72 Third Party Fund or on a side-by-side basis (which Point72 investments will be subject to substantially the same terms as those applicable to such Point72 Third Party Fund, except as otherwise disclosed in the governing documents of the relevant Fund). Applicants assert that if Condition 3 were to apply to Point72's investment in these situations, Point72 Third Party Fund would be indirectly burdened by the requirements of Condition 3. Applicants further assert that the relationship of a Fund to a Point72 Third Party Fund is fundamentally different from such Fund's relationship to Point72. Applicants contend that the focus of, and the rationale for, the protections contained in the requested relief are to protect the Funds from any overreaching by Point72 in the employer/employee context, whereas the same concerns are not present with respect to the Funds vis-à-vis the investors in a Point72 Third Party Fund.

8. Section 17(e) of the Act and rule 17e-1 thereunder limit the compensation an affiliated person may receive when acting as agent or broker for a registered investment company. Applicants request an exemption from section 17(e) to permit a Point72 Entity (including the General Partner) that acts as an agent or broker to receive placement fees, advisory fees, or other compensation from a Fund in connection with the purchase or sale by the Fund of securities, provided that the fees or other compensation are deemed "usual and customary." Applicants state that for purposes of the application, fees or other compensation that are charged or received by a Point72 Entity will be deemed to be "usual and customary" only if (i) the Fund is purchasing or selling securities alongside other unaffiliated third parties, Point72 Third Party Funds or Third Party Investors who are also similarly purchasing or selling securities, (ii) the fees or other compensation being charged to the Fund are also being charged to the unaffiliated third parties, Point72 Third Party Funds or Third Party Investors, and (iii) the amount of securities being purchased or sold by the Fund does not exceed 50% of the total amount of securities being purchased or sold by the Fund and the unaffiliated third parties, Point72 Third Party Funds or

Third Party Investors. Applicants state that compliance with section 17(e) would prevent a Fund from participating in a transaction in which Point72, for other business reasons, does not wish to appear as if the Fund is being treated in a more favorable manner (by being charged lower fees) than other third parties also participating in the transaction. Applicants assert that the concerns of overreaching and abuse that section 17(e) and rule 17e-1 were designed to prevent are alleviated by the conditions that ensure that (i) the fees or other compensation paid by a Fund to a Point72 Entity are those negotiated at arm's length with unaffiliated third parties and (ii) the unaffiliated third parties have as great or greater interest as the Fund in the transactions as a whole.

9. Rule 17e-1(b) under the Act requires that a majority of directors who are not "interested persons" (as defined in section 2(a)(19) of the Act) take actions and make approvals regarding commissions, fees, or other remuneration. Rule 17e-1(c) under the Act requires each Fund to comply with the fund governance standards defined in rule 0-1(a)(7) under the Act. Applicants request an exemption from rule 17e-1(b) to the extent necessary to permit each Fund to comply with rule 17e-1(b) without the necessity of having a majority of the directors of the Fund who are not "interested persons" take such actions and make such approvals as are set forth in rule 17(e)-1(b). Applicants note that in the event that all the directors of the General Partner or other governing body of the General Partner will be affiliated persons, a Fund could not comply with rule 17(e)-1(b) without the relief requested. Applicants represent that in such an event, the Fund will comply with rule 17e-1(b) by having a majority of the directors (or members of a comparable body) of the Fund or its General Partner take such actions and make such approvals as are set forth in rule 17e-1(b). Applicants state that each Fund will otherwise comply with all other requirements of rule 17e-1(b). Applicants further request an exemption from rule 17(e)-1(c) to the extent necessary to permit each Fund to comply with rule 17e-1 without the necessity of having a majority of the directors of the Fund be "disinterested persons" as set forth in rule 17e-1(c). Applicants note that in the event that all the directors of the General Partner will be affiliated persons, a Fund could not comply with rule 17e-1 without the relief requested. Applicants represent

that each Fund will otherwise comply with all other requirements of rule 17e-1(c).

10. Section 17(f) of the Act provides that the securities and similar investments of a registered management investment company must be placed in the custody of a bank, a member of a national securities exchange or the company itself in accordance with Commission rules. Rule 17f-2 under the Act specifies the requirements that must be satisfied for a registered management investment company to act as a custodian of its own investments. Applicants request relief from section 17(f) and rule 17f-2 to permit the following exceptions from the requirements of rule 17f-2: (a) A Fund's investments may be kept in the locked files of the General Partner or the Investment Adviser for purposes of paragraph (b) of the rule; (b) for purposes of paragraph (d) of the rule, (i) employees of Point72 or its affiliates (including the General Partner) will be deemed to be employees of the Funds, (ii) officers or managers of the General Partner of a Fund will be deemed to be officers of the Fund and (iii) the General Partner of a Fund or its board of directors will be deemed to be the board of directors of the Fund; and (c) in place of the verification procedure under rule 17f-2(f), verification will be effected quarterly by two employees of the General Partner who are also employees of Point72 responsible for the administrative, legal and/or compliance functions for funds managed or sponsored by Point72 and who have specific knowledge of custody requirements, policies and procedures of the Funds. Applicants expect that, with respect to certain Funds, many of their investments will be evidenced only by partnership agreements, participation agreements or similar documents, rather than by negotiable certificates that could be misappropriated. Applicants assert that for such a Fund, these instruments are most suitably kept in the files of the General Partner or its Investment Adviser, where they can be referred to as necessary. Applicants represent that they will comply with all other provisions of rule 17f-2, including the recordkeeping requirements of paragraph (e).

11. Section 17(g) of the Act and rule 17g-1 thereunder generally require the bonding of officers and employees of a registered investment company who have access to its securities or funds. Rule 17g-1 requires that a majority of directors who are not "interested persons" of a registered investment company take certain actions and give

certain approvals relating to fidelity bonding. Among other things, the rule also requires that the board of directors of an investment company relying on the rule satisfy the fund governance standards defined in rule 0-1(a)(7). Applicants request an exemption from rule 17g-1 to the extent necessary to permit a Fund to comply with rule 17g-1 by having the General Partner of the Fund take such actions and make such approvals as are set forth in rule 17g-1. Applicants state that in the event all the directors of the General Partner or other governing body of the General Partner will be affiliated persons, a Fund could not comply with rule 17g-1 without the requested relief.

Applicants also request an exemption from the requirements of rule 17g-1(g) and (h) relating to the filing of copies of fidelity bonds and related information with the Commission and the provision of notices to the board of directors and from the requirements of rule 17g-1(j)(3). Applicants contend that the filing requirements are burdensome and unnecessary as applied to the Funds and represent that the General Partner of each Fund will designate a person to maintain the records otherwise required to be filed with the Commission under rule 17g-1(g). Applicants further contend that the notices otherwise required to be given to the board of directors will be unnecessary as the Funds typically will not have boards of directors. Applicants represent that each Fund will comply with all other requirements of rule 17g-1.

12. Section 17(j) of the Act and rule 17j-1 require that every registered investment company adopt a written code of ethics that contains provisions reasonably necessary to prevent "access persons" from violating the anti-fraud provisions of the rule. Under rule 17j-1, the investment company's access persons must report to the investment company with respect to transactions in any security in which the access person has, or by reason of the transaction acquires, any direct or indirect beneficial ownership in such security. Applicants request an exemption from section 17(j) and the provisions of rule 17j-1 (except for the anti-fraud provisions of rule 17j-1(b)) because they assert that these requirements are burdensome and unnecessary as applied to the Funds. The relief requested will extend only to entities within Point72 and is not requested with respect to any Unaffiliated Subadviser or Advisory Person.

13. Sections 30(a), (b) and (e) of the Act and the rules thereunder generally require that registered investment companies prepare and file with the

Commission and mail to their shareholders certain periodic reports and financial statements. Applicants contend that the forms prescribed by the Commission for periodic reports have little relevance to a Fund and would entail administrative and legal costs that outweigh any benefit to the investors in such Fund. Applicants request relief under sections 30(a), (b) and (e) to the extent necessary to permit each Fund to report annually to its investors in the manner described in the application. Section 30(h) of the Act requires that every officer, director, member of an advisory board, investment adviser or affiliated person of an investment adviser of a closed-end investment company be subject to the same duties and liabilities as those imposed upon similar classes of persons under section 16(a) of the Exchange Act. Applicants request an exemption from section 30(h) of the Act to the extent necessary to exempt the General Partner of each Fund, directors and officers of the General Partner and any other persons who may be deemed members of an advisory board or investment adviser (and affiliated persons thereof) of such Fund from filing Forms 3, 4, and 5 with respect to their ownership of interests in such Fund under section 16 of the Exchange Act. Applicants assert that, because there will be no trading market and the transfers of interests are severely restricted, these filings are unnecessary for the protection of investors and burdensome to those required to make them.

14. Rule 38a-1 requires registered investment companies to adopt, implement and periodically review written policies reasonably designed to prevent violation of the federal securities laws and to appoint a chief compliance officer. Each Fund will comply with rule 38a-1(a), (c) and (d), except that: (i) To the extent the Fund does not have a board of directors, the board of directors or other governing body of the General Partner will fulfill the responsibilities assigned to the Fund's board of directors under the rule; (ii) to the extent the board of directors or other governing body of the General Partner does not have any disinterested members, approval by a majority of the disinterested board members required by rule 38a-1 will not be obtained; and (iii) to the extent the board of directors or other governing body of the General Partner does not have any independent members, the Funds will comply with the requirement in rule 38a-1(a)(4)(iv) that the chief compliance officer meet with the independent directors by having the chief compliance officer

meet with the board of directors or other governing body of the General Partner as constituted. Applicants represent that each Fund has adopted written policies and procedures reasonably designed to prevent violations of the terms and conditions of the application, has appointed a chief compliance officer and is otherwise in compliance with the terms and conditions of the application.

Applicants' Conditions

Applicants agree that any order granting the requested relief will be subject to the following conditions:

1. Each proposed transaction otherwise prohibited by section 17(a) or section 17(d) of the Act and rule 17d-1 thereunder to which a Fund is a party (the "Section 17 Transactions") will be effected only if the General Partner determines that: (a) The terms of the Section 17 Transaction, including the consideration to be paid or received, are fair and reasonable to the Fund and the investors and do not involve overreaching of such Fund or its investors on the part of any person concerned; and (b) the Section 17 Transaction is consistent with the interests of the Fund and the investors, such Fund's organizational documents and such Fund's reports to its investors. In addition, the General Partner will record and preserve a description of all Section 17 Transactions, the General Partner's findings, the information or materials upon which the General Partner's findings are based and the basis for such findings. All such records will be maintained for the life of the Fund and at least six years thereafter, and will be subject to examination by the Commission and its staff.¹⁰

2. The General Partner will adopt, and periodically review and update, procedures designed to ensure that reasonable inquiry is made, prior to the consummation of any Section 17 Transaction, with respect to the possible involvement in the transaction of any affiliated person or promoter or principal underwriter for such Fund, or any affiliated person of such a person, promoter or principal underwriter.

3. The General Partner will not cause the funds of any Fund to be invested in any investment in which a "Co-Investor" (as defined below) has acquired or proposes to acquire the same class of securities of the same issuer, where the investment involves a joint enterprise or other joint arrangement within the meaning of rule 17d-1 in which the Fund and a Co-

Investor are participants, unless prior to such investment any such Co-Investor agrees, prior to disposing of all or part of its investment, to (a) give the General Partner sufficient, but not less than one day's, notice of its intent to dispose of its investment; and (b) refrain from disposing of its investment unless the Fund has the opportunity to dispose of the Fund's investment prior to or concurrently with, on the same terms as, and on a pro rata basis with, the Co-Investor. The term "Co-Investor" with respect to any Fund means any person who is: (a) An "affiliated person" (as defined in section 2(a)(3) of the Act) of the Fund (other than a Point72 Third Party Fund); (b) Point72 (except when a Point72 Entity co-invests with a Fund and a Point72 Third Party Fund pursuant to a contractual obligation to the Point72 Third Party Fund); (c) an officer or director of a Point72 Entity; or (d) an entity (other than a Point72 Third Party Fund) in which Point72 acts as a general partner or has a similar capacity to control the sale or other disposition of the entity's securities. The restrictions contained in this condition, however, shall not be deemed to limit or prevent the disposition of an investment by a Co-Investor: (a) To its direct or indirect wholly-owned subsidiary, to any company (a "parent") of which the Co-Investor is a direct or indirect wholly-owned subsidiary or to a direct or indirect wholly-owned subsidiary of its parent; (b) to immediate family members of the Co-Investor, including step or adoptive relationships, or a trust or other investment vehicle established for any Co-Investor or any such family member; or (c) when the investment is comprised of securities that are (i) listed on a national securities exchange registered under section 6 of the Exchange Act; (ii) NMS stocks, pursuant to section 11A(a)(2) of the Exchange Act and rule 600(b) of Regulation NMS thereunder; (iii) government securities as defined in section 2(a)(16) of the Act; (iv) "Eligible Securities" as defined in rule 2a-7 under the Act, or (v) listed or traded on any foreign securities exchange or board of trade that satisfies regulatory requirements under the law of the jurisdiction in which such foreign securities exchange or board of trade is organized similar to those that apply to a national securities exchange or a national market system for securities.

4. Each Fund and its General Partner will maintain and preserve, for the life of such Fund and at least six years thereafter, such accounts, books and other documents as constitute the record forming the basis for the audited

financial statements that are to be provided to the investors in such Fund, and each annual report of such Fund required to be sent to such investors, and agree that all such records will be subject to examination by the Commission and its staff.¹¹

5. Within 120 days after the end of the fiscal year of each Fund, or as soon as practicable thereafter, the General Partner of each Fund will send to each investor in such Fund who had an interest in any capital account of the Fund, at any time during the fiscal year then ended, Fund financial statements audited by the Fund's independent accountants, except in the case of a Fund formed to make a single portfolio investment. In such cases, financial statements will be unaudited, but each investor will receive financial statements of the single portfolio investment audited by such entity's independent accountants. At the end of each fiscal year and at other times as necessary in accordance with customary practice, the General Partner will make a valuation or cause a valuation to be made of all of the assets of the Fund as of the fiscal year end. In addition, as soon as practicable after the end of each tax year of a Fund, the General Partner of such Fund will send a report to each person who was an investor in such Fund at any time during the fiscal year then ended, setting forth such tax information as shall be necessary for the preparation by the investor of his, her or its U.S. federal and state income tax returns and a report of the investment activities of the Fund during that fiscal year.

6. If a Fund makes purchases or sales from or to an entity affiliated with the Fund by reason of an officer, director or employee of Point72 (a) serving as an officer, director, general partner or investment adviser of the entity, or (b) having a 5% or more investment in the entity, such individual will not participate in the Fund's determination of whether or not to effect the purchase or sale.

For the Commission, by the Division of Investment Management, under delegated authority.

J. Matthew DeLesDernier,

Assistant Secretary.

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¹⁰ Each Fund will preserve the accounts, books and other documents required to be maintained in an easily accessible place for the first two years.

¹¹ Each Fund will preserve the accounts, books and other documents required to be maintained in an easily accessible place for the first two years.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–92989; File No. SR–CboeBZX–2021–051]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the ARK 21Shares Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

September 15, 2021.

On July 20, 2021, Cboe BZX Exchange, Inc. (“BZX”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b–4 thereunder,² a proposed rule change to list and trade shares of the ARK 21Shares Bitcoin ETF under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on August 6, 2021.³ The Commission has received comments on the proposed rule change.⁴

Section 19(b)(2) of the Act⁵ provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is September 20, 2021. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the comments received. Accordingly, pursuant to Section 19(b)(2) of the Act,⁶ the Commission designates November 4, 2021, as the date by which the Commission shall either approve or disapprove, or

institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2021–051).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021–20328 Filed 9–20–21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–93001; File No. SR–NYSE–2021–50]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Its Price List

September 15, 2021.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the “Act”)² and Rule 19b–4 thereunder,³ notice is hereby given that, on August 31, 2021, New York Stock Exchange LLC (“NYSE” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Price List to extend the end of the Decommission Period from August 2021 to September 2021. The Exchange proposes to implement these changes to its Price List effective September 1, 2021. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change

and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to provide additional time for member organizations to finalize their transition from older to newer and more efficient Pillar technology. The Exchange is not proposing to adjust the amount of the port fees or the fees charged to offset the Exchange’s continuing costs of supporting legacy ports, which will remain at the current level for all market participants.

Effective July 3, 2019, the Exchange introduced transition pricing designed to provide member organizations an extended transition period to connect to the Exchange using Pillar technology with no fee increase. Specifically, the Exchange (1) adopted a cap on monthly fees for the use of certain ports connecting to the Exchange for the billing months July 2019 through March 2020 (the “Transition Period”); (2) adopted a Decommission Extension Fee applicable for the billing months April 2020 through September 2020 (the “Decommission Period”) for legacy port connections; and (3) prorated the monthly fee for certain ports activated after July 1, 2019, effective April 1, 2020.⁴

Effective March 2, 2020, the Exchange (1) extended the end of the Transition Period from March 2020 to August 2020 for member organizations to transition to the utilization of ports that connect to the Exchange using Pillar technology; (2) shortened the Decommission Period from six months (April 2020–September 2020) to four months (September–December 2020); (3) extended the effective date that the Exchange would prorate the monthly fee for certain ports activated on or after July 1, 2019 from April 1, 2020 to September 1, 2020; and (4) revised the fees charged for legacy port connections during the Decommission Period.⁵

⁴ See Securities Exchange Act Release No. 86360 (July 11, 2019), 84 FR 34210 (July 17, 2019) (SR–NYSE–2019–39).

⁵ See Securities Exchange Act Release No. 88373 (March 12, 2020), 85 FR 15533 (March 18, 2020) (SR–NYSE–2020–14).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 92543 (August 2, 2021), 86 FR 43289 (August 6, 2021).

⁴ Comments received on the proposed rule change are available at: <https://www.sec.gov/comments/sr-cboebzx-2021-051/sr-cboebzx2021051.htm>.

⁵ 15 U.S.C. 78s(b)(2).

⁶ *Id.*

⁷ 17 CFR 200.30–3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

Effective August 1, 2020, the Exchange (1) extended the end of the Transition Period from August 2020 to October 2020; (2) extended the beginning of the Decommission Period from September 2020 to November 2020 and the end of the Decommission Period from December 2020 to February 2021; and (3) extended the effective date that the Exchange would prorate the monthly fee for ports activated on or after July 1, 2019 from September 1, 2020 to November 1, 2020.⁶

Effective October 1, 2020, the Exchange (1) extended the end of the Transition Period from October 2020 to December 2020; (2) extended the beginning of the Decommission Period from November 2020 to January 2021 and the end of the Decommission Period from February 2021 to April 2021; and (3) extended the effective date that the Exchange would prorate the monthly fee for ports activated on or after July 1, 2019 from November 1, 2020 to January 1, 2021.⁷

Effective December 1, 2020, the Exchange (1) extended the end of the Transition Period from December 2020 to February 2021; (2) extended the beginning of the Decommission Period from January 2021 to March 2021 and the end of the Decommission Period from April 2021 to June 2021; and (3) extended the effective date that the Exchange would prorate the monthly fee for ports activated on or after July 1, 2019 from January 1, 2021 to March 1, 2021.⁸

Effective June 10, 2021, the Exchange extended the end of the Decommission Period two months from June 2021 to August 2021.⁹

The Exchange proposes to extend the end of the Decommission Period one month from August 2021 to September 2021 in order to allow member organizations that did not complete the transition during the Transition Period the ability to choose to continue using Phase I ports until September 2021.

The Exchange proposes to implement these changes to its Price List effective September 1, 2021.

Competitive Environment

The Exchange operates in a highly competitive market. The Commission

has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”¹⁰

While Regulation NMS has enhanced competition, it has also fostered a “fragmented” market structure where trading in a single stock can occur across multiple trading centers. When multiple trading centers compete for order flow in the same stock, the Commission has recognized that “such competition can lead to the fragmentation of order flow in that stock.”¹¹ Indeed, equity trading is currently dispersed across 16 exchanges,¹² 31 alternative trading systems,¹³ and numerous broker-dealer internalizers and wholesalers, all competing for order flow. Based on publicly available information, no single exchange has more than 17% market share.¹⁴ The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, or discontinue or reduce use of certain categories of products, including ports, in response to fee changes. Accordingly, the Exchange’s fees, including port fees, are reasonably constrained by competitive alternatives and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

The Exchange is proposing these changes in the context of a competitive environment in which market participants can and do shift order flow, or discontinue or reduce use of certain

categories of products, in response to fee changes. Because ports are used by member organizations to trade electronically on the Exchange, fees associated with ports are subject to these same competitive forces. The Exchange believes that the proposal represents a reasonable attempt to provide member organizations with additional time to finalize an orderly transition to upgraded technology.

Proposed Rule Change

Member organizations enter orders and order instructions, and receive information from the Exchange, by establishing a connection to a gateway that uses communication protocols that map to the order types and modifiers described in Exchange rules. These gateway connections, also known as logical port connections, are referred to as “ports” on the Exchange’s Price List. Legacy ports connect with the Exchange via a Common Customer Gateway (known as “CCG”) that accesses its equity trading systems (“Phase I ports”). Beginning July 1, 2019, the Exchange began making available ports using Pillar gateways to its member organizations (“Phase II ports”).

Currently, member organizations that have not transitioned to Phase II ports and are still utilizing Phase I ports during the billing months of March 2021 through August 2021 (*i.e.*, the Decommission Period), would, in addition to the current port fees, be charged a Decommission Extension Fee of \$1,000 per port per month, increasing by \$1,000 per port for each month for any ports that communicate using Pillar phase I protocols. As per the Price List, ports using Pillar phase I protocols would no longer be available beginning September 1, 2021.

The Exchange proposes that the Decommission Period would end one month later, in September 2021. As proposed, the Price List would also be amended to provide that ports using Pillar phase I protocols would no longer be available beginning October 1, 2021.

As noted above, the Exchange believes that, to the extent that member organizations do not complete the transition during the Transition Period, the proposed rule change will offer member organizations the ability to choose to continue using Phase I ports until September 2021.

The proposed changes are not otherwise intended to address any other issues, and the Exchange is not aware of any problems that member organizations would have in complying with the proposed change.

¹⁰ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37495, 37499 (June 29, 2005) (S7–10–04) (Final Rule) (“Regulation NMS”).

¹¹ See Securities Exchange Act Release No. 61358, 75 FR 3594, 3597 (January 21, 2010) (File No. S7–02–10) (Concept Release on Equity Market Structure).

¹² See Cboe Global Markets, U.S. Equities Market Volume Summary, available at http://markets.cboe.com/us/equities/market_share/. See generally <https://www.sec.gov/fast-answers/divisions/marketreg/nrexchangesshtml.html>.

¹³ See FINRA ATS Transparency Data, available at <https://otctransparency.finra.org/otctransparency/AtsIssueData>. A list of alternative trading systems registered with the Commission is available at <https://www.sec.gov/foia/docs/atlist.htm>.

¹⁴ See Cboe Global Markets U.S. Equities Market Volume Summary, available at http://markets.cboe.com/us/equities/market_share/.

⁶ See Securities Exchange Act Release No. 89591 (August 18, 2020), 85 FR 52159 (August 24, 2020) (SR–NYSE–2020–14).

⁷ See Securities Exchange Act Release No. 90180 (October 14, 2020), 85 FR 66612 (October 20, 2020) (SR–NYSE–2020–82).

⁸ See Securities Exchange Act Release No. 90661 (December 14, 2020), 85 FR 82532 (December 18, 2020) (SR–NYSE–2020–99).

⁹ See Securities Exchange Act Release No. 92234 (June 22, 2021), 86 FR 34080 (June 28, 2021) (SR–NYSE–2021–36).

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁵ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,¹⁶ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Proposed Change Is Reasonable

The Exchange operates in a highly competitive market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”¹⁷

While Regulation NMS has enhanced competition, it has also fostered a “fragmented” market structure where trading in a single stock can occur across multiple trading centers. When multiple trading centers compete for order flow in the same stock, the Commission has recognized that “such competition can lead to the fragmentation of order flow in that stock.”¹⁸ Indeed, equity trading is currently dispersed across 16 exchanges,¹⁹ 31 alternative trading systems,²⁰ and numerous broker-dealer internalizers and wholesalers, all competing for order flow. Based on publicly available information, no single exchange has more than 17% market

share.²¹ The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, or discontinue or reduce use of certain categories of products, including ports, in response to fee changes. Accordingly, the Exchange’s fees, including port fees, are reasonably constrained by competitive alternatives and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, or discontinue or reduce use of certain categories of products, including ports, in response to fee changes. Accordingly, the Exchange’s fees, including port fees, are reasonably constrained by competitive alternatives and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

If a particular exchange charges excessive fees for connectivity, impacted members and non-members may opt to terminate their connectivity arrangements with that exchange, and adopt a possible range of alternative strategies, including routing to the applicable exchange through another participant or market center or taking that exchange’s data indirectly. Accordingly, if the Exchange charges excessive fees, it would stand to lose not only connectivity revenues but also revenues associated with the execution of orders routed to it, and, to the extent applicable, market data revenues. The Exchange believes that this competitive dynamic imposes powerful restraints on the ability of any exchange to charge unreasonable fees for connectivity.

Given this competitive environment, the proposal represents a fair and reasonable attempt to provide member organizations with additional time to finalize an orderly transition to upgraded technology. As of August 2021, 4.7% of legacy ports have not been cancelled. The pricing is designed so that these few remaining member organizations utilizing legacy ports would pay for the Exchange to continue to support their Phase I ports through September 2021.

The Proposal Is an Equitable Allocation of Fees

The Exchange believes its proposal equitably allocates its fees among its market participants. The Exchange is not proposing to adjust the amount of the port fees or the fees charged fees to offset the Exchange’s continuing costs of supporting legacy ports, which will remain at the current level for all market participants. Rather, the proposal would provide additional time for member organizations to transition from older to newer and more efficient Pillar technology and would charge the same fee for those few member organizations that choose not to transition to Phase II ports during the extended Transition Period.

The proposal constitutes an equitable allocation of fees because all similarly situated member organizations and other market participants that, following the transition period, choose to connect to the Exchange through the use of Phase I ports during the Decommission Period would continue to be charged the same, unchanged Decommission Extension Fee.

The Proposal Is Not Unfairly Discriminatory

The Exchange believes that the proposal is not unfairly discriminatory. In the prevailing competitive environment, member organizations are free to disfavor the Exchange’s pricing if they believe that alternatives offer them better value, and are free to discontinue to connect to the Exchange through its ports. As noted, the Exchange is offering upgraded connections in an effort to keep pace with changes in the industry and evolving customer needs as new technologies emerge and products continue to develop and change.

The proposal neither targets nor will it have a disparate impact on any particular category of market participant. The Exchange believes that the proposal does not permit unfair discrimination because the proposal would be applied to all similarly situated member organizations and other market participants would be charged the same rates, which will remain unchanged.

The Exchange believes that the proposal does not permit unfair discrimination because the Decommission Extension Fee would apply equally to all member organizations that require additional time to complete their transition to the Phase II ports. At any point during the Decommission Period, a member organization could cease to be subject to the Decommission Fee by expediting its

¹⁵ 15 U.S.C. 78f(b).

¹⁶ 15 U.S.C. 78f(b)(4) & (5).

¹⁷ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37495, 37499 (June 29, 2005) (S7-10-04) (Final Rule) (“Regulation NMS”).

¹⁸ See Securities Exchange Act Release No. 61358, 75 FR 3594, 3597 (January 21, 2010) (File No. S7-02-10) (Concept Release on Equity Market Structure).

¹⁹ See Cboe Global Markets, U.S. Equities Market Volume Summary, available at http://markets.cboe.com/us/equities/market_share/. See generally <https://www.sec.gov/fast-answers/divisionsmarketregmrexchangesshtml.html>.

²⁰ See FINRA ATS Transparency Data, available at <https://otctransparency.finra.org/otctransparency/AtsIssueData>. A list of alternative trading systems registered with the Commission is available at <https://www.sec.gov/foia/docs/atstlist.htm>.

²¹ See Cboe Global Markets U.S. Equities Market Volume Summary, available at http://markets.cboe.com/us/equities/market_share/.

transition to the new ports. The Decommission Fee would thus apply equally to all member organizations during the proposed extended Decommission Period that choose to continue to connect to the Exchange through the use of legacy ports. As noted, to the extent a member organization continues to use ports activated before July 1, 2019 to connect to the Exchange during the proposed extended Decommission Period, the Exchange believes it is fair, equitable and not unfairly discriminatory to continue to charge flat fees for such ports until such time that connection to the Exchange through the use of old ports is no longer available beginning, as proposed, on October 1, 2021.

Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,²² the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed changes would provide additional time for member organizations to finalize the transition from older to newer and more efficient Pillar technology with no fee increase and offset the Exchange's continuing costs of supporting the Phase I ports for the few firms that do not transition to the new ports during the longer transition period without any change to the fees currently charged by the Exchange for the use of ports to connect to the Exchange's trading systems.

Intramarket Competition. The Exchange does not believe the proposed rule change would impose any burden on intramarket competition that is not necessary or appropriate because it would apply to all member organizations equally that connect to the Exchange. All member organizations, regardless of size, that did not complete the transition to Phase II ports by the end of February 2021 date are subject to the Decommission Fee on an equal basis and would continue to be subject to the fee on an equal basis for the proposed additional two months if they do not complete the transition to Phase II ports. As noted, as of August 2021, 4.7% of

legacy ports have not been cancelled. The pricing is designed so that these few remaining member organizations utilizing legacy ports would pay for the Exchange to continue to support their Phase I ports through August 2021.

Intermarket Competition. The Exchange does not believe the proposed rule change would impose any burden on intermarket competition that is not necessary or appropriate because the Exchange operates in a highly competitive market in which market participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. The Exchange believes that fees for connectivity are constrained by the robust competition for order flow among exchanges and non-exchange markets.

As noted, the no single exchange has more than 17% of the market share of executed volume of equity trades (whether excluding or including auction volume).²³ The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, or discontinue or reduce use of certain categories of products, including ports, in response to fee changes. Accordingly, the Exchange's fees, including port fees, are reasonably constrained by competitive alternatives and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

The Exchange is proposing these changes in the context of a competitive environment in which market participants can and do shift order flow, or discontinue or reduce use of certain categories of products, in response to fee changes. Because ports are used by member organizations to trade electronically on the Exchange, fees associated with ports are subject to these same competitive forces. The Exchange therefore believes that the proposal would not impose an undue burden on intermarket competition because the purpose of this filing is not to change the rates charged for ports or to offset the Exchange's continuing costs of supporting legacy ports but rather to provide member organizations with more time to effect an orderly transition to upgraded technology without needing to incur any additional costs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)²⁴ of the Act and subparagraph (f)(2) of Rule 19b-4²⁵ thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)²⁶ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NYSE-2021-50 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number SR-NYSE-2021-50. 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/>

²³ See Cboe Global Markets U.S. Equities Market Volume Summary, available at http://markets.cboe.com/us/equities/market_share/.

²⁴ 15 U.S.C. 78s(b)(3)(A).

²⁵ 17 CFR 240.19b-4(f)(2).

²⁶ 15 U.S.C. 78s(b)(2)(B).

²² 15 U.S.C. 78f(b)(8).

rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2021-50 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁷

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-20332 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93003; File No. SR-NASDAQ-2021-070]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Incorporate NOM Options 4 Rules by Reference to Nasdaq ISE, LLC Options 4 Rules

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on September 3, 2021, The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange.

The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to incorporate The Nasdaq Options Market LLC ("NOM") Options 4 Rules by reference to Nasdaq ISE, LLC ("ISE") Options 4 Rules.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The NOM Options 4 Listing Rules provide for the options that may be listed and traded on NOM. The Exchange proposes to incorporate the NOM Options 4 Rules by reference to Nasdaq ISE, LLC ("ISE") Options 4 Rules.

Currently, the NOM Options 4 Rules are very similar to the ISE Options 4 Rules. The differences between the NOM and ISE Options 4 Rules are non-substantive technical differences.³ Other

³ NOM Options 4, Section 2 has an extra "as". NOM Options 4, Section 3(a)(1) contains a "The" instead of "the." NOM Options 4, Section 3(b) uses the term "foregoing" as compared to "forgoing" on ISE. NOM Options 4, Section 3(h) defines the term "NMS stock" whereas ISE defines the term "NMS." NOM Options 4, Section 3(k)(1)(B) has an extra "this." The term "such" within NOM Options 4, Section 4(f)(5) is lowercase. The title "Supplementary Material to Options 4, Section 6" within Options 4, Section 4 should instead state, "Supplementary Material to Options 4, Section 4." NOM Options 4, Section 5(a) has an extra "by the Exchange." NOM Options 4, Section 5(b) has a "the" and ISE Options 4, Section 5(b) has a "that." Options 4, Section 5(e) has a lowercase "rule" and unlike the same rule in ISE does not have the

changes are non-substantive word choice differences.⁴ Finally, certain rules utilize the phrase "this Rule" instead of a citation.⁵ Of note, NOM Options 4, Section 3(h) does not list reverse repurchase agreements in the defined term "Financial Instruments". The Exchange proposes to include "reverse repurchase agreements" within the list of securities deemed appropriate for options trading on NOM in order that the Exchange may list the same products as ISE may list today. Also, NOM Options 4, Section 8(a) should include the words "and continuity." NOM's continuity rules utilize the LEAP

registered trademarks. NOM Supplementary .01(a) to Options 4, Section 5 uses "\$50" instead of "\$50.00," has the term "option" instead of "options," spells out "one hundred fifty" and incorrectly uses the term "LEAPS" instead of "LEAPs." NOM Supplementary .01(b) to Options 4, Section 5 has the terms "security" instead of "stock" and "the" instead of "its." NOM Supplementary .01(d) to Options 4, Section 5 uses the term "Strike Program" instead of "Strike Price Program;" uses an extra "the"; and phrases the last paragraph as, "Notwithstanding the above delisting policy, the Exchange may grant member requests to add strikes and/or maintain strikes in series of options classes traded pursuant to the \$1 Strike Program that are eligible for delisting." The last paragraph of ISE Supplementary .01(d) to Options 4, Section 5 states, "Notwithstanding the above delisting policy, Member requests to add strikes and/or maintain strikes in series of options classes traded pursuant to the \$1 Strike Price Interval Program that are eligible for delisting may be granted." These differences are non-substantive. NOM Supplementary .02(d) to Options 4, Section 5 has the term "section" instead of "Rule." NOM Supplementary .03(e) to Options 4, Section 5 has rule in lowercase. NOM Options 4, Section 6(a) uses a different phrase than ISE Options 4, Section 6(a), "Select provisions of the OLPP" versus "The provisions set forth in this Rule". This aforementioned difference is non-substantive. NOM Options 4, Section 6(b)(3) uses the term "options" instead of "option." NOM Options 4, Section 6(b)(ii)(1) uses the term "options" instead of "option," the term "Strike Program" instead of "Strike Price Interval Program" and, "rules" instead of "Rules." NOM Options 4, Section 9 uses the term "Fund Shares" instead of "Exchange-Traded Fund Shares."

⁴ NOM Options 4, Section 4(b)(5) should cite to "Options 4, Section 3(c)" instead of "Options 4, Section 3." In addition, NOM Options 4, Section 4(b)(5) has two stray commas. NOM Options 4, Section 4(f) has an extra "in". NOM Options 4, Section 4(g)(2) has an extra "of Options 4" and two stray commas. NOM Options 4, Section 5(d) incorrectly cites to Section 3(i) instead of Section 3(h). NOM Options 4, Section 6(b) incorrectly cites to Section 3(i) instead of Section 3(h). NOM Options 4, Section 6(b)(i) incorrectly cites to Supplementary Material .03(d) instead of Supplementary Material .02(d). This paragraph also uses the term "options" instead of "option."

⁵ See NOM Options 4, Section 3(c)(2). NOM utilizes citations to Options 4, Section 3(b)(1) and Options 4, Section 3(b)(2) instead of simply citing to "this Rules" as is the case with ISE Options 4, Section 3(c)(2). Other examples include NOM Options 4, Section 3(c)(3) which cites to Options 4, Section 3(b)(4), NOM Options 4, Section 3(c)(4)(B)(ii) which cites to Options 4, Section 3(b)(5)(i).

²⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

term. ISE has this rule text within its Options 4, Section 8(a).

The Exchange proposes to incorporate by reference the NOM Options 4 Rules to ISE Options 4 Rules. To that end, NOM proposes to replace the current NOM Options 4 Rules with the following rule text:

The rules contained in Nasdaq ISE Options 4, as such rules may be in effect from time to time (the "Options 4 Rules"), are hereby incorporated by reference into this NOM Options 4, and are thus NOM Rules and thereby applicable to NOM Participants. NOM Participants shall comply with the Options 4 Rules as though such rules were fully set forth herein. All defined terms, including any variations thereof, contained in the Options 4 Rules shall be read to refer to the NOM related meaning of such term. Solely by way of example, and not in limitation or in exhaustion: The defined term "Exchange" in the Options 4 Rules shall be read to refer to NOM; the defined term "Rule" in the Options 4 Rules shall be read to refer to the NOM Rule; the defined terms "Competitive Market Maker" and "Market Maker" in the Options 4 Rules shall be read to refer to the NOM Market Maker (NOM does not have an equivalent to the "Lead Market Maker" term on ISE); and the defined terms "Electronic Access Member," "EAM," or "Member" in the Options 4 Rules shall be read to refer to the NOM Participant.

This rule text will account for differences that may exist in the usage of terms as between NOM and ISE. The proposed rule text list instances in which cross references in the ISE Options 4 Rules to NOM Options 4 Rules shall be read to refer instead to the Exchange Rules, and references to ISE terms (whether or not defined) shall be read to refer to the Exchange-related meanings of those terms. For instance, references to defined terms "Exchange" or "ISE" shall be read to refer to ISE.

The Exchange proposes to delete in their entirety the NOM Options 4 Rules and incorporate by reference the ISE Options 4 Rules.⁶ Today, the rules of Nasdaq GEMX, LLC and Nasdaq MRX, LLC are incorporated by reference to the rules of ISE. The Exchange will also separately file to incorporate the Options 4 Rules of Nasdaq BX, Inc. and Nasdaq Phlx LLC to the ISE Options 4 Rules once those exchanges conform those rules, respectively, to ISE. The Exchange believes that harmonizing the Options 4 Rules across its 6 Nasdaq Affiliated Options Exchanges will assist the Exchange in listing options across

⁶ The Exchange will separately request an exemption from the rule filing requirements of Section 19(b) of the Act for changes to NOM Options 4 Rules to the extent such rules are affected solely by virtue of a change to ISE Options 4 Rules. The Exchange's proposed rule change will not become effective unless and until the Commission grants this exemption request.

its affiliated markets. Also, incorporating by reference the ISE Options 4 Rules into the Exchange's rulebook will organize those listing rules in a more logical order, thereby eliminating unnecessary complexity in the listing process and otherwise streamlining the Exchange's existing listing rules and their associated procedures.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁷ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁸ in particular, in that it is designed to promote just and equitable principles of trade and to protect investors and the public interest. The Exchange believes that its proposal to delete its existing listing rules and incorporate by reference the ISE Options 4 Rules will promote a free and open market, and will benefit investors, the public, and the markets, because the new rules will be clearer, better organized, and simpler. Also, the proposal is just and equitable because it will render the Exchange's listing rules easier for Participants to read and understand.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not expect that its proposed changes to incorporate NOM's Options 4 Rules to ISE's Options 4 Rules will have any competitive impact on NOM's listing rules, to the contrary, the Exchange hopes that by clarifying, reorganizing, and streamlining its listing rules, the Exchange's listing process will be clear. The proposed changes will apply equally to all market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(5).

which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NASDAQ-2021-070 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to File Number SR-NASDAQ-2021-070. 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

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2021-070 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹¹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20334 Filed 9-20-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92986; File No. SR-Phlx-2021-52]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt Phlx Options 10, Section 5, Branch Office, and Options 10, Section 17, Profit Sharing Rules

September 15, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on September 3, 2021, Nasdaq PHLX LLC ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. Phlx filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder.⁴ The Commission is publishing this notice to

solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to adopt new Phlx Options 10, Section 5, Branch Office, and Options 10, Section 17, Profit Sharing. The Exchange also proposes to amend General 9, Section 58, and Options 10, Section 6, Opening of Accounts.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/phlx/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt two new rules at Options 10, Section 5, Branch Office, and Options 10, Section 17, Profit Sharing. The Exchange also proposes to amend General 9, Section 58 and Options 10, Section 6, Opening of Accounts. Each change will be described below.

Options 10, Section 5

The Exchange proposes to adopt a new Options 10, Section 5, titled "Branch Offices." Options 10, Section 5 is currently reserved. The proposed rule would be similar to Nasdaq BX, Inc. ("BX") and The Nasdaq Options Market LLC ("NOM") Options 10, Section 5. The proposed rule text would provide,

(a) Every OEF approved to do options business with the public under this Options 10 shall file with Phlx Regulation and keep current a list of each of its branch offices showing the location of each such office and the name of the manager of each such office.

(b) No branch office of an OEF shall transact options business with the public unless the manager of such branch office has

been qualified as a Options Principal or General Securities Sales Supervisor; provided, that this requirement shall not apply to branch offices in which not more than three (3) representatives are located so long as the OEF can demonstrate to the satisfaction of Phlx Regulation that the options activities of such branch offices are appropriately supervised by a Options Principal or General Securities Sales Supervisor.

Similar to BX and NOM, Phlx would require every Order Entry Firm or "OEF"⁵ that is approved to do business with the public pursuant to Options 10 to file with Phlx Regulation a list of each branch office. The list must include the location of the branch office and the name of the manager of the office. The OEF must keep this list current. Further, an OEF must ensure that the branch office manager is qualified prior to transacting business with the public in the branch office. A manager must be registered as an Options Principal or General Securities Sales Supervisor, unless there are not more than three representatives in that branch office and the OEF can demonstrate to the satisfaction of Phlx Regulation that the options activities of such branch offices are appropriately supervised by an Options Principal or General Securities Sales Supervisor.

Currently, Phlx General 4,⁶ Section 1220(a)(8)⁷ and Supplementary Material .04 of that rule⁸ require the manager to be registered as an Options Principal or General Securities Sales Supervisor. In

⁵ The term "Order Entry Firm" or "OEF" means a member organization that submits orders, as agent or principal, on the Exchange. See Phlx Options 1, Section 1(b)(32).

⁶ Phlx General 4 is incorporated by reference to the General 4 Rules of The Nasdaq Stock Market LLC.

⁷ General 4, Rule 1220(a)(8) provides, in part, "Each member that is engaged in transactions in options with the public shall have at least one Registered Options Principal. In addition, each principal as defined in paragraph (a)(1) of this Rule who is responsible for supervising a member's options sales practices with the public shall be required to register with the Exchange as a Registered Options Principal, subject to the following exception. If a principal's options activities are limited solely to those activities that may be supervised by a General Securities Sales Supervisor, then such person may register as a General Securities Sales Supervisor pursuant to paragraph (a)(10) of this Rule in lieu of registering as a Registered Options Principal."

⁸ Supplementary Material .04 to General 4, Rule 1220 provides, in part, "Any person required to be registered as a principal who supervises sales activities in corporate, municipal and option securities, investment company products, variable contracts, direct participation program securities and security futures may be registered solely as a General Securities Sales Supervisor. In addition to branch office managers, other persons such as regional and national sales managers may also be registered solely as General Securities Sales Supervisors as long as they supervise only sales activities."

¹¹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 204.19b-4(f)(6).

2018, NOM's and BX's registration requirements⁹ were updated to mirror a similar change by FINRA.¹⁰ At that time, Phlx Options 10, Section 5 should have been amended to update the registrations applicable to a branch office manager to conform to the new General 4 registration requirements. The Exchange is proposing to make those amendments at this time.

The Exchange proposes to relocate Supplementary Material .08 to Options 10, Section 6 to proposed Supplementary Material .01 to Options 10, Section 5 and amend a citation within proposed Supplementary Material .01(vi) of Options 10, Section 5 from "(1)-(vii)" to "(i) to (vii)" to conform the numbering.

The proposed rule would permit Phlx to better regulate branch offices of member organizations¹¹ by making clear within proposed Options 10, Section 5, related to doing business with the public, that an OEF that transacts business with the public must be qualified as a Registered Options Principal or General Securities Sales Supervisor. Further, the proposed rule explains that the requirement to be qualified as a Registered Options Principal or General Securities Sales Supervisor shall not apply to branch offices in which not more than three representatives are located so long as

the OEF can demonstrate to the satisfaction of Phlx Regulation that the options activities of such branch offices are appropriately supervised by a Registered Options Principal or General Securities Sales Supervisor. This additional specificity will assist member organizations in complying with branch office requirements. Today, the Exchange has other rules to regulate supervision of branch office such as General 9, Section 20, Supervision. The addition of this rule, similar to NOM and BX, will permit Phlx to enforce the rule in a manner similar to NOM and BX by specifically requiring that members and member organizations that are doing business with the public maintain certain qualifications similar to NOM and BX. Members and member organizations that are required to comply with Options 10, Section 5 now have transparent information to determine if they have the appropriate manager qualifications. Also, the proposed rule makes clear when the requirement to be qualified as a Registered Options Principal or General Securities Sales Supervisor does not apply. The specified qualifications for branch managers will ensure branch offices are properly supervised by qualified individuals.

Options 10, Section 17

The Exchange proposes to adopt a new Options 10, Section 17, Profit Sharing. Options 10, Section 17 is currently reserved. The Exchange's rule is similar to FINRA Rule 2150(c),¹² Sharing in Accounts; Extent Permissible.¹³ For purposes of comparing Phlx's proposed rule to FINRA's Rule 2150, the Exchange notes that the term "member" within FINRA Rule 2150 is equivalent to Phlx's defined term "member organization." Phlx also utilizes an additional term, "member",¹⁴ to define its floor membership. Each "member" on Phlx's trading floor is required to obtain a permit to conduct business on the trading floor.¹⁵ FINRA does not have a similar trading floor concept.

Similar to FINRA Rule 2150(c), Phlx proposes to prohibit members, member organizations, and associated persons from sharing directly or indirectly in the profits or losses in any account of a customer, however the rule does provide three circumstance within proposed Options 10, Section 17(a)(1) through (3) wherein a member, member organization, or person associated with a member organization may share in the profits or losses in such an account.¹⁶ Specifically, proposed Options 10, Section 17(a) permits a member, member organization, or person associated with a member organization to share directly or indirectly in the profits or losses in any account of a customer carried by a member, member organization, or person associated with a member organization, if prior written authorization is obtained as described in proposed subparagraphs (1) and (2) and the member, member organization, or person associated with a member organization shares in the profits or losses in any account of such customer only in direct proportion to the financial contributions made to such account by either the member, member organization, or person associated with a member organization as described in proposed subparagraph (3).

Proposed Options 10, Section 17(b) exempts from paragraph (a)(3) the accounts of the immediate family of such member, member organization, or person associated with a member organization. The rule proposes to define "immediate family" to include parents, mother-in-law or father-in-law, husband or wife, children or any relative to whose support the member, member organization, or person associated with a member organization otherwise contributes directly or indirectly.

Proposed Options 10, Section 17(c) permits a member, member organization, or person associated with a member organization that is acting as an investment adviser to receive compensation based on a share in

⁹ See Securities Exchange Act Nos. 84386 (October 9, 2018), 83 FR 51988 (October 15, 2018) (SR-NASDAQ-2018-078) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend, Reorganize and Enhance Its Membership, Registration and Qualification Rules); and 84353 (October 3, 2018), 83 FR 50999 (October 10, 2018) (SR-BX-2018-047) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend, Reorganize and Enhance Membership, Registration and Qualification Rules, and To Make Conforming Changes to Certain Other Rules).

¹⁰ See Securities Exchange Act Release No. 81098 (July 7, 2017), 82 FR 32419 (July 13, 2017) (SR-FINRA-2017-007) (Order Approving Proposed Rule Change To Adopt Consolidated Registration Rules, Restructure the Representative-Level Qualification Examination Program, Allow Permissive Registration, Establish Exam Waiver Process for Persons Working for Financial Services Affiliate of Member, and Amend the Continuing Education Requirements).

¹¹ The term "member organization" means a corporation, partnership (general or limited), limited liability partnership, limited liability company, business trust or similar organization, transacting business as a broker or a dealer in securities and which has the status of a member organization by virtue of (i) admission to membership given to it by the Membership Department pursuant to the provisions of General 3, Sections 5 and 10 or the By-Laws or (ii) the transitional rules adopted by the Exchange pursuant to Section 6-4 of the By-Laws. References herein to officer or partner, when used in the context of a member organization, shall include any person holding a similar position in any organization other than a corporation or partnership that has the status of a member organization. See General 1, Section 1(17).

¹² FINRA and Phlx utilize different terminology to describe members. Also, the rules are numbered differently and the rule citations differ.

¹³ Phlx has rule text similar to FINRA Rule 2150(a) within General 9, Section 2(a). Also, Phlx has rule text similar to FINRA Rule 2150(b) within General 9, Section 54.

¹⁴ The term "member" means a permit holder which has not been terminated in accordance with the By-Laws and these Rules of the Exchange. A member is a natural person and must be a person associated with a member organization. Any references in the rules of the Exchange to the rights or obligations of an associated person or person associated with a member organization also includes a member. See General 1, Section 1(16).

¹⁵ See Phlx General 3, Section 11.

¹⁶ Proposed Options 10, Section 17(a)(1) through (3) provides that a member, member organization, or person associated with a member organization may share in the profits or losses in such an account if (1) such member or person associated with a member organization obtains prior written authorization from the member organization employing the associated person; (2) such member, member organization, or person associated with a member organization obtains prior written authorization from the customer; and (3) such member, member organization, or person associated with a member organization shares in the profits or losses in any account of such customer only in direct proportion to the financial contributions made to such account by either the member, member organization, or person associated with a member organization.

profits or gains in an account provided certain conditions are met. Specifically, the member or person associated with a member organization seeking such compensation obtains prior written authorization from the member or member organization employing the associated person; and such member, member organization, or person associated with a member organization seeking such compensation obtains prior written authorization from the customer; and all of the conditions in Rule 205-3 of the Investment Advisers Act of 1940 (as the same may be amended from time to time) are satisfied.

This proposal would enable Phlx to better regulate profit sharing arrangements of member organizations, members, and persons associated with member organizations by clearly specifying the manner in which a member organization, member, or person associated with a member organization may share in the profits or losses in such an account, describing what activity is exempt from the direct proportionate share limitation of proposed paragraph (a)(3), and delineating within proposed paragraph (c) how a member organization, member, or person associated with a member organization that is acting as an investment adviser may receive compensation based on a share in profits or gains in an account. Today, Phlx General 9, Section 7, Report of Financial Arrangements, permits Phlx to learn of such arrangements. The proposed rule would enable Phlx to restrict the ability to profit share to certain limited circumstances, similar to FINRA.

General 9, Section 58

The Exchange proposes to amend General 9, Section 58, Advertisements, Market Letters, Research Reports and Sales Literature, to amend the heading "Supplementary Material" to "Supplementary Material to General 9, Section 58" so the format of the heading is the same as other General 9 rules.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,¹⁷ in general, and with Section 6(b)(5) of the Act,¹⁸ in particular, in that the proposal 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 mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Options 10, Section 5

The adoption of a new Options 10, Section 5, titled "Branch Offices," is consistent with the Act and will protect investors and the public interest because the proposed rule explains the requirement to be qualified as a Registered Options Principal or General Securities Sales Supervisor and also explains when the requirement to be registered as such does not apply.¹⁹ General 9, Section 20, Supervision, does not offer the same specificity as proposed within Options 10, Section 5 with respect to branch offices, and General 9, Section 20 does not specifically apply only to members doing business with the public. The addition of this rule, similar to NOM and BX Options 10, Section 5, will permit Phlx to enforce the rule in a manner similar to NOM and BX by requiring certain qualifications for members doing business with the public. These qualifications for branch managers will protect investors and the public interest by ensuring branch offices are properly supervised by qualified individuals who will ensure compliance with the Exchange's rules. Today, Phlx General 4 requires member organizations, members, and persons associated with a member organization to have certain qualifications when conducting certain activity. These qualifications are designed to ensure that individuals have the necessary knowledge and experience to supervise persons employed by the member organization at a branch office. Proposed Options 10, Section 5 specifically requires that members and member organizations that are doing business with the public maintain certain qualifications. Members and member organizations that are required to comply with Options 10, Section 5 now have transparent information to determine which of the qualifications apply to a manager of a branch office and when those qualification apply.

¹⁹ The qualification requirement shall not apply to branch offices in which not more than three representatives are located so long as the OEF can demonstrate to the satisfaction of Phlx Regulation that the options activities of such branch offices are appropriately supervised by a Registered Options Principal or General Securities Sales Supervisor. See proposed Options 10, Section 5(b).

Options 10, Section 17

Adopting a new Options 10, Section 17, Profit Sharing, similar to FINRA Rule 2150(c), Sharing in Accounts; Extent Permissible, is consistent with the Act. This proposal will protect investors and the public interest because it will clearly specify the way a member, member organization, or person associated with a member organization may share in the profits or losses in such an account. The proposal also will describe what activity is exempt from the direct proportionate share limitation of proposed paragraph (a)(3). Finally, the proposal will delineate within proposed paragraph (c) how a member, member organization, or person associated with a member organization that is acting as an investment adviser may receive compensation based on a share in profits or gains in an account. Members, member organizations, and persons associated with a member organization will have clear guidance on when profit sharing is permissible. Today, Phlx General 9, Section 7, Report of Financial Arrangements, permits Phlx to learn of such arrangements, and Phlx General 1, Section 1(c) does not permit members, member organizations, and persons associated with a member organization to engage in conduct inconsistent with just and equitable principles of trade. The proposed rule would enable Phlx to further restrict the ability to profit share in certain limited circumstances, similar to FINRA.

General 9, Section 58

The Exchange's proposal to amend a heading within General 9, Section 58, Advertisements, Market Letters, Research Reports and Sales Literature, is a non-substantive rule change.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

Options 10, Section 5

The Exchange's proposal to adopt a new Options 10, Section 5, titled "Branch Offices," does not impose an undue burden on competition as all member organizations that conduct business with the public would be subject to the proposed rule.

Options 10, Section 17

The Exchange's proposal to adopt a new Options 10, Section 17, Profit Sharing, similar to FINRA Rule 2150(c), Sharing in Accounts; Extent

¹⁷ 15 U.S.C. 78f.

¹⁸ 15 U.S.C. 78f(b)(5).

Permissible, does not impose an undue burden on competition as all members, member organizations, and persons associated with member organizations that conduct business with the public would be subject to the proposed rule.

General 9, Section 58

The Exchange's proposal to amend a heading within General 9, Section 58, Advertisements, Market Letters, Research Reports and Sales Literature, is a non-substantive rule change.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act²⁰ and subparagraph (f)(6) of Rule 19b-4 thereunder.²¹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

²⁰ 15 U.S.C. 78s(b)(3)(A)(iii).

²¹ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-Phlx-2021-52 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2021-52. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2021-52 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20325 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

²² 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-92999; File No. SR-NYSEArca-2021-53]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the Teucrium Bitcoin Futures Fund Under NYSE Arca Rule 8.200-E

September 15, 2021.

On July 23, 2021, NYSE Arca, Inc. ("NYSE Arca") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to list and trade shares of the Teucrium Bitcoin Futures Fund under NYSE Arca Rule 8.200-E, Commentary .02 (Trust Issued Receipts). The proposed rule change was published for comment in the **Federal Register** on August 11, 2021.³ The Commission has received comments on the proposed rule change.⁴

Section 19(b)(2) of the Act⁵ provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is September 25, 2021. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the comments received. Accordingly, pursuant to Section 19(b)(2) of the Act,⁶ the Commission designates November 9, 2021, as the date by which the Commission shall either approve or disapprove, or

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 92573 (August 5, 2021), 86 FR 44062 (August 11, 2021).

⁴ Comments received on the proposed rule change are available at: <https://www.sec.gov/comments/sr-nysearca-2021-53/srnysearca202153.htm>.

⁵ 15 U.S.C. 78s(b)(2).

⁶ *Id.*

institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-NYSEArca-2021-53).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20330 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission Small Business Capital Formation Advisory Committee will hold a public meeting on Monday, September 27, 2021, via videoconference.

PLACE: The meeting will begin at 10:00 a.m. (ET) and will be open to the public. The meeting will be conducted by remote means (videoconference) and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549. Members of the public may watch the webcast of the meeting on the Commission's website at www.sec.gov.

STATUS: On September 2, 2021, the Commission published notice of the Committee meeting (Release No. 33-10976), indicating that the meeting is open to the public and inviting the public to submit written comments to the Committee. This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

MATTERS TO BE CONSIDERED: The agenda for the meeting includes matters relating to rules and regulations affecting small and emerging businesses and their investors under the federal securities laws.

CONTACT PERSON FOR MORE INFORMATION: For further information and to ascertain what, if any, matters have been added, deleted or postponed; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Dated: September 17, 2021.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2021-20533 Filed 9-17-21; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93011; File No. SR-BX-2021-037]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 3, Section 17, To Decommission the Exchange's Quote Removal Kill Switch Functionality

September 15, 2021.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on September 2, 2021, Nasdaq BX, Inc. ("BX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to decommission the Exchange's quote removal Kill Switch functionality at Options 3, Section 17.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/bx/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Options 3, Section 17 to decommission the Exchange's quote removal Kill Switch functionality, which is an optional tool that allows Market Makers⁴ to initiate a message (or messages)⁵ to the System⁶ to promptly remove their quotes from the market. Market Makers may submit a request to the System to remove quotes based on certain identifier(s) on either a user or group level ("Identifier").⁷ If quotes are cancelled by the Market Maker using Kill Switch, it will result in the removal of all quotes requested for the Identifier(s). The Market Maker will be unable to enter any additional quotes for the affected Identifier(s) until the Market Maker sends a re-entry request to the Exchange.⁸

Due to the lack of demand for the quote removal Kill Switch by Market Makers, the Exchange proposes to decommission this optional tool by the end of Q4 2021.⁹ Through consultation with individual Market Maker firms prior to filing this rule change, the Exchange did not receive any negative feedback for its proposal to decommission the quote removal Kill Switch functionality. The Exchange has also provided all market participants with advance notice that it will decommission this functionality in Q4 2021.¹⁰ With the proposed changes, the Exchange seeks to streamline its product offerings and to reallocate Exchange resources to other business and risk management initiatives. While the

⁴ For purposes of this filing, Market Makers include BX Options Market Makers and Options Market Makers. See Options 1, Section 1(a)(10).

⁵ Today, Market Makers can log into an interface to send a message to the Exchange to initiate the Kill Switch.

⁶ For purposes of this filing, the term "System" means the automated system for order execution and trade reporting owned and operated by BX as the BX Options market. See Options 1, Section 1(a)(59).

⁷ Identifiers include Exchange accounts, ports, and/or badges or mnemonics. Thus, a Market Maker using Kill Switch may elect to remove quotes for an individual Identifier (e.g., badge) or any group of Identifiers (e.g., all badges within one Market Maker firm). Permissible groups must reside within a single member firm.

⁸ See Options 3, Section 17. The Kill Switch tool also currently allows BX Participants to cancel open orders and prevent new order submission. The Exchange is not proposing to decommission the order cancellation portion of the Kill Switch tool at this time.

⁹ No Market Makers have used the Kill Switch for quote removal in 2021.

¹⁰ See Options Trader Alert #2021-49.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

⁷ 17 CFR 200.30-3(a)(31).

Exchange will no longer offer this optional functionality to Market Makers, it will continue to offer similar quote management tools that would assist Market Makers with their efforts to manage their risk with respect to quotes on the Exchange. For example, Market Makers are currently able to send a mass purge request through Specialized Quote Feed (“SQF”) to pull their existing quotes from the market and inhibit the entry of new quotes until the Market Maker sends a message to the Exchange to re-enter the System.¹¹ Indeed, the Exchange has found that Market Makers utilize this SQF purge functionality instead of the Kill Switch quote removal tool when they want to remove their quotes from the market.

In addition, all Participants, including Market Makers, may contact the Exchange’s market operations staff to request that the Exchange cancel any of their existing bids, offers, or orders in any series of options.¹² Furthermore, the Exchange will continue to have mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met. This includes risk protections such as rapid fire risk controls¹³ and cancel on disconnect.¹⁴

To effect the decommissioning of the quote removal Kill Switch, the Exchange proposes to amend Options 3, Section 17 by eliminating all references to quote removal within this Rule. In

¹¹ “SQF” is an interface that allows Market Makers to connect, send, and receive messages related to quotes, Immediate-or-Cancel Orders, and auction responses into and from the Exchange. Features include the following: (1) Options symbol directory messages (e.g., underlying instruments); (2) system event messages (e.g., start of trading hours messages and start of opening); (3) trading action messages (e.g., halts and resumes); (4) execution messages; (5) quote messages; (6) Immediate-or-Cancel Order messages; (7) risk protection triggers and purge notifications; (8) opening imbalance messages; (9) auction notifications; and (10) auction responses. The SQF Purge Interface only receives and notifies of purge requests from the Market Maker. Market Makers may only enter interest into SQF in their assigned options series. See Options 3, Section 7(e)(1)(B).

¹² See Options 3, Section 19.

¹³ The rapid fire risk controls automatically remove Market Maker quotes submitted over SQF when certain firm-set thresholds are met. Once the thresholds are triggered, the Market Maker must send a re-entry indicator to re-enter the System. See Options 3, Section 15(c)(2).

¹⁴ When the SQF Port detects the loss of communication with a Participant’s Client Application because the Exchange’s server does not receive a Heartbeat message for a certain time period (“nn” seconds), the Exchange will automatically logoff the Participant’s affected Client Application and automatically cancel all of the Participant’s open quotes. Quotes will be cancelled across all Client Applications that are associated with the same BX Options Market Maker ID and underlying issues. See Options 3, Section 18(a).

connection with this change, the Exchange will also renumber current Options 3, Section 17(a)(ii) and (a)(iii) as Options 3, Section 17(a)(i) and (a)(ii), respectively.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁵ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁶ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Additionally, the Exchange believes that the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Specifically, the Exchange does not believe that the proposed rule change will affect the protection of investors or the public interest or the maintenance of a fair and orderly market because no Market Makers have used the quote removal Kill Switch risk control in 2021. In addition, the Exchange notes that the use of this tool is completely optional, and the Exchange will continue to offer Market Makers similar risk management tools such as the SQF mass quote purge functionality. As discussed above, the Exchange has found that Market Makers use the SQF purge functionality much more frequently than the quote removal Kill Switch to pull their quotes from the market. Furthermore, Market Makers will retain the ability to contact market operations staff to manually purge their quotes from the market. In addition, the Exchange will continue to implement mandatory System-enforced risk mechanisms that automatically remove quotes for the Market Maker once certain pre-set thresholds or conditions are met (i.e., rapid fire and cancel on disconnect).

Also, the Exchange believes that the low usage rate for the quote removal Kill Switch does not warrant the continuous resources necessary for System support of such tools. As a result, the Exchange also believes that the proposal will remove impediments to and perfect the mechanism of a free and open market and a national market system by allowing the Exchange to reallocate System capacity and resources currently used to maintain this functionality to

the development and maintenance of other business initiatives and risk management products.

As noted above, the Exchange will retain the ability for Participants to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers is unfairly discriminatory because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants. Furthermore, as discussed above, the Exchange has determined that Market Makers currently use the mass purge functionality on SQF to pull their quotes from the market instead of using the quote removal Kill Switch tool to achieve the same result.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will allow the Exchange to decommission a risk management tool that is rarely, if ever, used on the Exchange. As discussed above, Market Makers currently have a variety of similar tools like the quote removal Kill Switch that allow them to pull their quotes from the market and inhibit the entry of new quotes, including the mass quote purge functionality on SQF that the Exchange has found Market Makers use much more frequently than the quote removal Kill Switch to achieve the same result.

As noted above, the Exchange will retain the ability for Participants to utilize Kill Switch to cancel orders and prevent new order submission. The Exchange does not believe that decommissioning the quote removal portion of the Kill Switch tool for Market Makers will impose an undue burden on competition because Market Makers are professional traders with their own risk settings, and have more sophisticated infrastructures than most other market participants.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

¹⁵ 15 U.S.C. 78f(b).

¹⁶ 15 U.S.C. 78f(b)(5).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁷ and Rule 19b-4(f)(6) thereunder.¹⁸

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-BX-2021-037 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-BX-2021-037. 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-BX-2021-037 and should be submitted on or before October 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-20337 Filed 9-20-21; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public notice 11545]

Notice of Receipt of Request From the Former Government of the Islamic Republic of Afghanistan Under Article 9 of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

AGENCY: Department of State.

ACTION: Public notice.

SUMMARY: Notice of receipt of request from Afghanistan for cultural property protection.

FOR FURTHER INFORMATION CONTACT:

Anne Compton, Cultural Heritage Center, Bureau of Educational and Cultural Affairs: 202-632-6571; culprop@state.gov; include "Afghanistan" in the subject line.

SUPPLEMENTARY INFORMATION: The former Government of the Islamic Republic of Afghanistan made a request to the Government of the United States under Article 9 of the 1970 UNESCO Convention on the Means of Prohibiting

and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The United States Department of State received this request on April, 28, 2021. The former Government of Afghanistan's request seeks U.S. import restrictions on archaeological and ethnological material representing Afghanistan's cultural patrimony. Pursuant to the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, and pursuant to 19 U.S.C. 2602(f)(1), notification of the request is hereby published. A public summary of the former Government of Afghanistan's request and information about U.S. implementation of the 1970 UNESCO Convention will be available at the Cultural Heritage Center website: <http://culturalheritage.state.gov>.

Allison Davis,

Executive Director CPAC, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021-20341 Filed 9-20-21; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice 11541]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "Afro-Atlantic Histories" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition "Afro-Atlantic Histories" at the Museum of Fine Arts, Houston, in Houston, Texas; the National Gallery of Art, Washington, District of Columbia; the Los Angeles County Museum of Art, Los Angeles, California; and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA-5), Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made

¹⁷ 15 U.S.C. 78s(b)(3)(A).

¹⁸ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁹ 17 CFR 200.30-3(a)(12).

pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Matthew R. Lussenhop,

Acting Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021–20389 Filed 9–20–21; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 11539]

Determination Pursuant to Section 451 of the Foreign Assistance Act of 1961 Regarding FY 2020 Peacekeeping Operations

Pursuant to section 451 of the Foreign Assistance Act of 1961 (the “Act”) (22 U.S.C. 2261), section 1–100(a)(1) of E.O. 12163, and Delegation of Authority No. 513, I hereby authorize, notwithstanding any other provision of law, the use of up to \$11,781,000 made available to carry out provisions of the Act (other than the provisions of chapter 1 of part I of the Act) to provide assistance for the UN Support Office for Somalia.

This Determination and the accompanying Memorandum of Justification shall be promptly reported to the Congress. This Determination shall be published in the **Federal Register**.

Dated: July 20, 2021.

Brian P. McKeon,

Deputy Secretary of State for Management and Resources.

[FR Doc. 2021–20406 Filed 9–20–21; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Public Notice: 11542]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: “Medieval Bologna: Art for a University City” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition “Medieval Bologna: Art for a University City” at the Frist Art

Museum, Nashville, Tennessee, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Matthew R. Lussenhop,

Acting Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021–20391 Filed 9–20–21; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 11544]

Cultural Property Advisory Committee; Additional Meeting Agenda Item

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: The Department of State is issuing this Notice to add an agenda item for the next meeting of the Cultural Property Advisory Committee, which will be held on October 5, 6, and 8, 2021.

DATES: Dates and Times:

Meeting: The Cultural Property Advisory Committee (CPAC) will meet October 5, 6, and 8, 2021, 10:00 a.m. to 5:00 p.m. (EDT) via videoconference. CPAC will hold an open session on October 5, 2021, at 2:00 p.m. (EDT), which will last approximately one hour.

Comments: The Committee will review your written comment if it is received by September 26, 2021, at 11:59 p.m. (EDT). For further instructions on submission of comments and participation, please see the previous Notice at 86 FR 50930.

FOR FURTHER INFORMATION CONTACT: For general questions concerning the meeting, contact Allison Davis, Bureau of Educational and Cultural Affairs—Cultural Heritage Center, by phone (202–702–1166) or email (culprop@state.gov).

SUPPLEMENTARY INFORMATION: The October 5, 6, and 8, 2021, meeting of the Cultural Property Advisory Committee was announced in 86 FR 50930. This Notice adds an additional agenda item for that meeting.

In accordance with the Convention on Cultural Property Implementation Act (19 U.S.C. § 2601–2613) (“the Act”), the Assistant Secretary of State for Educational and Cultural Affairs calls a meeting of the Cultural Property Advisory Committee (“the Committee”) (19 U.S.C. 2605(e)(2)). The Act describes the Committee’s responsibilities. A portion of this meeting will be closed to the public pursuant to 5 U.S.C. 552b(c)(9)(B) and 19 U.S.C. 2605(h).

Addition to Meeting Agenda: The Committee will review a request from the former Government of the Islamic Republic of Afghanistan. As previously announced in the Notice referenced above, the Committee also will review proposed extensions of cultural property agreements with the Government of the Republic of Cyprus and the Government of the Republic of Peru.

Open Session Participation: The Committee will hold an open session of the meeting to receive oral public comments on Tuesday, October 5, 2021, from 2:00 p.m. to approximately 3:00 p.m. (EDT). We have provided specific instructions on how to participate or observe the open session at <http://culturalheritage.state.gov>. Further information about this meeting, and how to participate, are included in the previous Notice at 86 FR 50930. When contacting the Cultural Heritage Center via email regarding this matter, include “Afghanistan” in the subject line.

Allison Davis,

Executive Director CPAC, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021–20339 Filed 9–20–21; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 290 (Sub-No. 5) (2021–4)]

Quarterly Rail Cost Adjustment Factor

AGENCY: Surface Transportation Board.

ACTION: Approval of rail cost adjustment factor.

SUMMARY: The Board approves the fourth quarter 2021 Rail Cost Adjustment Factor (RCAF) and cost index filed by the Association of American Railroads. The fourth quarter 2021 RCAF (Unadjusted) is 1.139. The fourth quarter 2021 RCAF (Adjusted) is 0.473. The fourth quarter 2021 RCAF-5 is 0.446.

DATES: *Applicability Date:* October 1, 2021.

FOR FURTHER INFORMATION CONTACT: Pedro Ramirez at (202) 245-0333. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision, which is available at www.stb.gov.

Decided: September 15, 2021.

By the Board, Board Members Begeman, Fuchs, Oberman, Primus, and Schultz.

Aretha Laws-Byrum,
Clearance Clerk.

[FR Doc. 2021-20353 Filed 9-20-21; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2021-0861]

**Agency Information Collection
Activities: Requests for Comments;
Clearance of Renewed Approval of
Information Collection: Fractional
Aircraft Ownership Programs**

AGENCY: Federal Aviation Administration (FAA), Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request Office of Management and Budget (OMB) approval to renew an information collection. Fractional Ownership is a program that offers increased flexibility in aircraft ownership. Owners purchase shares of an aircraft and agree to share their aircraft with others having an ownership share in that same aircraft. Owners agree to put their aircraft into a "pool" of other shared aircraft and to lease their aircraft to another owner in that pool. This collection is necessary to ensure compliance with relevant safety regulations.

DATES: Written comments should be submitted by November 22, 2021.

ADDRESSES: Please send written comments:

By Electronic Docket:

www.regulations.gov (Enter docket number into search field)

By mail: Dwayne C. Morris, Flight Standards Service, General Aviation and Commercial Division, 800 Independence Ave. SW, Washington, DC 20591

By email: chris.morris@faa.gov

FOR FURTHER INFORMATION CONTACT: Ron Forsyth by email at: ronald.a.forsyth@faa.gov; phone: 717-712-1000.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120-0684.

Title: Fractional Aircraft Ownership Programs.

Form Numbers: There are no FAA forms associated with this collection.

Type of Review: This is a renewal of an existing information collection.

Background: Each fractional ownership program manager and each fractional owner must comply with the requirements of 14 CFR part 91, subpart K. Information is used to determine if these entities are operating in accordance with the minimum safety standards of these regulations. The FAA will use the information it reviews and collects to evaluate the effectiveness of the program and make improvements as needed, and ensure compliance with and adherence to regulations.

Respondents: Nine fractional ownership operators with 557 aircraft.

Frequency: On occasion.

Estimated Average Burden per Response: 1 hour, 20 minutes.

Estimated Total Annual Burden: 14,367 hours, or 1,596 per operator.

Issued in Washington, DC, on September 16, 2021.

Dwayne C. Morris,
*Project Manager, Flight Standards Service,
General Aviation and Commercial Division.*

[FR Doc. 2021-20395 Filed 9-20-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2021-0862]

**Agency Information Collection
Activities: Requests for Comments;
Clearance of a Renewed Approval of
Information Collection: Disclosure of
Seat Dimensions To Facilitate the Use
of Child Safety Seats on Airplanes
During Passenger-Carrying Operations**

AGENCY: Federal Aviation Administration (FAA), Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves each passenger carrying air carrier operating under the Code of Federal Regulations to post on the internet website of the air carrier the maximum dimensions of a child safety seat that can be used on those aircraft. The information to be collected will be used to facilitate the use of child restraint systems onboard airplanes and is required by section 412 of the FAA Modernization and Reform Act of 2012.

DATES: Written comments should be submitted by November 22, 2021.

ADDRESSES: Please send written comments:

By Electronic Docket:

www.regulations.gov (Enter docket number into search field)

By mail: Sandra Ray, 1187 Thorn Run Road, Suite 200, Coraopolis, PA 15108

By fax: 412-239-3063

FOR FURTHER INFORMATION CONTACT: Catherine Burnett by email at: Catherine.burnett@faa.gov; phone: 202-412-4952.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0760.

Title: Disclosure of Seat Dimensions to Facilitate the Use of Child Safety Seats on Airplanes During Passenger-Carrying Operations.

Form Numbers: N/A.

Type of Review: Renewal of an information collection.

Background: Section 412 of the FAA Modernization and Reform Act of 2012 (Pub. L. 112–95) specifically required the Federal Aviation Administration (FAA) to conduct rulemaking “[T]o require each air carrier operating under part 121 of title 14, Code of Federal Regulations to post on the internet website of the air carrier the maximum dimensions of a child safety seat that can be used on each aircraft operated by the air carrier to enable passengers to determine which child safety seats can be used on those aircraft.” As a result, the FAA amended 14 CFR 121.311, which requires passenger carrying air carriers to make available on their websites the width of the widest passenger seat in each class of service for each make, model and series of airplane used in passenger-carrying operations (80 FR 58575). Section 412 of Public Law 112–95 requires that all air carriers provide this required information on their internet websites. The vast majority of this burden occurred on a one-time basis as air carriers initially provided information on their websites in order to comply with the regulation. After initial implementation, the only time air carriers need to update their websites after initial implementation is when a new airplane make, model, or series is introduced to an air carrier’s fleet, or when an air carrier replaces the widest or narrowest seats installed on an existing airplane make, model, or series with wider or narrower seats. The purpose of this collection is to facilitate the use of child restraint systems onboard airplanes by providing greater information to caregivers to help them determine whether a particular child restraint system will fit in an airplane seat.

Respondents: Approximately 44 operators.

Frequency: As required by regulation.

Estimated Average Burden per Response: Varies per requirement.

Estimated Total Annual Burden: 327 Hours.

Issued in Washington, DC on September 14, 2021.

Sandra L. Ray,

Aviation Safety Inspector, AFS–260.

[FR Doc. 2021–20122 Filed 9–20–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2021–0038]

Agency Request for Renewal and Revision of a Previously Approved Information Collection: Information Associated With the Aviation Manufacturing Jobs Protection (AMJP) Program

AGENCY: U.S. Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: The Department of Transportation (DOT) invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew and revise an information collection. The DOT is seeking public comment under normal Paperwork Reduction Act procedures to continue the collection entitled “Aviation Manufacturing Jobs Protection,” which was approved under an emergency clearance approval by OMB through November 30, 2021. The purpose of the original information collection was to enable eligible business entities to apply for payroll assistance under the “Aviation Manufacturing Jobs Protection” program, established by the American Rescue Plan Act of 2021. The continued information collection is necessary to ensure that eligible recipients continue to meet eligibility requirements and are compliant with use of funds to provide payroll support for the established eligible employee group. The continued information collection will also seek voluntary demographic information for program evaluation purposes. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Written comments should be submitted by November 22, 2021.

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Docket Number DOT–OST–2021–0038 using any of the following methods:

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

- *Fax:* 202–493–2251.

- *Mail:* Docket Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and

5:00 p.m., Eastern time, Monday through Friday, except Federal holidays.

- *Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

- *Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <https://www.federalregister.gov/d/E8-785>.

- *Public Participation:* The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal website. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online.

FOR FURTHER INFORMATION CONTACT: Information related to this Information Collection Request, including applicable supporting documentation may be obtained by contacting Alexis Jenkins-Reid (OST–B1), in the Office of the Secretary of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, via telephone at (202) 366–5112, or via email at AMJP@dot.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2106–0048.

Title: Information Associated With the Aviation Manufacturing Jobs Protection (AMJP) Program.

Form Numbers: New Forms AMJP–1A.2.2, AMJP–1A.2.3, AMJP–1A.2.4, AMJP–1A.6.4, AMJP–1A.6.5, AMJP–1A.6.6, AMJP–1A.6.7 (available at www.transportation.gov/amjp/resources-recipients).

Type of Review: Renewal and revision of Information Collection previously approved.

Background: On March 11, 2021, the “American Rescue Plan Act of 2021” (ARPA), Public Law (Pub. L.) 117–2, was enacted. Sections 7201 and 7202 established the “Aviation

Manufacturing Jobs Protection” (AMJP) program. The stated purpose of the program is “to provide public contributions to supplement compensation of an eligible employee group” (which is defined in the statute), by entering into agreements with qualifying business entities to pay up to half of the payroll costs for that group of employees for up to six months, in return for several commitments, including a commitment that the company will not involuntarily furlough or lay off employees within that group. Individual employees (including contract employees) are not eligible to apply for assistance under this program.

Application for assistance under the AMJP was voluntary. No business was required to apply. To be eligible, however, businesses were required to meet all the requirements set forth in the law. Therefore, DOT was required to collect certain information from applicants to determine eligibility. DOT must also verify the accuracy of specific payment requests from approved applicants, in accordance with other laws and regulations governing Federal financial assistance programs, including (but not limited to) the Antideficiency Act, the Federal Funding Accountability and Transparency Act (FFATA), the Payment Integrity Information Act of 2019, and applicable provisions in 2 CFR part 200, among others.

The ARPA required DOT to reduce funding on a *pro rata* basis if eligible requests exceeded available funds. Therefore, DOT planned to conduct a single-round, expedited application process to identify all eligible requests before beginning the award process.

Accordingly, DOT developed a process and system to enable businesses to apply for financial assistance under the AMJP. DOT used an online, web-based system to collect the information outlined in the notice at 86 FR 19695.

DOT subsequently announced the beginning of the application process on June 14, 2021, via notice at 86 FR 31573. DOT posted the application instructions online at <https://www.transportation.gov/AMJP/apply>. The application process was open for four weeks, from June 14, 2021 through July 13, 2021. DOT subsequently reopened the application process for another four-week period ending September 1, 2021.

Now that the application process is complete, DOT is renewing and updating this information collection. DOT will continue to require eligible recipients to attest that they continue to meet all the original eligibility requirements as previously outlined, as well as the following information:

- A sworn certification as to the complete and accurate nature of all information provided, including all supporting documentation, subject to civil or criminal penalties. The specific certification language is in the forms referenced above and section 4.8 of the General Terms And Conditions Under The Aviation Manufacturing Jobs Protection Program.¹

- After DOT determines eligibility and enters into an agreement with the applicant (referred to hereafter as “the recipient”), DOT will also require the recipient to provide the actual aggregate total cost of compensation for the Eligible Employee Group during the period of the agreement with DOT, in order for DOT to review and approve actual disbursements pursuant to the agreement. Recipients will be required to provide supporting documentation in sufficient detail to substantiate the actual costs, specifically excluding any Personally Identifiable Information (PII) for any individual employees. Recipients will also be required to provide additional supporting information and certifications in support of disbursement requests. See Forms AMJP-1A-6.4, AMJP-1A-6.6, and AMJP-1A-6.7.

- DOT may also ask recipient businesses to submit voluntary reports regarding demographic data associated with the workforce that is and is not included in the Eligible Employee Group. This would be voluntary on the part of the employer, and based solely on voluntary data self-reported by employees, disaggregated from any Personally Identifiable Information in order to avoid any potential privacy concerns. If a statistically valid sample can be developed, then it may be possible to extrapolate for reporting and program evaluation purposes. Such information may be used to support program evaluation.

- DOT may also ask recipient businesses to identify how they first learned about the AMJP program. Such information may be useful in implementation of future financial assistance programs.

DOT has updated the following estimated public burden figures based on the actual number of applications received as well as observations during the application review process. In order to help reduce the burden on recipients (and particularly on small businesses), DOT decided to make an initial disbursement shortly after award of

¹ See <https://www.transportation.gov/amjp/resources-recipients> for text of a sample AMJP agreement, including the General Terms and Conditions.

each agreement. The initial disbursement is up to 50 percent of the award amount. This provides the recipient businesses with an immediate cash infusion, while also reducing the total number of disbursements and the cumulative paperwork required. DOT announced this decision in the application package published on June 15, 2021.

Respondents: Eligible business entities in the aviation manufacturing, maintenance, repair, and overhaul services based in the United States.

Number of Respondents: 600.

Frequency: Up to two disbursement requests and one final closeout report (including supporting payroll documentation and reporting requirements).

Total Annual Burden: Total burden, 16,800 hours (28 hours per respondent including 4 hours for each of 2 disbursement requests; 14 hours for required forms; 2 hours for voluntary demographic data; and 4 hours for closeout documentation).

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for the Department’s performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB’s clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Issued in Washington, DC, on September 16, 2021.

Brian Elliott Black,

Program Director, Aviation Manufacturing Jobs Protection (AMJP) Program.

[FR Doc. 2021-20363 Filed 9-20-21; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; System of Records

AGENCY: Department of Veterans Affairs (VA), Veterans Health Administration.

ACTION: Notice of a modified system of records.

SUMMARY: As required by the Privacy Act of 1974, notice is hereby given that the Department of Veterans Affairs (VA)

is modifying the system of records entitled, "Gulf War Registry—VA" (93VA131) as set forth in the **Federal Register**. VA is amending the system of records by revising the System Number; System Location; System Manager; Authority for Maintenance of the System; Categories of Records in the System; Routine Uses of Records Maintained in the System; Policies and Practices for Storage of Records; Policies and Practices for Retention and Disposal of Records; Physical, Procedural and Administrative Safeguards; Record Access Procedures; and Notification Procedure. VA is republishing the system notice in its entirety.

DATES: Comments on this amended system of records must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by the VA, the modified system of records will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary.

ADDRESSES: Comments may be submitted through www.Regulations.gov or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to "Gulf War Registry—VA" (93VA131). Comments received will be available at regulations.gov for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT: Stephania Griffin, Veterans Health Administration (VHA) Privacy Officer, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420; telephone (704) 245-2492 (Note: this is not a toll-free number).

SUPPLEMENTARY INFORMATION: The System Number is being updated from 93VA131 to 93VA10 to reflect the current VHA organizational routing symbol.

The System Location is being updated to replace Austin Automation Center (AAC) with Austin Information Technology Center (AITC) and to reflect electronic records being moved to contracted data repository sites, such as the Cerner Technology Centers (CTC): Primary Data Center in Kansas City, MO and Continuity of Operations/Disaster Recovery (COOP/DR) Data Center in Lee Summit, MO, in the future. Environmental Agents Service (131) is being replaced with Post Deployment Health Services (12POP5). Also, since

optic readers, paper, or disk copies are no longer used or maintained, this section is being updated to remove, "The secure web-based data entry system is maintained by the AAC and provides retrievable images to users. The optical disk system is currently being utilized where there is no access to the secure web-based system. However, the optical disk system is scheduled to be discontinued in 2004. Images of code sheets are accessible in the web-based data entry system."

The System Manager, Record Access Procedures, and Notification Procedure are being updated to replace, "Program Chief for Clinical Matters, Office of Public Health and Environmental Hazards (13) (for clinical issues) and Management/Program Analyst, Environmental Agents Service (131) (for administrative issues)" with Deputy Chief Consultant, Post Deployment Health Services (12POP5). Telephone number 202-266-4511 (this is not a toll-free number).

Authority for Maintenance of the System is being amended to replace "Title 38, United States Code (U.S.C.) 1710(e)(1)(B) and 1720E" with Title 38 U.S.C. 1117, Public Laws 102-585 and 100-687.

Categories of Records in the System is being amended to remove "Similar responses for spouse and children of Gulf War Veterans examined by non-VA physicians are contained in the records".

The Routine Uses of Records Maintained in the System is being updated to replace Joint Commission for Accreditation of Healthcare Organizations (JCAHO) to The Joint Commission in Routine use #8.

The language in Routine Use #9 is being updated. It previously stated that disclosure of the records to the Department of Justice (DoJ) is a use of the information contained in the records that is compatible with the purpose for which VA collected the records and that VA may disclose records in this system of records in legal proceedings before a court or administrative body after determining that the disclosure of the records to the court or administrative body is a use of the information contained in the records that is compatible with the purpose for which VA collected the records. This routine use will now state that VA may disclose information to the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

(a) VA or any component thereof;

(b) Any VA employee in his or her official capacity;

(c) Any VA employee in his or her official capacity where DoJ has agreed to represent the employee; or

(d) The United States, where VA determines that litigation is likely to affect the agency or any of its components,

is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings, provided, however, that in each case VA determines the disclosure is compatible with the purpose for which the records were collected. If the disclosure is in response to a subpoena, summons, investigative demand, or similar legal process, the request must meet the requirements for a qualifying law enforcement request under the Privacy Act, 5 U.S.C. 552a(b)(7), or an order from a court of competent jurisdiction under 552a(b)(11).

Routine Use #12 has been updated by clarifying the language to state, "VA may disclose any information or records to appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records; (2) VA has determined that as a result of the suspected or confirmed breach there is a risk to individuals, VA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, or persons is reasonably necessary to assist in connection with VA efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm."

Routine use #13 is being added to state, "VA may disclose information from this system of records to another Federal agency or Federal entity, when VA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach."

Policies and Practices for Storage of Records is updated to remove "In 2003, the data collection process moved to a secure web-based system. Data previously recorded manually and converted to electronic format is now input through the secure VA Intranet system. Data is stored on a web server hosted by the AAC and is retrievable by the facility. Three levels of access are

provided for the data that is input, using password security linked to the AAC Top Secret Security system, with mandated changes every 90 days. Data from individual facilities is uploaded nightly and stored on Direct Access Storage Devices at the AAC, Austin, Texas, and on optical disks at VA Central Office, Washington, DC. AAC stores registry tapes for disaster back up at an off-site location. VA Central Office also has back-up optical disks stored off-site. In addition to electronic data, registry reports are maintained on paper documents and microfiche. The optical disk system is currently being utilized where there is no access to the secure web-based system. The optical disk system is scheduled to be discontinued in 2004 and all access to the GWR system will be through the secure web-based data entry system. Records will be maintained and disposed of in accordance with records disposition authority approved by the Archivist of the United States." This section is updated to state that all registry data is stored electronically in the registry database.

Policies and Practices for Retention and Disposal of Records is being updated to remove "Records will be maintained and disposed of in accordance with records disposition authority approved by the Archivist of the United States". This section is updated to state that Records are scheduled in accordance with RCS 10-1, 1202.1e, permanent disposition; cutoff at the end of calendar year. Records are transferred to NARA in 5-year blocks 1 year after the cutoff of the most recent records in the block. (N1-015-00-2, item 2e).

The Physical, Procedural and Administrative Safeguards section is being updated to remove, "Data is securely located behind the VA firewall and only accessible from the VA Local Area Network (LAN) through the VA Intranet. Read access to the data is granted through a telecommunications network to authorized VA Central Office personnel. AAC reports are also accessible through a telecommunications network on a read-only basis to the owner (VA facility) of the data. Access is limited to authorized employees by individually unique access codes which are changed periodically. Physical access to the AAC is generally restricted to AAC staff, VA Central Office, custodial personnel, Federal Protective Service and authorized operational personnel through electronic locking devices. All other persons gaining access to the computer rooms are escorted. Backup records stored off-site for both the AAC

and VA Central Office are safeguarded in secured storage areas. A disaster recovery plan is in place and system recovery is tested at an off-site facility in accordance with established schedules." This section is updated to state that there are multiple levels of security to ensure the confidentiality of all data stored within the GWR. The registry is stored on a password protected system located in a locked room. Registry application is web-based and accessible behind the VA firewall. Access to the facility is limited by PIV access, security card, metal scanners at the entrance, and security guards.

The Report of Intent to Amend a System of Records Notice and an advance copy of the system notice have been sent to the appropriate Congressional committees and to the Director of the Office of Management and Budget (OMB) as required by 5 U.S.C. 552a(r) (Privacy Act) and guidelines issued by OMB (65 FR 77677), December 12, 2000.

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Dominic A. Cussatt, Acting Assistant Secretary of Information and Technology and Chief Information Officer, approved this document on August 5, 2021 for publication.

Dated: September 16, 2021

Amy L. Rose,

Program Analyst, VA Privacy Service, Office of Information Security, Office of Information and Technology, Department of Veterans Affairs.

SYSTEM NAME

Gulf War Registry—VA (93VA10)

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Character-based data from Gulf War Registry (GWR) Code Sheets are maintained in a registry data set at the Austin Information Technology Center (AITC), 1615 Woodward Street, Austin, Texas 78772 and may be maintained at contracted data repository sites, such as the Cerner Technology Centers (CTC): Primary Data Center in Kansas City, MO and Continuity of Operations/Disaster Recovery (COOP/DR) Data Center in Lee Summit, MO. Since the data set at the AITC is not all-inclusive, *i.e.*, narratives, signatures, etc., noted on the code

sheets are not entered into this system, images of the code sheets are maintained at the Department of Veterans Affairs, Post Deployment Health Services (12POP5), 810 Vermont Avenue NW, Washington, DC 20420. These are electronic images of paper records, *i.e.*, code sheets, medical records, questionnaires and correspondence.

SYSTEM MANAGER(S):

Deputy Chief Consultant, Post Deployment Health Services (12POP5). VA Central Office, 810 Vermont Avenue NW, Washington, DC 20420. Telephone number 202-266-4511 (this is not a toll-free number).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 38, United States Code (U.S.C.) 1117, Public Laws 102-585 and 100-687.

PURPOSE(S) OF THE SYSTEM:

The records will be used for the purpose of providing information about: Veterans who have had a GWR examination at a VA medical facility and their spouses and/or children who have had examinations by VA or non-VA clinicians to assist in generating hypotheses for research studies; providing management with the capability to track patient demographics; reporting birth defects among Veterans' children and grandchildren; planning the delivery of health care services and associated cost; and assisting in the adjudication of claims possibly related to exposure to a toxic substance or environmental hazard.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Veterans who may have been exposed to toxic substances or environmental hazard while serving in the Southwest Theatre of Operations during the Gulf War from August 2, 1990, until such time as Congress by law ends the Gulf War, and have had a Gulf War Registry (GWR) examination at a VA medical facility. Also, a spouse or child suffering from an illness or disorder (including birth defects, miscarriages, or stillbirth), which cannot be disassociated from the Veteran's service in the Southwest Asia Theatre of Operations and who has had a GWR examination performed by a VA or non-VA clinician.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records consist of code sheet records recording VA facility code identifier where Veteran was examined or treated; Veteran's name; address; Social Security number; date of birth; race/ethnicity; marital status; sex;

branch of service; periods of service; hospital status, *i.e.*, inpatient; outpatient; areas of service in the Gulf War Theatre of Operations; list of military units where Veteran served; military occupation specialty; names of units in which Veteran served; Veteran's reported exposure to environmental factors; any traumatic experiences while in the Gulf War; Veteran's self-assessment of health; Veteran's functional impairment; report of birth defects and infant death(s) among Veteran's children and/or problems with pregnancy and infertility; date of registry examination; Veteran's complaints/symptoms; consultations; diagnoses; disposition (hospitalized, referred for outpatient treatment, etc.); whether Veteran had an unexplained illness and had further tests and consultations and diagnoses as part of a Phase II, Uniform Case Assessment Examination; and name and signature of examiner/clinician coordinator, when provided.

Another category of data entry is obtained from depleted uranium (DU) questionnaires, a supplement to the Gulf War code sheet. The data entries may contain the facility identifier where the information was completed; demographic information (name and Social Security number); daytime and evening phone numbers; date of questionnaire completion; date of arrival in and departure from the Gulf War Theatre of Operations; source of referral to VA medical center for evaluation; where Veteran served (*i.e.*, Iraq, Kuwait, Saudi Arabia, the neutral zone [between Iraq and Saudi Arabia], Bahrain, Qatar, the United Arab Emirates, Oman, Gulf of Aden, Gulf of Oman and the Waters of the Persian Gulf, Arabian Sea and Red Sea); capacity in which Veteran served; questions relating to potential inhalation exposures to DU including those on, in, or near vehicles hit with friendly fire or enemy fire, entering burning vehicles, individuals near fires involving DU munitions, individuals salvaging damaged vehicles, and those near burning vehicles; whether Veteran was wounded, retained DU fragments in Veteran's body, handled DU penetrator rounds or any other exposures to DU; whether a 24-hour urine collection for uranium was performed; name, title and signature of examiner/environmental health clinician, when provided, and results of urine uranium tests, expressed per microgram per gram creatinine.

RECORD SOURCE CATEGORIES:

VA patient medical records, various automated record systems providing clinical and managerial support to VA

health care facilities, Veteran, family members, and records from Veterans Benefits Administration, Department of Defense, Department of the Army, Department of the Air Force, Department of the Navy and other Federal agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To the extent that records contained in the system include information protected by 45 CFR parts 160 and 164, *i.e.*, individually identifiable health information of VHA or any of its business associates, and 38 U.S.C. 7332; *i.e.*, medical treatment information related to drug abuse, alcoholism or alcohol abuse, sickle cell anemia, or infection with the human immunodeficiency virus, that information cannot be disclosed under a routine use unless there is also specific statutory authority in both 38 U.S.C. 7332 and CFR parts 160 and 164 permitting disclosure.

1. VA may disclose information to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

2. VA may disclose information relevant to a claim of a Veteran or beneficiary, such as the name, address, the basis and nature of a claim, amount of benefit payment information, medical information, and military service and active duty separation information, only at the request of the claimant to accredited service organizations, VA-approved claim agents, and attorneys acting under a declaration of representation, so that these individuals can aid claimants in the preparation, presentation, and prosecution of claims under the laws administered by VA.

3. VA may disclose the names and address(es) of present or former members of the armed services or their beneficiaries: (1) To a nonprofit organization if the release is directly connected with the conduct of programs and the utilization of benefits under Title 38, and (2) to any criminal or civil law enforcement governmental agency or instrumentality charged under applicable law with the protection of the public health or safety, if a qualified representative of such organization, agency, or instrumentality has made a written request that such names or addresses be provided for a purpose authorized by law; provided that the records will not be used for any purpose other than that stated in the request and that organization, agency, or

instrumentality is aware of the penalty provision of 38 U.S.C. 5701(f).

4. VA may disclose information to National Archives and Records Administration (NARA) in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

5. VA may disclose information from this system to epidemiological and other research facilities approved by the Under Secretary for Health for research purposes determined to be necessary and proper, provided that the names and addresses of Veterans and their dependents will not be disclosed unless those names and addresses are first provided to VA by the facilities making the request.

6. VA may disclose information to a Federal agency for the purpose of conducting research and data analysis to perform a statutory purpose of that Federal agency upon the prior written request of that agency.

7. VA may disclose information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law. The disclosure of the names and addresses of Veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

8. VA may disclose information to survey teams of The Joint Commission, College of American Pathologists, American Association of Blood Banks, and similar national accreditation agencies or boards with which VA has a contract or agreement to conduct such reviews, as relevant and necessary for the purpose of program review or the seeking of accreditation or certification.

9. VA may disclose information to the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

- (a) VA or any component thereof;
- (b) Any VA employee in his or her official capacity;
- (c) Any VA employee in his or her official capacity where DoJ has agreed to represent the employee; or
- (d) The United States, where VA determines that litigation is likely to

affect the agency or any of its components,

is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings.

11. VA may disclose to other Federal agencies to assist such agencies in preventing and detecting possible fraud or abuse by individuals in their operations and programs.

12. VA may disclose any information or records to appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records; (2) VA has determined that as a result of the suspected or confirmed breach there is a risk to individuals, VA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, or persons is reasonably necessary to assist in connection with VA efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

13. VA may disclose information from this system to another Federal agency or Federal entity, when VA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

All registry data is stored electronically in the registry database.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are indexed by name of Veteran and Social Security number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are scheduled in accordance with RCS 10-1, 1202.1e, permanent disposition; cutoff at the end of calendar year. Records are transferred to NARA in 5-year blocks 1 year after the cutoff of the most recent records in the block. (N1-015-00-2, item 2e)

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to electronic and paper records at VA Central Office is only

authorized to VA personnel on a "need to know" basis. Records are maintained in manned rooms during working hours. During non-working hours, there is limited access to the building with visitor control by security personnel. Registry data maintained at the AITC can only be updated by authorized AITC personnel.

There are multiple levels of security to ensure the confidentiality of all data stored within the GWR. The registry is stored on a password protected system located in a locked room. Registry application is web-based and accessible behind the VA firewall. Access to the facility is limited by Personal Identity Verification (PIV) access, security card, metal scanners at the entrance, and security guards.

RECORD ACCESS PROCEDURE:

An individual who seeks access to records maintained under his or her name may write or visit the nearest VA medical facility or write to the Deputy Chief Consultant, Post Deployment Health Services (12POP5), VA Central Office, 810 Vermont Avenue NW, Washington, DC 20420.

CONTESTING RECORD PROCEDURES:

(See Record Access Procedures above.)

NOTIFICATION PROCEDURE:

An individual who wishes to determine whether a record is being maintained in this system under his or her name or other personal identifier, or wants to determine the contents of such record, should submit a written request or apply in person to the last VA medical facility where medical care was provided or submit a written request to the Deputy Chief Consultant, Post Deployment Health Services (12POP5), VA Central Office, 810 Vermont Avenue NW, Washington, DC 20420. Inquiries should include the Veteran's name, Social Security number, service serial number, and return address.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

Last full publication provided in 69 FR 2962.

[FR Doc. 2021-20361 Filed 9-20-21; 8:45 am]

BILLING CODE:P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; System of Records

AGENCY: Department of Veterans Affairs (VA), Financial Services Center (FSC).

ACTION: Notice of a modified system of records.

SUMMARY: The system maintains a system for operating, auditing, and managing the charge card program involving commercial purchases authorized by VA employees.

DATES: Comments on this modified system of records must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the modified system of records will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary.

ADDRESSES: Comments may be submitted through www.Regulations.gov or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to Purchase Credit Card Program-VA (131VA047). Comments received will be available at regulations.gov for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT: Lori Thomas, Financial Services Center, Department of Veterans Affairs, 1615 Woodward Street, Austin, TX 78772, (512) 460-5189 or Lori.Thomas2@va.gov.

SUPPLEMENTARY INFORMATION: The General Services Administration established a governmentwide charge card service. This service is used as a payment mechanism and is designed to provide better financial and cash management controls over the Federal Government's low dollar value procurements. Individual employees are selected by their agencies to obtain and use the Government's purchase card, called SmartPay3, to aid in the employee's procurement responsibilities. An individual employee obtains a purchase card by applying to a private contractor bank. This application is given to the Agency/Organization Program Coordinator, who serves as the focal point for coordination of applications, issuance and destruction of cards, establishment of reports, and administrative training. This Program Coordinator also serves as a liaison between the agency and the bank. Prior to obtaining this account, an employee receives a delegation of authority from his/her agency, which indicates the maximum dollar amount

for each single purchase made and a monthly dollar limit for total purchases. At the close of each billing cycle, each employee receives a "Statement of Account" from the bank that itemizes each transaction. In order to successfully participate in the SmartPay3 purchase card program, VA must maintain certain records on the employees who have obtained a purchase card. This information includes name, address, employment information, telephone numbers, information needed for identification verification, charge card applications, charge card statements, terms and conditions for use of the charge card, and monthly report from contractor(s) showing charges to individual account numbers, balances and other types of account analysis.

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Dominic A. Cussatt, Acting Assistant Secretary of Information and Technology and Chief Information Officer, approved this document on August 4, 2021 for publication.

Dated: September 16, 2021.

Amy L. Rose,

Program Analyst, VA Privacy Service, Office of Information Security, Office of Information and Technology, Department of Veterans Affairs.

SYSTEM NAME AND NUMBER:

Purchase Credit Card Program-VA (131VA047).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system of record is located in the Financial Services Center, Austin, TX.

SYSTEM MANAGER(S):

Lori Thomas, Division Chief of Charge Card Services Division, Financial Services Center, Department of Veterans Affairs, 1615 Woodward Street, Austin, TX, 78772, (512) 460- 5189 or Lori.Thomas2@va.gov.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Acquisition Regulation (FAR), part 13, 48 CFR, part 13, and Public Law 93-579. Section 7(b).

PURPOSE(S) OF THE SYSTEM:

To maintain a system for operating, auditing, and managing the purchase

card program involving commercial purchases by authorized VA employees.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by the system are current VA employees who have their own Government assigned charge card, or who have had a charge card.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include name, work addresses, work telephone numbers, information needed for identification verification, charge card applications, charge card statements, terms and conditions for use of the charge card, and monthly report from contractor(s) showing charges to individual account numbers, balances, and other types of account analysis.

RECORD SOURCE CATEGORIES:

Transactional data from the contracting bank.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

1. *Congress.* VA may disclose information to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

2. *Data Breach Response and Remediation, for VA.* VA may disclose information to appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records, (2) VA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, VA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with VA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm involving.

3. *Data Breach Response and Remediation, for Another Federal Agency.* VA may disclose information to another Federal agency or Federal entity, when VA determines that the information is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or

national security, resulting from a suspected or confirmed breach.

4. *Law Enforcement.* VA may disclose information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law. The disclosure of the names and addresses of VA employees, from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

5. *DoJ for Litigation or Administrative Proceeding.* VA may disclose information to the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

- (a) VA or any component thereof;
- (b) Any VA employee in his or her official capacity;
- (c) Any VA employee in his or her official capacity where DoJ has agreed to represent the employee; or
- (d) The United States, where VA determines that litigation is likely to affect the agency or any of its components, is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings.

6. *Contractors.* VA may disclose information to contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for VA, when reasonably necessary to accomplish an agency function related to the records.

7. *OPM.* VA may disclose information to the Office of Personnel Management (OPM) in connection with the application or effect of civil service laws, rules, regulations, or OPM guidelines in particular situations.

8. *EEOC.* VA may disclose information to the Equal Employment Opportunity Commission (EEOC) in connection with investigations of alleged or possible discriminatory practices, examination of Federal affirmative employment programs, or other functions of the Commission as authorized by law.

9. *FLRA.* VA may disclose information to the Federal Labor Relations Authority (FLRA) in connection with: The investigation and resolution of allegations of unfair labor practices, the

resolution of exceptions to arbitration awards when a question of material fact is raised; matters before the Federal Service Impasses Panel; and the investigation of representation petitions and the conduct or supervision of representation elections.

10. *MSPB*. VA may disclose information to the Merit Systems Protection Board (MSPB) and the Office of the Special Counsel in connection with appeals, special studies of the civil service and other merit systems, review of rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions promulgated in 5 U.S.C. 1205 and 1206, or as authorized by law.

11. *NARA*. VA may disclose information to NARA in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

12. *Federal Agencies, Courts, Litigants, for Litigation or Administrative Proceedings*. VA may disclose information to another federal agency, court, or party in litigation before a court or in an administrative proceeding conducted by a Federal agency, when the government is a party to the judicial or administrative proceeding.

13. *Law Enforcement, for Locating Fugitive*. In compliance with 38 U.S.C. 5313B(d), VA may disclose information to any Federal, state, local, territorial, tribal, or foreign law enforcement agency in order to identify, locate, or report a known fugitive felon. If the disclosure is in response to a request from a law enforcement entity, the request must meet the requirements for a qualifying law enforcement request under the Privacy Act, 5 U.S.C. 552a(b)(7).

14. *OMB*. VA may disclose information to the Office of Management and Budget (OMB) for the performance of its statutory

responsibilities for evaluating Federal programs.

15. *Treasury, to Report Earnings as Income*. VA may disclose information to the Department of the Treasury to report calendar year earnings of \$600 or more for income tax reporting purposes.

16. *APA*. VA may disclose information as necessary, to comply with the requirements of the Administrative Procedure Act (APA) to make available for public review comments submitted in response to VA's solicitation of public comments as part of the agency's notice and rulemaking activities under the APA if VA determines that release of personally identifiable information, such as an individual's telephone number, is integral to the public's understanding of the comment submitted.

17. *Unions*. VA may disclose information identified in 5 U.S.C. 7114(b)(4) to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FSC Purchase Card program retains only electronic data on its servers for transaction purposes for a period of 6 years.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

These records may be retrieved using various combinations of name or identification number (charge card number) of the individual on whom the records are maintained.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

In accordance with General Records Schedule 1.1, Item #10, records are destroyed 6 years after final payment or cancellation, but longer retention is authorized for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to these records is restricted to authorized VA employees or contractors, on a "need to know" basis. Offices where these records are maintained are locked after working hours and are protected from outside access by the Federal Protective Service, other security officers, and alarm systems. Access to computerized records is restricted to authorized VA employees or contractors, by means of unique user identification and passwords.

RECORD ACCESS PROCEDURES:

Individuals seeking information concerning the existence of a record pertaining to them must submit a written request to the VA station where the records are maintained. Such requests must contain a reasonable description of the records requested. In addition, identification of the individual requesting the information will be required in the written request and will consist of the requester's name, signature, and address, as a minimum.

CONTESTING RECORD PROCEDURES:

(See Notification procedure above.)

NOTIFICATION PROCEDURES:

Please contact Lori Thomas, Division Chief of Charge Card Services Division, Financial Services Center, Department of Veterans Affairs, 1615 Woodward Street, Austin, TX 78772, (512) 460-5189 or *Lori.Thomas2@va.gov*.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

There is no category of records in this system that has been identified as exempt from any section of the Privacy Act.

HISTORY:

Purchase Credit Card Program-VA (131VA047) was published on February 11, 2005 at 70 FR 7320.

[FR Doc. 2021-20362 Filed 9-20-21; 8:45 am]

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Part II

Department of Housing and Urban
Development

Announcement of Funding Awards; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6247-N-02]

Announcement of Funding Awards

AGENCY: Office of Chief Financial Officer, HUD.

ACTION: Notice.

SUMMARY: In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this announcement notifies the public of funding decisions made by the Department in competitions for funding under the Notices of Funding Opportunity (NOFOs) and Notices for the following programs: FY2020 and FY2021 Community Compass Technical Assistance and Capacity Building Program, FY2020 Self-Help Homeownership Opportunity Program (SHOP), FY2020 Veterans Housing Rehabilitation and Modification Pilot Program (VHRMP), FY2018 Fair Housing Initiatives Program (FHIP); Education and Outreach Initiative (EOI), FY2018 Fair Housing Initiatives Program (FHIP); Fair Housing Organizations Initiative (FHOI), FY2018 Fair Housing Initiatives Program (FHIP); Private Enforcement Initiative (PEI), FY2019 Fair Housing Initiatives Program (FHIP); Education and Outreach Initiative (EOI), FY2019 Fair Housing Initiatives Program (FHIP); Fair Housing Organizations Initiative (FHOI), FY2019 Fair Housing Initiatives Program (FHIP); Private Enforcement Initiative (PEI), FY2020 Fair Housing Initiatives Program (FHIP); Education and Outreach Initiative (EOI), FY2020 Fair Housing Initiatives Program (FHIP); Fair Housing Organizations Initiative (FHOI), FY2020 Fair Housing Initiatives Program (FHIP); Private Enforcement Initiative (PEI), FY2020 Fair Housing Initiatives Program (FHIP); COVID-19 Education and Outreach Initiative (COVID) Grant Program, FY2020 Lead Hazard Reduction Grant Program, FY2020 Healthy Homes and Weatherization Cooperation Demonstration, FY2019 Moving to Work Demonstration Program, FY2020 HBCU Cooperative Research in Housing Technologies Program, FY2020 Social and Economic Impacts of the CDBG and HOME Programs, FY2020 Alternative Methods for Calculating Fair Market Rents (FMRs) in Rental Markets with Rapidly Rising Rents Program, FY2020 Choice Neighborhoods Planning, Foster Youth to Independence (FYI) Initiative, FY 2020 Family Self-Sufficiency Renewal Program and FY 2020 Family Self-Sufficiency Renewal Program

Supplemental, FY2015 Tribal Veterans Affairs Supportive Housing (TRIBAL HUD VASH) Grant Program, FY2020 Indian Community Development Block Grant- Imminent Threat CARES (ICDBG-IT), FY2020 Indian Community Development Block Grant- Imminent Threat (ICDBG-IT), FY2019 Emergency Safety and Security RD1, FY2019 Emergency Safety and Security RD 2, FY2019 Emergency Safety and Security RD3, FY2020 Emergency Disaster Grant, FY2020 Emergency Receivership, FY2020 Emergency Safety and Security, and FY2021 Emergency Disaster Grant.

FOR FURTHER INFORMATION CONTACT:

Office of the Chief Financial Officer (Systems), Grants Management and Oversight at AskGMO@hud.gov or the contact person listed in each appendix.

SUPPLEMENTARY INFORMATION:

HUD posted FY2020 and FY2021 Community Compass Technical Assistance and Capacity Building Grant Program on [grants.gov](https://www.grants.gov) July 23, 2020 (FR-6400-N-06). The competition closed on September 23, 2020. HUD rated and selected applicants for funding based on selection criteria contained in the NOFO. This competition awarded \$38,300,000 to 20 recipients to provide technical assistance and capacity building services to grantees and other customers of HUD's mission-critical programs. Awards are made using all or part of the following sources: (1) The Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), which includes funding for technical assistance for grantees in the Office of Community Planning and Development; Office of Public and Indian Housing for PHA Receivership and Native American Programs; Office of Fair Housing and Equal Opportunity; and Office of Policy Development and Research (which is used for Departmental TA priorities and grantees); and (2) the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), 2020 (Pub. L. 116-136), which includes funding for Community Development Block Grant recipients impacted by the coronavirus pandemic.

HUD posted FY2020 Self-Help Homeownership Opportunity (SHOP) Grant Program on [grants.gov](https://www.grants.gov) June 17, 2020, (FR-6400-N-19). The competition closed on August 18, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$10,000,000 to 4 recipients to funds eligible national and regional non-profit organizations and consortia to purchase home sites and develop or improve the infrastructure needed to set the stage for sweat equity and volunteer-based

homeownership programs for low-income persons and families.

HUD posted FY2020 Veterans Housing Rehabilitation and Modification Pilot Program (VHRMP) Grant Program on [grants.gov](https://www.grants.gov) June 17, 2020, (FR-6400-N-39). The competition closed on August 18, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$3,999,992 to 4 recipients to provide nationwide or statewide programs which primarily serve low-income veterans living with disabilities who need adaptive housing to help them regain or maintain their independence. Through the VHRMP program, grantees will make necessary physical modifications to address the adaptive housing needs of eligible veterans, including wheelchair ramps, widening exterior and interior doors, reconfiguring, and reequipping bathrooms, or adding a bedroom or bathroom for the veteran.

HUD posted FY2018 Fair Housing Initiatives Program (FHIP); Education and Outreach Initiative (EOI) Grant Program on [grants.gov](https://www.grants.gov) October 29, 2018, (FR-6200-N-21A). The competition closed on December 18, 2018. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$8,754,521.87 to 64 recipients to develop, implement, carry out, and coordinate education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of the Fair Housing Act. Under the EOI NOFO, activities eligible for funding include but are not limited to developing educational advertising campaigns, developing, and distributing material, and conducting educational activities that inform people of their rights and responsibilities under the Fair Housing Act.

HUD posted FY2018 Fair Housing Initiatives Program (FHIP); Fair Housing Organizations Initiative (FHOI) Grant Program on [grants.gov](https://www.grants.gov) October 29, 2018, (FR-6200-N-21B). The competition closed on December 18, 2018. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$500,000 to 2 non-profit fair housing organizations recipients to build their capacity and effectiveness to conduct enforcement related activities eligible for funding including but not limited to: (1) Adding an enforcement staff and enforcement-related activities (e.g., to an existing fair housing education organization); and (2) expanding testing expertise and experience.

HUD posted FY2018 Fair Housing Initiatives Program (FHIP): Private Enforcement Initiative (PEI) Grant Program on *grants.gov* October 29, 2018, (FR-6200-N-21C). The competition closed on December 18, 2018. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$30,095,473.13 to 101 recipients to conduct testing, investigate violations and obtain enforcement of the rights granted under the Fair Housing Act or State or local laws that are substantially equivalent to the rights and remedies provided in the Fair Housing Act. Under the PEI NOFO, activities eligible for funding include but are not limited to intake of allegations of violations of the Fair Housing Act, testing, evaluating testing results, and providing other investigative work to provide a just resolution for violations of the Fair Housing Act that may violate federal, state or substantially equivalent local fair housing laws; investigation of violations of the Fair Housing Act, through testing and other investigative methods including systemic investigations; mediation or other voluntary resolution of allegations of violations of the Fair Housing Act; litigation of fair housing cases, including procuring expert witnesses, and fair housing education activities.

HUD posted FY2019 Fair Housing Initiatives Program (FHIP): Education and Outreach Initiative (EOI) Grant Program on *grants.gov* December 19, 2019, (FR-6300-N-21A). The competition closed on February 6, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$8,687,983.67 to 69 recipients to develop, implement, carry out, and coordinate education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of the Fair Housing Act. Under the EOI NOFO, activities eligible for funding include but are not limited to developing educational advertising campaigns, developing, and distributing material, and conducting educational activities that inform people of their rights and responsibilities under the Fair Housing Act.

HUD posted FY2019 Fair Housing Initiatives Program (FHIP): Fair Housing Organizations Initiative (FHOI) Grant Program on *grants.gov* December 19, 2018, (FR-6300-N-21B). The competition closed on February 6, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$250,000 to 1 non-profit fair housing

organizations recipients to build their capacity and effectiveness to conduct enforcement related activities eligible for funding including but not limited to: (1) Adding an enforcement staff and enforcement-related activities (e.g., to an existing fair housing education organization); and (2) expanding testing expertise and experience.

HUD posted FY2019 Fair Housing Initiatives Program (FHIP): Private Enforcement Initiative (PEI) Grant Program on *grants.gov* December 19, 2019, (FR-6300-N-21C). The competition closed on February 6, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$29,762,016.46 to 100 recipients to conduct testing, investigate violations and obtain enforcement of the rights granted under the Fair Housing Act or State or local laws that are substantially equivalent to the rights and remedies provided in the Fair Housing Act. Under the PEI NOFO, activities eligible for funding include but are not limited to intake of allegations of violations of the Fair Housing Act, testing, evaluating testing results, and providing other investigative work to provide a just resolution for violations of the Fair Housing Act that may violate federal, state or substantially equivalent local fair housing laws; investigation of violations of the Fair Housing Act, through testing and other investigative methods including systemic investigations; mediation or other voluntary resolution of allegations of violations of the Fair Housing Act; litigation of fair housing cases, including procuring expert witnesses, and fair housing education activities.

HUD posted FY2020 Fair Housing Initiatives Program (FHIP): Education and Outreach Initiative (EOI) Grant Program on *grants.gov* April 8, 2020, (FR-6400-N-21A). The competition closed on May 11, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$6,231,350.76 to 49 recipients to develop, implement, carry out, and coordinate education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of the Fair Housing Act. Under the EOI NOFO, activities eligible for funding include but are not limited to developing educational advertising campaigns, developing, and distributing material, and conducting educational activities that inform people of their rights and responsibilities under the Fair Housing Act.

HUD posted FY2020 Fair Housing Initiatives Program (FHIP): Fair Housing

Organizations Initiative (FHOI) Grant Program on *grants.gov* April 8, 2020, (FR-6400-N-21B). The competition closed on May 11, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$500,000 to 2 non-profit fair housing organizations recipients to build their capacity and effectiveness to conduct enforcement related activities eligible for funding including but not limited to: (1) Adding an enforcement staff and enforcement-related activities (e.g., to an existing fair housing education organization); and (2) expanding testing expertise and experience.

HUD posted FY2020 Fair Housing Initiatives Program (FHIP): Private Enforcement Initiative (PEI) Grant Program on *grants.gov* April 8, 2020, (FR-6400-N-21C). The competition closed on May 11, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$34,269,516.46 to 96 recipients to conduct testing, investigate violations and obtain enforcement of the rights granted under the Fair Housing Act or State or local laws that are substantially equivalent to the rights and remedies provided in the Fair Housing Act. Under the PEI NOFO, activities eligible for funding include but are not limited to intake of allegations of violations of the Fair Housing Act, testing, evaluating testing results, and providing other investigative work to provide a just resolution for violations of the Fair Housing Act that may violate federal, state or substantially equivalent local fair housing laws; investigation of violations of the Fair Housing Act, through testing and other investigative methods including systemic investigations; mediation or other voluntary resolution of allegations of violations of the Fair Housing Act; litigation of fair housing cases, including procuring expert witnesses, and fair housing education activities.

HUD posted FY2020 Fair Housing Initiatives Program (FHIP): COVID-19 Education and Outreach Initiative (COVID) Grant Program on *grants.gov* June 8, 2020, (FR-6400-N-70). The competition closed on July 8, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$990,000 to 26 recipients to create and disseminate fair housing education and outreach materials designed to inform members of the public concerning their rights and obligations under the Fair Housing Act in COVID-19 affected areas.

HUD posted FY2020 Lead Hazard Reduction Grant Program on *grants.gov* July 22, 2020, (FR-6400-N-13). The competition closed on August 24, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$164,155,145.90 to 44 recipients to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes, or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations.

HUD posted FY2020 Healthy Homes and Weatherization Cooperation Demonstration Grant Program on *grants.gov* September 10, 2020, (FR-6400-N-62). The competition closed on November 9, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$4,994,831 to 5 recipients to provide housing interventions in lower income households that are conducted jointly through the coordination of HUD's Office of Lead Hazard Control and Healthy Homes (OLHCHH)-funded Lead Hazard Control/Healthy Homes programs and Weatherization Assistance Program (WAP) grantees or sub-grantees funded by the U.S. Department of Energy (DOE) to determine whether this coordinated delivery of services achieves cost effectiveness and better outcomes, including resident health, in improving the safety and energy efficiency of homes.

HUD posted FY2019 Moving to Work Demonstration Program (PIH Notice-2018-17) on October 11, 2018 HUD rated and selected for funding based on selection criteria contained in the Notice. This competition awarded \$775,000 to 31 recipients to apply for admission to the Moving to Work (MTW) Demonstration Program. MTW allows PHAs to design and test innovative, locally designed housing and self-sufficiency strategies for low-income families.

HUD posted FY2020 HBCU Cooperative Research in Housing Technologies Program on *grants.gov* September 15, 2020, (FR-6400-N-55). The competition closed on January 5, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$249,930 to 1 recipient to fund the homebuilding industry with new innovative construction, that lead to more

affordable, energy efficient, resilient durable, disaster resistant for healthier homes.

HUD posted FY2020 Social and Economic Impacts of the CDBG and HOME Programs on *grants.gov* June 15, 2020, (FR-6400-N-57). The competition closed on August 17, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$494,687 to 2 recipients to develop a better understanding of the effects of specific eligible Community Development Block Grant (CDBG) and HOME Investment Partnerships Program activities.

HUD posted FY2020 Alternative Methods for Calculating Fair Market Rents (FMRs) in Rental Markets with Rapidly Rising Rents Program on *grants.gov* June 02, 2020, (FR-6400-N-60). The competition closed on August 04, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$499,973 to 2 recipients to provide a strong evidence base for policy, practice, and, ultimately, to improve the calculation of FMRs in areas with rising rents.

HUD posted FY2020 Choice Neighborhoods Planning Grant Program on *grants.gov* July 14, 2020, (FR-6400-N-38). The competition closed on September 14, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$4,910,000 to 11 recipients to support the development of comprehensive neighborhood revitalization plans which focused on directing resources to address three core goals: Housing, People and Neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families.

HUD published Notice PIH 2020-28 Foster Youth to Independence (FYI) initiative on October 06, 2020. This is not a competition and therefore has no closing date. HUD accepts a Public Housing Authority's (PHA) requests for FYI vouchers under the Notice on a rolling basis as funding remains available. Funding under this notice is dependent on the availability of appropriations. HUD approved applicants for funding based on selection criteria contained in the

Notice. Through the Notice HUD has awarded \$1,937,782 to 43 Public Housing Agencies (PHAs) to prevent and end homelessness among youth with a current or prior history of child welfare involvement processed and announced in HUD's press release dated November 17, 2020.

HUD posted FY2020 Family Self-Sufficiency Renewal Grant Program on *grants.gov* July 31, 2020, (FR-6400-N-04). The competition closed on August 20, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$77,745,862 to 680 recipients. HUD re-opened the competition by posting FY2020 FY 2020 Family Self-Sufficiency Renewal Supplemental Grant Program on *grants.gov* on December 21, 2020, (FR-6400-N-04). The supplemental competition closed on January 22, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$1,563,893 to 14 recipients. The Family Self-Sufficiency program provides grants to Public Housing Authorities (PHAs) to support the salaries and training needs of FSS Program Coordinators who assist participating families receiving housing assistance through the Housing Choice Voucher (HCV/PBV) and Public Housing (PH) programs. FSS Program Coordinators develop local strategies to connect participating families to public and private resources to increase their earned income and financial empowerment, reduce or eliminate the need for welfare assistance, and make progress toward economic independence and self-sufficiency. PHAs and each individual participating family execute a five-year contract that incorporates the responsibilities of each party, as well as a training and services plan to help the family become more self-sufficient.

HUD posted FY2015 Tribal Veterans Affairs Supportive Housing (TRIBAL HUD VASH) Grant Program on *grants.gov* May 13, 2020, (PIH Notice 2020-10). The competition closed on July 13. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$3,268,172 to 26 recipients to renew rental assistance and associated administrative fees to all eligible Tribal HUD-VASH recipients initially funded with appropriated funds from Fiscal Year 2015.

HUD posted FY2020 Indian Community Development Block Grant Imminent Threat Coronavirus Aid, Relief, and Economic Security Grant Program (ICDBG-IT CARES) to

grants.gov May 15, 2020, (PIH Notice 2020–11). The competition closed on June 01, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$100,00,000 to 96 recipients to provide Indian tribes with instructions on how to apply for Indian Community Development Block Grant (ICDBG) Imminent Threat funding provided under the Coronavirus Aid, Relief, and Economic Security Act (Pub. L. 116–136) (CARES Act), and other program requirements.

HUD posted FY2020 Indian Community Development Block Grant Imminent Threat Grant Program (ICDBG–IT) to grants.gov February 03, 2020, (FR–6400–N–23). The competition was non-competitive; first come first served. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$2,030,172 to 3 recipients to eliminate or lessen problems which pose an imminent threat to public health or safety of tribal residents.

HUD posted the Emergency Safety and Security annual funding and application PIH Notice 2019–22 on August 19, 2019, and later posted the related FY2019 Emergency Safety and Security (RD1), FY2019 Emergency Safety and Security (RD2), and FY2019 Emergency Safety and Security (RD3) Grant awards on HUD’s website. Closing dates are not applicable to these grants. HUD reviewed and selected for funding based on selection criteria contained in the Notice. The grants awarded RD1 \$1,399,059 to 21, RD2 \$3,210,667 to 37,

and RD3 \$3,724,952 to 26 recipients to address the safety of public housing residents. These grants may be used to install, repair, or replace capital needs items including security systems/ surveillance cameras, fencing, lighting systems, emergency alarm systems, window bars, deadbolt locks and doors.

HUD made available FY2020 Emergency Disaster Grants on December 10, 2020. Closing dates are not applicable to these grants. HUD reviewed and selected for funding based on selection criteria contained in the grant. The grants awarded \$10,608,376 to 7 recipients to confront an emergency or a natural disaster. The definition of an emergency is an unforeseen or unpreventable event or occurrence that poses an immediate threat to the health and safety of the residents (including fire safety) that must be corrected within one year of funding. HUD made available FY2020 Emergency Receivership grants on July 14, 2020. The application process closed on October 12, 2020. HUD reviewed and selected for funding based on selection criteria contained in the grant. The grants awarded \$34,650,000 to 3 recipients to assist Public Housing Agencies currently under receivership.

HUD made available FY2020 Emergency Safety and Security Grants on September 29, 2020. The application process closed on November 17, 2020. HUD reviewed and selected for funding based on selection criteria contained in the PIH notice 2020–25. The grants awarded \$10,000,000 to 62 recipients to address the safety of public housing residents. These grants may be

used to install, repair, or replace capital needs items including security systems/ surveillance cameras, fencing, lighting systems, emergency alarm systems, window bars, deadbolt locks and doors.

HUD made available FY2021 Emergency Disaster Grants on March 04, 2020. Closing dates are not applicable to these grants. HUD reviewed and selected for funding based on selection criteria contained in the grant. The grants awarded \$7,196,461 to 7 recipients to confront an emergency or a natural disaster. The definition of an emergency is an unforeseen or unpreventable event or occurrence that poses an immediate threat to the health and safety of the residents (including fire safety) that must be corrected within one year of funding.

In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (103 Stat. 1987, 42 U.S.C. 3545(a)(4)(C)), the Department is publishing the awardees and the amounts of the awards in Appendix A–AG of this document.

Dorthera Yorkshire,

Director, Grants Management and Oversight, Office of the Chief Financial Officer.

Appendix A

FY2020 and FY2021 Community Compass Technical Assistance and Capacity Building Program (FR–6400–N–06)

Contact: Stephanie Stone, (202) 402–7418, communitycompass@hud.gov.

Organization	Street address	City	State	Zip code	FY20 P.L. 116–94 funding total	FY20 P.L. 116–136 funding total	Sum FY20 funding total amount
ICF Incorporated, L.L.C	9300 Lee Highway	Fairfax	VA	22031	\$9,990,000.00	\$1,000,000.00	\$10,990,000.00
Technical Assistance Collaborative.	15 Court Square	Boston	MA	02108	1,405,000.00	0.00	1,405,000.00
Cloudburst Consulting Group, Inc.	8400 Corporate Drive	Landover	MD	20785	2,580,000.00	750,000.00	3,330,000.00
Collaborative Solutions, Inc	P.O. Box 130159	Birmingham	AL	35213	490,000.00	0.00	490,000.00
FirstPic, Inc	2614 Chapel Lake	Gambrills	MD	21054	3,900,000.00	0.00	3,900,000.00
Local Initiatives Support Corporation.	28 Liberty Street	New York	NY	10005	675,000.00	500,000.00	1,175,000.00
Econometrica, Inc	7475 Wisconsin Avenue	Bethesda	MD	20814	850,000.00	0.00	850,000.00
Homebase/The Center for Common Concerns.	870 Market Street	San Francisco	CA	94102	750,000.00	0.00	750,000.00
TDA Consulting, Inc	1110 Harvest Canyon	San Antonio	TX	78258	865,000.00	750,000.00	1,615,000.00
CVR Associates, Inc	2309 S MacDill Avenue	Tampa	FL	33629	1,900,000.00	0.00	1,900,000.00
Du & Associates, Inc	4350 East-West Highway	Bethesda	MD	20814	550,000.00	0.00	500,000.00
CGI Federal Inc	12601 Fair Lakes Circle	Fairfax	VA	22033	250,000.00	0.00	250,000.00
American Institutes for Research (AIR).	1000 Thomas Jefferson Street NW.	Washington	DC	20007	385,000.00	0.00	435,000.00
Association of Alaska Housing Authorities.	4300 Boniface Parkway	Anchorage	AK	99504	1,000,000.00	0.00	1,000,000.00
Abt Associates, Inc	6130 Executive Blvd	Rockville	MD	20852	1,185,000.00	0.00	1,185,000.00
National Association for Latino Community Asset Builders.	5404 Wurzbach Road	San Antonio	TX	78238	825,000.00	250,000.00	1,075,000.00
Enterprise Community Partners, Inc.	70 Corporate Center	Columbia	MD	21044	2,525,000.00	750,000.00	3,275,000.00
Corporate F.A.C.T.S., Inc	51248 Plymouth Valley Drive	Plymouth	MI	48170	250,000.00	500,000.00	750,000.00
Capital Access, Inc	220 Locust Street	Philadelphia	PA	19106	325,000.00	500,000.00	825,000.00

Organization	Street address	City	State	Zip code	FY20 P.L. 116–94 funding total	FY20 P.L. 116–136 funding total	Sum FY20 funding total amount
National American Indian Housing Council.	122 C Street NW, Suite 350	Washington ...	DC	20001	2,600,000.00	0.00	2,600,000.00
Total .....	.....	.....	.....	.....	33,300,000.00	5,000,000.00	38,300,000.00

Appendix B

FY2020 Self-Help Homeownership Opportunity Program (SHOP) (FR–6400–N–19)

Contact: Thann Young 202–402–4464.

Organization	Address	City	State	Zip code	Amount
Habitat for Humanity International	322 West Lamar Street	Americus	GA	31709–3423	\$5,341,907
Tierra del Sol Housing Corporation	P.O. Box 2626	Anthony	NM	88021–9346	2,043,781
Community Frameworks	907 West Riverside Avenue	Spokane	WA	98337–1902	1,320,232
Housing Assistance Council	1025 Vermont Avenue NW, Suite 606	Washington	DC	20005–3516	1,294,080
Total .....	.....	.....	.....	.....	10,000,000

Appendix C

FY2020 Veterans Housing Rehabilitation and Modification Pilot Program (VHRMP) Grant Program (FR–6400–N–39)

Contact: Jovette Gadson, Senior Community Planning and Development Specialist, 877–787–2526.

Organization	Address	City	State	Zip code	Amount
Habitat for Humanity International	322 West Lamar Street	Americus	GA	31709	\$1,000,000.00
Habitat for Humanity Michigan	618 South Creyts Road, Suite A	Lansing	MI	48917	1,000,000.00
Rebuilding Together, Inc	999 North Capitol Street NE, Suite 701	Washington	DC	20002	999,992.00
St. Bernard Project	2645 Toulouse Street	New Orleans	LA	70119	1,000,000.00
Total .....	.....	.....	.....	.....	3,999,992.00

Appendix D

FY2018 Fair Housing Initiatives Program (FHIP): Education and Outreach Initiative (EOI) (FR–6200–N–21A)

Contact: Kimberly Harley (202) 402–4753.

Recipient	Address	City	State	Zip code	Amount
Alaska Legal Services Corporation	1016 W 6th Ave., Suite 200	Anchorage	AK	99501	\$125,000.00
Asian Americans for Equality, Inc	2 Allen Street, 7th Floor	New York	NY	10002	125,000.00
Bridgeport Neighborhood Trust	570 State Street	Bridgeport	CT	06604	125,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street, Suite 103	Oakland	CA	94612	125,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36106	125,000.00
Champlain Valley Office of Economic Opportunity, Inc.	255 South Champlain St., Suite 9	Burlington	VT	05401	125,000.00
Chautauqua Opportunities, Inc	17 West Courtney Street	Dunkirk	NY	14048	125,000.00
Citizen Action of New Jersey	625 Broad Street, Suite 270	Newark	NJ	7102	125,000.00
City of Baltimore, Office of Civil Rights & Wage Enforcement.	7 E Redwood Street, 9th Floor	Baltimore	MD	21202	101,464.00
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	125,000.00
Community Legal Services of Mid-Florida	444 Seabreeze Blvd., Suite 150	Daytona Beach	FL	32118	125,000.00
Community Students Learning Center	333 Yazoo Street	Lexington	MS	39095	125,000.00
Connecticut Fair Housing Center	60 Popieluszko Court	Hartford	CT	6106	125,000.00
Consumer Action Network	1300 L Street NW, Suite 1000	Washington	DC	20005	113,225.87
Denver Metro Fair Housing Center	3280 Downing Street, Suite B	Denver	CO	80205	124,505.00
Equal Rights Center	820 First St NE, LL160	Washington	DC	20002	125,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Ave., Suite A	San Rafael	CA	94901	125,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	125,000.00

Recipient	Address	City	State	Zip code	Amount
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	125,000.00
Fair Housing Center Southeastern Michigan	301 W Michigan Avenue, Suite 321	Ypsilanti	MI	48197	125,000.00
Fair Housing Contact Service, Inc	441 Wolf Ledges Parkway, Suite 200	Akron	OH	44311	125,000.00
Fair Housing Council of Oregon	1221 SW Yamhill St., #305	Portland	OR	97205	125,000.00
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460	Fort Washington	PA	19034	125,000.00
Fair Housing Justice Center, Inc	30-30 Northern Boulevard, Suite 302	Long Island City	NY	11101	125,000.00
Fair Housing Opportunities, Inc. dba Fair Housing Center.	432 N. Superior Street	Toledo	OH	43604	125,000.00
Fair Housing Resource Center, Inc	1100 Mentor Avenue	Painesville	OH	44077	125,000.00
Greater New Orleans Fair Housing Action Center, Inc.	1340 Paydras Street, Suite 701	New Orleans	LA	70112	125,000.00
H.O.P.E. Inc D/B/A HOPE Fair Housing Center	202 W Willow Ave., Suite 203	Wheaton	IL	60187	124,980.00
HCP of Illinois, Inc	401 S LaSalle, Suite 1101	Chicago	IL	60605	125,000.00
High Plains Fair Housing Center	406 Demers Ave	Grand Forks	ND	58201	125,000.00
Housing and Economic Rights Advocates	1814 Franklin Street, Suite 1040	Oakland	CA	94612	125,000.00
Housing Counseling Services	2410 17th Street NW, Suite 100	Washington	DC	20009	125,000.00
Housing Opportunities Made Equal of Greater Cincinnati, Inc.	2400 Reading Road, Suite 118	Cincinnati	OH	45202	125,000.00
Housing Opportunities Made Equal of Virginia, Inc.	626 E Broad Street, Suite 400	Richmond	VA	23219	125,000.00
Housing Opportunities Made Equal, Inc	1542 Main Street	Buffalo	NY	14209	125,000.00
Housing Opportunities Project for Excellence, Inc.	11501 NW 2nd Avenue	Miami	FL	33189	125,000.00
Housing Research & Advocacy Center	2728 Euclid Ave., Suite 200	Cleveland	OH	44115	125,000.00
Idaho Legal Aid Services, Inc	1447 S Tyrell Lane	Boise	ID	83706	124,272.00
Inland Fair Housing and Mediation Board	1500 S Haven Avenue, Suite 100	Ontario	CA	91761	125,000.00
Intermountain Fair Housing Council, Inc	4696 W Overland Rd. Suite 140	Boise	ID	83705	124,903.00
Iowa Legal Aid	1111 9th Street, Suite 23	Des Moines	IA	50314	60,017.00
Lancaster Housing Opportunity Partnership	123 E King Street	Lancaster	PA	17602	125,000.00
Latin United Community Housing Association	3541 W North Avenue	Chicago	IL	60647	125,000.00
Legal Aid of North Carolina, Inc	224 S Dawson St.	Raleigh	NC	27601	125,000.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	125,000.00
Mental Health Advocacy Services, Inc	3255 Wilshire Blvd., Suite 902	Los Angeles	CA	90010	125,000.00
Metropolitan Milwaukee Fair Housing Council	759 North Milwaukee Street, Suite 500	Milwaukee	WI	53202	250,000.00
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave., 6th Floor	St. Louis	MO	63110	125,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	125,000.00
National Association of Home Builders of the United States.	1201 15th Street, NW	Washington	DC	20005	109,085.00
National Fair Housing Alliance	1331 Pennsylvania Ave., NW, Suite 650	Washington	DC	20004	999,995.00
Northwest Fair Housing Alliance	35 W Main, Suite 250	Spokane	WA	99201	125,000.00
Orange County Fair Housing Council, Inc	1516 Brookhollow Dr., Suite A	Santa Ana	CA	92705	125,000.00
Pathways To Success, Inc	31 The Circle, Suite 1	Georgetown	DE	19947	125,000.00
Project Sentinel Inc	1490 El Camino Real	Santa Clara	CA	95050	125,000.00
South Suburban Housing Center	18220 Harwood Ave, Suite 1	Homewood	IL	60430	125,000.00
SouthCoast Fair Housing, Inc	257 Union Street	New Bedford	MA	2740	125,000.00
Southwest Fair Housing Council	177 N Church Ave., Suite 1104	Tucson	AZ	85701	125,000.00
Southwestern Pennsylvania Legal Services, Inc	10 West Cherry Avenue	Washington	PA	15205	125,000.00
Telamon Corporation	5560 Munford Road, Suite 201	Raleigh	NC	27612	25,841.00
Telamon Corporation	5560 Munford Road, Suite 201	Raleigh	NC	27612	99,159.00
The John Marshall Law School	315 S Plymouth Court	Chicago	IL	60604	124,989.00
Way Finders Inc	120 Maple Street, Suite 400	Springfield	MA	01103	122,086.00
Westchester Residential Opportunities, Inc	470 Mamaroneck Avenue, Suite 410	White Plains	NY	10605	125,000.00
Total					8,754,521.87

Appendix E

FY2018 Fair Housing Initiatives Program (FHIP): Fair Housing Organizations Initiative (FHOI) (FR-6200-N-21B)

Contact: Kimberly Harley (202) 402-4753.

Organization	Address	City	State	Zip code	Amount
JCVision and Associates, Inc	P.O. Box 1972	Hinesville	GA	31310	\$250,000.00
National Community Reinvestment Coalition	740 15 St. NW, 4th Floor	Washington	DC	20005	250,000.00
Total					500,000.00

Appendix F

**FY2018 Fair Housing Initiatives
Program (FHIP): Private Enforcement
Initiative (PEI) (FR-6200-N-21C)**

Contact: Kimberly Harley (202) 402-4753.

Recipient	Address	City	State	Zip	Amount
Access Living of Metropolitan Chicago	115 West Chicago Avenue	Chicago	IL	60654	\$300,000.00
Alaska Legal Services Corporation	1016 W 6th Avenue, Suite 200	Anchorage	AK	99501	300,000.00
Austin Tenants' Council	1640-B East 2nd St., Suite 150	Austin	TX	78702	300,000.00
Bay Area Legal Aid	1735 Telegraph Avenue	Oakland	CA	94612	300,000.00
Bay Area Legal Services, Inc	1302 North 19th Street/Suite400	Tampa	FL	33605	300,000.00
Brooklyn Legal Services (formerly South Brooklyn Legal Svcs).	105 Court Street	Brooklyn	NY	11201	300,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street, Suite 103	Oakland	CA	94612	300,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36106	300,000.00
Chicago Lawyers' Committee for Civil Rights Under Law, Inc.	100 N LaSalle St.	Chicago	IL	60602	300,000.00
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	300,000.00
Community Legal Aid Society, Inc	100 W 10th Street, Suite 801	Wilmington	DE	19801	300,000.00
Community Legal Aid, Inc	405 Main Street	Worcester	MA	01608	300,000.00
Community Legal Services of Mid-Florida, Inc	128 Orange Avenue	Daytona Beach	FL	32114	300,000.00
Connecticut Fair Housing Center	60 Popielusko Court	Hartford	CT	6106	300,000.00
CSA San Diego County	131 Avocado Avenue	El Cajon	CA	92020	300,000.00
Denver Metro Fair Housing Center	3280 Downing St, Suite B	Denver	CO	80205	297,651.81
Disability Law Center	205 N 400 W	Salt Lake City	UT	84103	282,830.00
Equal Rights Center	11 Dupont Circle NW	Washington	DC	20036	300,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Ave	San Rafael	CA	94901	300,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	300,000.00
Fair Housing Center of Metropolitan Detroit	220 Bagley	Detroit	MI	48226	300,000.00
Fair Housing Center of Northern Alabama	1820 7th Avenue North Suite 110	Birmingham	AL	35203	300,000.00
Fair Housing Center of Southeastern Michigan	P.O. Box 7825	Ann Arbor	MI	48107	300,000.00
Fair Housing Center of Southwest Michigan	405 W Michigan Ave	Kalamazoo	MI	49007	300,000.00
Fair Housing Center of the Greater Palm Beaches, Inc.	1300 W Lantana Road, Suite 200	Lantana	FL	33462	300,000.00
Fair Housing Center of Washington	1517 Fawcett Ave Suite 250	Tacoma	WA	98402	300,000.00
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	300,000.00
Fair Housing Contact Service, Inc	441 Wolf Ledges Parkway, Suite 200	Akron	OH	44311	300,000.00
Fair Housing Continuum, Inc	571 Haverty Ct., Suite W	Rockledge	FL	32955	300,000.00
Fair Housing Council of Central California	333 W Shaw Avenue Suite 14	Fresno	CA	93704	300,000.00
Fair Housing Council of Northern New Jersey	131 Main Street, Suite 140	Hackensack	NJ	07601	300,000.00
Fair Housing Council of Oregon	1221 SW YAMHILL ST, STE 305	PORTLAND	OR	97205	300,000.00
Fair Housing Council of Riverside County, Inc	P.O. Box 1068	Riverside	CA	92502	300,000.00
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460	Fort Washington	PA	19034	300,000.00
Fair Housing Justice Center, Inc	30-30 Northern Boulevard, Suite 302	Long Island City	NY	11101	300,000.00
Fair Housing Opportunities of NW Ohio, Inc	432 N Superior Street	Toledo	OH	43604	300,000.00
Fair Housing Opportunities, Inc. dba Fair Housing Center.	432 N Superior Street	Toledo	OH	43604	300,000.00
Fair Housing Partnership of Greater Pittsburgh	2840 Liberty Ave	Pittsburgh	PA	15222	300,000.00
Fair Housing Partnership of Greater Pittsburgh	2840 Liberty Ave., Suite 205	Pittsburgh	PA	15222	300,000.00
Fair Housing Resource Center, Inc	1100 Mentor Avenue	Painesville	OH	44077	300,000.00
Fair Housing Rights Center in Southeastern Pennsylvania.	444 N 3rd Street, Suite 110	Philadelphia	PA	19123	300,000.00
Family Housing Advisory Services, Incorporated.	2401 Lake Street	Omaha	NE	68111	300,000.00
Greater Bakersfield Legal Assistance, Inc. (GBLA).	615 California Ave	Bakersfield	CA	93304	300,000.00
Greater Houston Fair Housing Center, Inc	P.O. Box 292	Houston	TX	77001	300,000.00
Greater Napa Valley Fair Housing Center	1804 Soscol Ave., Suite 203	Napa	CA	94559	300,000.00
Greater New Orleans Fair Housing Action Center, Inc.	404 South Jefferson Davis Parkway	New Orleans	LA	70119	300,000.00
H.O.P.E. Inc d/b/a HOPE Fair Housing Center	202 W Willow Ave., Suite 203	Wheaton	IL	60187	300,000.00
High Plains Fair Housing Center	1405 1st Ave. N	Grand Forks	ND	58201	205,000.00
Housing Education and Economic Development, Inc.	3405 Medgar Evers Boulevard	Jackson	MS	39206	233,538.00
Housing Opportunities Made Equal of Greater Cincinnati, Inc.	2400 Reading Road, Suite 118	Cincinnati	OH	45202	300,000.00
Housing Opportunities Made Equal of Virginia, Inc.	626 E Broad Street, Suite 400	Richmond	VA	23219	300,000.00
Housing Opportunities Made Equal, Inc	1542 Main Street	Buffalo	NY	14209	300,000.00
Housing Opportunities Project for Excellence, Inc.	11501 N.W. 2nd Avenue	Miami	FL	33168	300,000.00
Housing Research & Advocacy Center	2728 Euclid Ave	Cleveland	OH	44115	300,000.00
Inland Mediation Board	1500 South Haven Avenue, Suite 100	Ontario	CA	91761	300,000.00
Intermountain Fair Housing Council, Inc	4696 W Overland Rd., Suite 140	Boise	ID	83705	299,917.66
Jacksonville Area Legal Aid, Inc	126 W Adams St	Jacksonville	FL	32202	299,980.00
Legal Aid of Arkansas, Inc	714 South Main	Jonesboro	AR	72401	281,396.00
Legal Aid of North Carolina, Inc	224 S Dawson St	Raleigh	NC	27601	300,000.00
Legal Aid Services of Oklahoma, Inc	2915 N Classen Blvd	Oklahoma City	OK	73106	300,000.00
Legal Aid Society of Hawaii	924 Bethel Street	Honolulu	HI	96813	300,000.00

Recipient	Address	City	State	Zip	Amount
Legal Aid Society of Palm Beach County, Inc ..	423 Fern Street Suite 200	West Palm Beach	FL	33401	300,000.00
Legal Aid Society of San Diego, Inc	110 S Euclid Avenue	San Diego	CA	92114	300,000.00
Legal Assistance of Western New York, Inc	1 West Main Street	Rochester	NY	14614	300,000.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	300,000.00
Lexington Fair Housing Council, Inc	207 E Reynolds Rd. Suite 130	Lexington	KY	40517	300,000.00
Long Island Housing Services, Inc	640 Johnson Avenue	Bohemia	NY	11716	300,000.00
Massachusetts Fair Housing Center Inc	57 Suffolk Street	Holyoke	MA	01040	300,000.00
Metro Fair Housing Services, Inc	215 Lakewood Way SW, Suite 106	Atlanta	GA	30315	300,000.00
Metropolitan Fair Housing Council of Oklahoma, Inc.	312 Ne 28th Street, Suite 112	Oklahoma City	OK	73105	300,000.00
Metropolitan Milwaukee Fair Housing Council ..	759 North Milwaukee Street	Milwaukee	WI	53202	300,000.00
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave	St. Louis	MO	63110	300,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	300,000.00
Mid-Minnesota Legal Assistance	430 First Avenue North, Suite 300	Minneapolis	MN	55401	300,000.00
Mississippi Center for Justice	5 Old River Place	Jackson	MS	39202	300,000.00
Mobile Fair Housing Center	P.O. Box 16324	Mobile	AL	36616	300,000.00
Montana Fair Housing, Inc	501 East Front Street, Suite 504	Butte	MT	59701	300,000.00
National Community Reinvestment Coalition ..	740 15th St. NW	Washington	DC	20005	300,000.00
National Fair Housing Alliance	1101 Vermont Ave. NW, Suite 710	Washington	DC	20005	300,000.00
New Hampshire Legal Assistance	117 N State Street	Concord	NH	3301	300,000.00
North Texas Fair Housing Center	8625 King George Drive, Suite 130	Dallas	TX	75235	300,000.00
Northwest Fair Housing Alliance	35 W Main	Spokane	WA	99201	300,000.00
Open Communities	614 Lincoln Ave	Winnetka	IL	60093	295,510.00
Orange County Fair Housing Council, Inc	1516 Brookhollow Dr., Suite A	Santa Ana	CA	92705	300,000.00
Pine Tree Legal Assistance	88 Federal Street	Portland	ME	04112	300,000.00
Prairie State Legal Services, Inc	303 N Main Street, Suite 600	Rockford	IL	61101	300,000.00
Project Sentinel Inc	1490 El Camino Real	Santa Clara	CA	95050	300,000.00
Rogers Park Community Council dba Northside Community Res.	1530 W Morse Avenue	Chicago	IL	60626	300,000.00
San Antonio Fair Housing Council, Inc	4414 Centerview Drive, Suite 229	San Antonio	TX	78228	300,000.00
Silver State Fair Housing Council	110 W Arroyo Street, Suite A	RENO	NV	89509	300,000.00
South Suburban Housing Center	18220 Harwood Avenue, Suite 1	Homewood	IL	60430	300,000.00
South Coast Fair Housing, Inc	721 County Street	New Bedford	MA	02740	300,000.00
Southern California Housing Rights Center	3255 Wilshire Blvd., Suite 1150	Los Angeles	CA	90010	300,000.00
Southwest Fair Housing Council	177 N Church Ave., Suite 1104	Tucson	AZ	85701	300,000.00
Southwestern Pennsylvania Legal Services, Inc	10 West Cherry Ave	Washington	PA	15301	300,000.00
Suffolk University	8 Ashburton Place	Boston	MA	02108	299,989.00
Tennessee Fair Housing Council	107 Music City Circle, Suite 318	Nashville	TN	37214	300,000.00
The John Marshall Law School	315 S Plymouth Court	Chicago	IL	60604	299,660.66
Vermont Legal Aid, Inc	264 North Winooski Avenue	Burlington	VT	05401	300,000.00
West Tennessee Legal Services, Inc	210 W Main Street	Jackson	TN	38301	300,000.00
Westchester Residential Opportunities, Inc	470 Mamaroneck Avenue, Suite 410	White Plains	NY	10605	300,000.00
Total .....	.....	.....	.....	.....	30,095,473.13

Appendix G

FY2019 Fair Housing Initiatives Program (FHIP): Education and Outreach Initiative (EOI) (FR-6300-N-21A)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip code	Award amount
Baltimore City Office of Equity and Civil Rights	7 E Redwood Street	Baltimore	MD	21202	\$125,000.00
Brooklyn Legal Services Corporation A	260 Broadway, 2nd Floor	Brooklyn	NY	11211	125,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street	Oakland	CA	94612	125,000.00
Center for Community and Economic Development.	223 West Carolina Street, Suite D	Tallahassee	FL	32301	125,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36106	125,000.00
Champlain Valley Office of Economic Opportunity, Inc.	255 South Champlain St., Suite 9	Burlington	VT	5401	125,000.00
Chautauqua Opportunities, Inc	17 West Courtney Street	Dunkirk	NY	14048	125,000.00
Citizen Action of New Jersey	625 Broad Street	Newark	NJ	07102	125,000.00
City of Lincoln Nebraska	555 South 10th Street	Lincoln	NE	68508	125,000.00
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	125,000.00
Connecticut Fair Housing Center, Inc	60 Popieluszko Court	Hartford	CT	06106	125,000.00
CSA San Diego County	327 Van Houten Avenue	El Cajon	CA	92020	101,586.98
Equal Rights Center	820 First St NE, LL160	Washington	DC	20002	125,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Avenue	San Rafael	CA	94901	125,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	125,000.00
Fair Housing Center of Southwest Michigan	405 W Michigan Ave, Suite 6	Kalamazoo	MI	49007	123,605.00
Fair Housing Center of Washington	1517 Fawcett Avenue, Suite 250	Tacoma	WA	98402	125,000.00
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	125,000.00
Fair Housing Contact Service, Inc	441 Wolf Ledges Parkway, Suite 200	Akron	OH	44311	125,000.00
Fair Housing Council of Northern New Jersey ..	131 Main Street	Hackensack	NJ	07601	125,000.00
Fair Housing Council of Oregon	1221 SW Yamhill St. #305	Portland	OR	97205	125,000.00

Organization name	Street address	City	State	Zip code	Award amount
Fair Housing Council of Riverside County, Inc	P.O. Box 1068	Riverside	CA	92502	125,000.00
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460	Fort Washington	PA	19034	125,000.00
Fair Housing Opportunities of Northwest Ohio, Inc.	432 N Superior Street	Toledo	OH	43604	125,000.00
Fair Housing Resource Center, Inc	1100 Mentor Avenue	Painesville	OH	44077	125,000.00
Greenville County Human Relations Commission.	301 University Ridge	Greenville	SC	29601	120,753.90
H.O.P.E Inc d/b/a HOPE Fair Housing Center ..	202 W Willow	Wheaton	IL	60187	125,000.00
HCP of Illinois, Inc	401 S LaSalle Ste 1101	Chicago	IL	60605	125,000.00
High Plains Fair Housing Center	406 Demers Ave	Grand Forks	ND	58201	125,000.00
Housing Education and Economic Development, Inc.	3405 Medgar Evers Blvd	Jackson	MS	39213	125,000.00
Housing Opportunities Made Equal of Greater Cincinnati.	2400 Reading Road	Cincinnati	OH	45202	125,000.00
Housing Opportunities Made Equal of Virginia, Inc.	626 East Broad Street, Suite 400	Richmond	VA	23219	125,000.00
Housing Opportunities Made Equal, Inc	1542 Main Street	Buffalo	NY	14209	125,000.00
Housing Opportunities Project for Excellence (HOPE), Inc.	11501 NW 2nd Avenue	Miami	FL	33168	125,000.00
Housing Research & Advocacy Center	2728 Euclid Ave, Suite 200	Cleveland	OH	44115	125,000.00
Idaho Housing & Finance Association	P.O. Box 7899	Boise	ID	83707	123,750.00
Idaho Legal Aid Services	1447 S Tyrell Lane	Boise	ID	83706	114,944.00
Jacksonville Area Legal Aid, Inc	126 West Adams St	Jacksonville	FL	32202	125,000.00
Lancaster Housing Opportunity Partnership	123 E King Street	Lancaster	PA	17602	124,383.00
Legal Aid of Arkansas, Inc	714 South Main	Jonesboro	AK	72401	125,000.00
Legal Aid of North Carolina, Inc	224 S Dawson Street	Raleigh	NC	27601	125,000.00
Legal Aid Society of Palm Beach County, Inc ..	423 Fern Street Suite 200	West Palm Beach	FL	33401	125,000.00
Legal Assistance of Western New York, Inc	316 South Main Street	Geneva	NY	14456	110,500.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	125,000.00
Louisiana Fair Housing Action Center, Inc	1340 Poydras St	New Orleans	LA	70112	125,000.00
Mental Health Advocacy Services, Inc	3255 Wilshire Blvd., Suite 902	Los Angeles	CA	90010	125,000.00
Metropolitan Fair Housing Council of Oklahoma, Inc.	312 NE 28th Street, Suite 112	Oklahoma City	OK	73105	125,000.00
Metropolitan Milwaukee Fair Housing Council ..	759 North Milwaukee Street	Milwaukee	WI	53202	125,000.00
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave	St. Louis	MO	63110	125,000.00
Mississippi Center for Justice	5 Old River Place, Suite 203	Jackson	MS	39202	125,000.00
Mobile Fair Housing Center, Inc	602 Bel Air Blvd	Mobile	AL	36606	124,150.00
National Fair Housing Alliance	1331 Pennsylvania Ave. NW, Suite 650	Washington	DC	20004	250,000.00
Northwest Fair Housing Alliance	35 W Main	Spokane	WA	99201	125,000.00
Open Communities Alliance	75 Charter Oak Avenue	Hartford	CT	06106	125,000.00
Orange County Fair Housing Council, Inc	2021 E 4th Street	Santa Ana	CA	92705	125,000.00
Silver State Fair Housing Council	110 W Arroyo Street	Reno	NV	89431	124,502.00
Solo Por Hoy, Inc	1716 Calle Santa Ines	San Juan	PR	00921	125,000.00
South Coast Fair Housing, Inc	257 Union Street	New Bedford	MA	02740	125,000.00
Southwest Fair Housing Council	177 N Church Ave	Tucson	AZ	85701	125,000.00
Southwestern Pennsylvania Legal Services, Inc	10 West Cherry Avenue	Washington	PA	15301	125,000.00
Suffolk University	8 Ashburton Place	Boston	MA	02108	125,000.00
Telamon Corporation	5560 Munford Rd	Raleigh	NC	27612	125,000.00
Texas Department of Housing and Community Affairs.	P.O. Box 13941	Austin	TX	78711	124,866.79
The Board of Trustees of the University of Illinois.	809 S Marshfield Avenue	Chicago	IL	60612	122,182.00
Vermont Legal Aid, Inc	264 N Winooski Ave.	Burlington	VT	05401	125,000.00
Veterans Center, Inc	8060 Webb Road	Riverdale	GA	30274	125,000.00
Way Finders, Inc	120 Maple Street, Suite 400	Springfield	MA	01103	122,760.00
West Tennessee Legal Services, Inc	210 W Main Street	Jackson	TN	38301	125,000.00
Westchester Residential Opportunities, Inc	470 Mamaroneck Avenue, Suite 410	White Plains	NY	10605	125,000.00
Total					8,687,983.67

Appendix H

FY2019 Fair Housing Initiatives Program (FHIP): Fair Housing Organizations Initiative (FHOI) (FR-6300-N-21B)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip code	Award amount
Open Communities Alliance	75 Charter Oak Avenue	Hartford	CT	06106	\$250,000.00
Total					250,000.00

Appendix I

FY2019 Fair Housing Initiatives
Program (FHIP): Private Enforcement
Initiative (PEI) (FR-6300-N-21C)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip code	Award amount
Access Living of Metropolitan Chicago	115 West Chicago Avenue	Chicago	IL	60654	\$300,000.00
Alaska Legal Services Corporation	1016 W 6th Avenue, Suite 200	Anchorage	AK	99501	300,000.00
Austin Tenants Council	205 Chicon Street	Austin	TX	78702	300,000.00
Bay Area Legal Aid	1735 Telegraph Avenue	Oakland	CA	94612	300,000.00
Bay Area Legal Services, Inc	1302 North 19th Street/Suite400	Tampa	FL	33605	300,000.00
Brooklyn Legal Services, Inc	105 Court Street	Brooklyn	NY	11201	300,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street, Suite 103	Oakland	CA	94612	300,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36106	300,000.00
Chicago Lawyers' Committee for Civil Rights under Law.	100 N LaSalle Street	Chicago	IL	60602	279,831.33
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	300,000.00
Community Legal Aid Society, Inc	100 W 10th Street, Suite 801	Wilmington	DE	19801	300,000.00
Community Legal Aid, Inc	405 Main St	Worcester	MA	01608	300,000.00
Community Legal Services of Mid-Florida, Inc	128 Orange Avenue	Daytona Beach	FL	32114	300,000.00
Connecticut Fair Housing Center	60 Popieluszko Court	Hartford	CT	06106	300,000.00
CSA San Diego County	3280 Downing St	El Cajon	CA	92020	300,000.00
Denver Metro Fair Housing Center	3280 Downing St	Denver	CO	80205	297,651.81
Disability Law Center	205 N 400 W	Salt Lake City	UT	84103	299,580.00
Equal Rights Center	820 First St NE, LL160	Washington	DC	20002	300,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Avenue	San Rafael	CA	94901	300,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	300,000.00
Fair Housing Center of Metropolitan Detroit	220 Bagley	Detroit	MI	48226	300,000.00
Fair Housing Center of Northern Alabama	1820 7th Avenue North-Suite 110	Birmingham	AL	35203	300,000.00
Fair Housing Center of Southeastern Michigan	P.O. Box 7825	Ann Arbor	MI	48107	300,000.00
Fair Housing Center of Southwest Michigan	405 W Michigan Ave	Kalamazoo	MI	49007	300,000.00
Fair Housing Center of the Greater Palm Beaches, Inc.	1300 W Lantana Road, Suite 200	Lantana	FL	33462	300,000.00
Fair Housing Center of Washington	1517 Fawcett Ave., Suite 250	Tacoma	WA	98402	300,000.00
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	300,000.00
Fair Housing Contact Service, Inc	441 Wolf Ledges Parkway, Suite 200	Akron	OH	44311	300,000.00
Fair Housing Council of Central California	333 W Shaw Avenue, Suite 14	Fresno	CA	93704	300,000.00
Fair Housing Council of Northern New Jersey	131 Main Street	Hackensack	NJ	07601	300,000.00
Fair Housing Council of Oregon	1221 SW Yamhill St #305	Portland	OR	97205	300,000.00
Fair Housing Council of Riverside County, Inc	P.O. Box 1068	Riverside	CA	92502	300,000.00
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460	Fort Washington	PA	19034	300,000.00
Fair Housing Justice Center, Inc	30-30 Northern Boulevard, Suite 302	Long Island City	NY	11101	300,000.00
Fair Housing Opportunities, Inc dba Fair Hous- ing Center.	432 N Superior Street	Toledo	OH	43604	300,000.00
Fair Housing Partnership of Greater Pittsburgh	2840 Liberty Ave	Pittsburgh	PA	15222	300,000.00
Fair Housing Resource Center, Inc	1100 Mentor Avenue	Painesville	OH	44077	300,000.00
Fair Housing Rights Center in Southeastern Pennsylvania.	444 N 3rd Street, Suite 110	Philadelphia	PA	19123	300,000.00
Family Housing Advisory Services, Incor- porated.	2401 Lake Street	Omaha	NE	68111	300,000.00
Greater Bakersfield Legal Assistance, Inc (GBLA).	615 California Ave	Bakersfield	CA	93304	300,000.00
Greater Houston Fair Housing Center, Inc	P.O. Box 292	Houston	TX	77001	300,000.00
Greater Napa Valley Fair Housing Center	1804 Soscol Ave	Napa	CA	94559	300,000.00
H.O.P.E. Inc d/b/a HOPE Fair Housing Center	202 W Willow Ave, Suite 203	Wheaton	IL	60187	300,000.00
High Plains Fair Housing Center	1405 1st Ave N	Grand Forks	ND	58201	205,000.00
Housing Education and Economic Develop- ment, Inc.	3405 Medgar Evers Blvd	Jackson	MS	39213	300,000.00
Housing Opportunities Made Equal of Greater Cincinnati.	2400 Reading Road	Cincinnati	OH	45202	300,000.00
Housing Opportunities Made Equal of Virginia, Inc.	626 E Broad Street, Suite 400	Richmond	VA	23219	300,000.00
Housing Opportunities Made Equal, Inc	1542 Main Street	Buffalo	NY	14209	300,000.00
Housing Opportunities Project for Excellence, Inc.	11501 NW 2nd Avenue	Miami	FL	33168	300,000.00
Housing Research & Advocacy Center	2728 Euclid Ave	Cleveland	OH	44115	300,000.00
Inland Mediation Board	1500 S Haven Avenue	Ontario	CA	91761	300,000.00
Intermountain Fair Housing Council, Inc	4695 W Overland Rd., Suite 140	Boise	ID	83705	299,917.66
Jacksonville Area Legal Aid, Inc	126 W Adams St	Jacksonville	FL	32202	299,980.00
John Marshall Law School	315 S Plymouth Court	Chicago	IL	60604	299,660.66
Legal Aid Chicago	120 S LaSalle St	Chicago	IL	60603	300,000.00
Legal Aid of Arkansas, Inc	714 South Main	Jonesboro	AR	72401	281,396.00
Legal Aid of North Carolina, Inc	224 S Dawson St.	Raleigh	NC	27601	300,000.00
Legal Aid Services of Oklahoma, Inc	2915 N Classen Blvd., Suite 500	Oklahoma City	OK	73106	300,000.00
Legal Aid Society of Hawaii	924 Bethel Street	Honolulu	HI	96813	300,000.00
Legal Aid Society of Palm Beach County, Inc	423 Fern Street Suite 200	West Palm Beach	FL	33401	300,000.00
Legal Aid Society of San Diego, Inc	110 South Euclid Avenue	San Diego	CA	92114	203,500.00
Legal Assistance of Western New York, Inc	361 South Main Street	Geneva	NY	14456	300,000.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	300,000.00

Organization name	Street address	City	State	Zip code	Award amount
Lexington Fair Housing Council, Inc	207 E Reynolds Rd., Suite 130	Lexington	KY	40517	300,000.00
Long Island Housing Services, Inc	640 Johnson Avenue	Bohemia	NY	11716	300,000.00
Massachusetts Fair Housing Center, Inc	57 Suffolk Street	Holyoke	MA	01040	300,000.00
Metro Fair Housing Services, Inc	215 Lakewood Way SW, Suite 106	Atlanta	GA	30315	300,000.00
Metropolitan Fair Housing Council of Oklahoma, Inc.	312 NE 28th Street, Suite 112	Oklahoma City	OK	73105	300,000.00
Metropolitan Milwaukee Fair Housing Council ..	759 North Milwaukee Street	Milwaukee	WI	53202	300,000.00
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave	St. Louis	MO	63110	300,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	300,000.00
Mid-Minnesota Legal Assistance	111 N Fifth Street, Suite 100	Minneapolis	MN	55403	300,000.00
Mississippi Center for Justice	5 Old River Place	Jackson	MS	39202	300,000.00
Mobile Fair Housing Center	P.O. Box 16324	Mobile	AL	36616	300,000.00
Montana Fair Housing, Inc	501 East Front Street, Suite 504	Butte	MT	59701	300,000.00
National Community Reinvestment Coalition	740 15th St. NW	Washington	DC	20005	300,000.00
National Fair Housing Alliance	1101 Vermont Ave. NW, Suite 710	Washington	DC	20005	300,000.00
New Hampshire Legal Assistance	117 N State Street	Concord	NH	03301	300,000.00
New Jersey Citizen Action Education Fund, Inc	625 Broad Street	Newark	NJ	07102	300,000.00
North Texas Fair Housing Center	8625 King George Drive, Suite 130	Dallas	TX	75235	300,000.00
Northwest Fair Housing Alliance	35 W Main	Spokane	WA	99201	300,000.00
Ohio State Legal Services Association	1108 City Park Avenue	Columbus	OH	43206	300,000.00
Open Communities	614 Lincoln Avenue	Winnetka	IL	60093	295,510.00
Orange County Fair Housing Council, Inc	1516 Brookhollow Dr	Santa Ana	CA	92705	300,000.00
Pine Tree Legal Assistance Inc	88 Federal Street, P.O. Box 547	Portland	ME	04112	300,000.00
Prairie State Legal Services, Inc	303 N Main Street, Suite 600	Rockford	IL	61101	300,000.00
Project Sentinel Inc	1490 El Camino Real	Santa Clara	CA	95050	300,000.00
Rogers Park Community Council dba Northside Community Res..	1530 W Morse Avenue	Chicago	IL	60626	300,000.00
San Antonio Fair Housing Council, Inc	4414 Centerview Drive, Suite 229	San Antonio	TX	78228	300,000.00
Silver State Fair Housing Council	110 W Arroyo Street, Suite A	Reno	NV	89509	300,000.00
South Suburban Housing Center	18220 Harwood Avenue, Suite 1	Homewood	IL	60430	300,000.00
South Coast Fair Housing, Inc	257 Union Street	New Bedford	MA	02740	300,000.00
Southern California Housing Rights Center	3255 Wilshire Blvd., Suite 1150	Los Angeles	CA	90010	300,000.00
Southwest Fair Housing Council	177 N Church Ave	Tucson	AZ	85719	300,000.00
Southwestern Pennsylvania Legal Services, Inc	10 West Cherry Ave	Washington	PA	15301	300,000.00
Suffolk University	8 Ashburton Place	Boston	MA	02108	299,989.00
Tennessee Fair Housing Council	107 Music City Circle	Nashville	TN	37214	300,000.00
Vermont Legal Aid, Inc	264 North Winooski Avenue	Burlington	VT	05401	300,000.00
West Tennessee Legal Services, Inc	210 W Main Street	Jackson	TN	38301	300,000.00
Westchester Residential Opportunities, Inc	470 Mamaroneck Avenue, Suite 410	White Plains	NY	10605	300,000.00
Total .....	.....	.....	.....	.....	29,762,016.46

Appendix J

FY2020 Fair Housing Initiatives Program (FHIP): Education and Outreach Initiative (EOI) (FR-6400-N-21A)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip codes	Award amount
Alaska Legal Services Corporation	1016 W 6th Ave., Suite 200	Anchorage	AK	99501	\$125,000.00
Bridgeport Neighborhood Trust	570 State Street	Bridgeport	CT	06604	125,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street, Ste. 103	Oakland	CA	94612	125,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36016	125,000.00
Champlain Valley Office of Economic Opportunity, Inc.	255 South Champlain St., Suite 9	Burlington	VT	05401	114,013.00
Citizen Action of New Jersey	625 Broad Street	Newark	NJ	07102	125,000.00
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	125,000.00
Community Legal Services of Mid-Florida, Inc ..	122 E Colonial Dr., Ste. 200	Orlando	FL	32801	93,691.00
Connecticut Fair Housing Center	60 Popielusko Court	Hartford	CT	06106	125,000.00
Consumer Credit Counseling Service of Maryland and Delaware.	6315 Hillside Court, Suite B	Columbia	MD	21046	125,000.00
Equal Rights Center	820 First St. NE, LL160	Washington	DC	20002	125,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Avenue, Ste. A	San Rafael	CA	94901	125,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	125,000.00
Fair Housing Center of Southeastern Michigan	301 W Michigan Avenue	Ypsilanti	MI	48197	124,900.10
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49505	125,000.00
Fair Housing Council of Oregon	1221 SW Yamhill Street #305	Portland	OR	97205	125,000.00
Fair Housing Foundation	3605 Long Beach Blvd	Long Beach	CA	90807	125,000.00
Fair Housing Opportunities, Inc dba Fair Housing Center.	432 N Superior Street	Toledo	OH	43604	125,000.00
Florida Legal Services, Inc	P.O. Box 533986	Orlando	FL	32853	125,000.00
Greater Napa Valley Fair Housing Center	1804 Soscol Ave	Napa	CA	94559	125,000.00
Hampton Roads Community Action Program, Inc.	2410 Wickham Avenue	Newport News	VA	23607	91,270.66

Organization name	Street address	City	State	Zip codes	Award amount
Housing Opportunities Project for Excellence (HOPE), Inc.	11501 NW 2nd Avenue	Miami	FL	33168	125,000.00
Inland Fair Housing and Mediation Board	1500 South Haven Avenue, Suite 100	Ontario	CA	91761	125,000.00
Intermountain Fair Housing Council, Inc	4696 W Overland Rd	Boise	ID	83705	124,951.00
Iowa Legal Aid	1111 9th Street, Suite 230	Des Moines	IA	50314	96,228.00
Legal Aid of Arkansas	714 S Main Street	Jonesboro	AR	72401	125,000.00
Legal Aid Society of San Diego, Inc	110 South Euclid Avenue	San Diego	CA	92114	125,000.00
Legal Aid Society of Palm Beach County, Inc ..	423 Fern Street Suite 200	West Palm Beach	FL	33401	125,000.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	108,947.00
Louisiana Fair Housing Action Center, Inc	1340 Poydras St	New Orleans	LA	70112	125,000.00
Mental Health Advocacy Services, Inc	3255 Wilshire Blvd., Suite 902	Los Angeles	CA	90010	125,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	125,000.00
Mobile Fair Housing Center	602 Bel Air Blvd	Mobile	AL	36602	125,000.00
National Coalition for Asian Pacific American Community Dev.	1628—16th Street NW	Washington	DC	20009	250,000.00
National Fair Housing Alliance	1331 Pennsylvania Ave. NW, Suite 650	Washington	DC	20004	250,000.00
New Hampshire Legal Assistance	117 North State Street	Concord	NH	03301	124,710.00
Open Communities	1880 Oak Ave., Suite 301	Evanston	IL	60201	125,000.00
Orange County Fair Housing Council, Inc	2021 E 4th Street	Santa Ana	CA	93705	125,000.00
Pathways to Success, Inc	31 The Circle	Georgetown	DE	19947	125,000.00
Project Sentinel, Inc	1490 El Camino Real	Santa Clara	CA	95050	125,000.00
Sonora Environmental Research Institute, Inc ..	3202 E Grant Rd	Tucson	AZ	85716	103,175.00
South Suburban Housing Center	18220 Harwood Ave., Suite 1	Homewood	IL	60430	125,000.00
SouthCoast Fair Housing, Inc	257 Union Street	New Bedford	MA	02740	125,000.00
Southern California Housing Rights Center	3255 Wilshire Blvd	Los Angeles	CA	90010	125,000.00
Southwest Fair Housing Council	177 N Church Ave	Tucson	AZ	85701	125,000.00
Tennessee Fair Housing Council	107 Music City Circle	Nashville	TN	37214	125,000.00
The Board of Trustees of the University of Illinois.	809 S Marshfield Avenue	Chicago	IL	60612	124,998.00
The Fair Housing Partnership of Greater Pittsburgh.	2840 Liberty Avenue	Pittsburgh	PA	15222	125,000.00
The Fairmont Morgantown Housing Authority ...	103 12th Street, P.O. Box 2738	Fairmont	WV	26555	124,467.00
Total					6,231,350.76

Appendix K

FY2020 Fair Housing Initiatives Program (FHIP): Fair Housing Organizations Initiative (FHOI) (FR-64200-N-21B)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip code	Award amount
JC Vision and Associates, Inc	P.O. Box 1972	Hinesville	GA	31310	\$250,000.00
Veterans Center, Incorporated	8060 Webb Road	Riverdale	GA	30274	250,000.00
Total					500,000.00

Appendix L

FY2020 Fair Housing Initiatives Program (FHIP): Private Enforcement Initiative (PEI) (FR-6400-N-21C)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip codes	Award amount
Access Living of Metropolitan Chicago	115 West Chicago Avenue	Chicago	IL	60654	\$360,000.00
Alaska Legal Services Corporation	1016 W 6th Avenue	Anchorage	AK	99051	360,000.00
Austin Tenants' Council	1640-B East 2nd St., Suite 150	Austin	TX	78702	360,000.00
Bay Area Legal Aid	1735 Telegraph Avenue	Oakland	CA	94612	360,000.00
Bay Area Legal Services, Inc	1302 North 19th Street, Suite 400	Tampa	FL	33605	360,000.00
Brooklyn Legal Services	105 Court Street	Brooklyn	NY	11201	360,000.00
California Rural Legal Assistance, Inc	1430 Franklin Street, Suite 103	Oakland	CA	94612	360,000.00
Central Alabama Fair Housing Center	2867 Zelda Road	Montgomery	AL	36106	360,000.00
Chicago Lawyers' Committee for Civil Rights Under L.	100 N LaSalle Street	Chicago	IL	60602	339,831.33
CNY Fair Housing, Inc	731 James Street, Suite 200	Syracuse	NY	13203	360,000.00
Community Legal Aid Society, Inc	100 W 10th Street, Suite 801	Wilmington	DE	19801	360,000.00
Community Legal Aid, Inc	405 Main Street	Worcester	MA	01608	360,000.00
Connecticut Fair Housing Center	60 Popieluszko Court	Hartford	CT	06106	360,000.00
CSA San Diego County	3280 Downing Street	El Cajon	CA	92020	360,000.00

Organization name	Street address	City	State	Zip codes	Award amount
Denver Metro Fair Housing Center	3280 Downing Street	Denver	CO	80205	357,651.81
Disability Law Center	205 N 400 W	Salt Lake City	UT	84103	359,580.00
Equal Rights Center	11 Dupont Circle, NW	Washington	DC	20036	360,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Ave., Ste. A	San Rafael	CA	94901	360,000.00
Fair Housing Center of Central Indiana, Inc	445 N Pennsylvania St., Suite 811	Indianapolis	IN	46204	346,036.00
Fair Housing Center of Metropolitan Detroit	5555 Conner St	Detroit	MI	48213	360,000.00
Fair Housing Center of Northern Alabama	1820 7th Avenue North, Suite 110	Birmingham	AL	35203	360,000.00
Fair Housing Center of Southwest Michigan	405 W Michigan Ave., Suite 6	Kalamazoo	MI	49007	334,330.00
Fair Housing Center of the Greater Palm Beach, Inc.	1300 W Lantana Road, Suite 200	Lantana	FL	33462	360,000.00
Fair Housing Center of Washington	1517 Fawcett Ave	Tacoma	WA	98402	360,000.00
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	360,000.00
Fair Housing Contact Service, Inc	441 Wolf Ledges Parkway, Suite 200	Akron	OH	44311	360,000.00
Fair Housing Council of Northern New Jersey ..	131 Main Street, Suite 140	Hackensack	NJ	07601	360,000.00
Fair Housing Council of Oregon	1221 SW Yamhill Street #305	Portland	OR	97205	360,000.00
Fair Housing Council of Riverside County, Inc	P.O. Box 1068	Riverside	CA	92502	360,000.00
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460	Fort Washington ..	PA	19034	360,000.00
Fair Housing Justice Center, Inc	30-30 Northern Blvd., Suite 302	Long Island City ...	NY	11101	360,000.00
Fair Housing Opportunities Inc, Fair Housing Center.	432 N Superior Street	Toledo	OH	43604	360,000.00
Fair Housing Partnership of Greater Pittsburgh	2840 Liberty Ave	Pittsburgh	PA	15222	360,000.00
Fair Housing Resource Center, Inc	1100 Mentor Avenue	Painesville	OH	44077	360,000.00
Fair Housing Rights Center in Southeastern PA	444 N 3rd Street, Suite 110	Philadelphia	PA	19123	360,000.00
Fair Housing Ctr Southeastern Michigan	301 W Michigan Avenue	Ypsilanti	MI	48197	359,998.00
Family Housing Advisory Services, Inc	2401 Lake Street	Omaha	NE	68111	360,000.00
Greater Bakersfield Legal Assistance, Inc	615 California Ave	Bakersfield	CA	93304	360,000.00
Greater Houston Fair Housing Center, Inc	P.O. Box 292	Houston	TX	77001	360,000.00
Greater Napa Valley Fair Housing Center	1804 Soscol Ave	Napa	CA	94559	360,000.00
H.O.P.E., Inc, d.b.a. HOPE Fair Housing Center.	202 W Willow	Wheaton	IL	60187	359,996.00
High Plains Fair Housing Center	406 Demers Road	Grand Forks	ND	58201	360,000.00
Housing Education and Economic Development, Inc.	3405 Medgar Evers Boulevard	Jackson	MS	39206	360,000.00
Housing Opportunities Made Equal of Greater Cincinnati, Inc.	2400 Reading Road, Suite 118	Cincinnati	OH	45202	360,000.00
Housing Opportunities Made Equal of Virginia, Inc.	626 East Broad Street, Suite 400	Richmond	VA	23219	360,000.00
Housing Opportunities Made Equal, Inc	1542 Main Street	Buffalo	NY	14209	360,000.00
Housing Opportunities Project for Excellence (HOPE), Inc.	11501 NW 2nd Avenue	Miami	FL	33168	360,000.00
Housing Research & Advocacy Center	2728 Euclid Ave	Cleveland	OH	44115	360,000.00
Inland Fair Housing and Mediation Board	1500 South Haven Avenue, Suite 100	Ontario	CA	91761	360,000.00
Intermountain Fair Housing Council, Inc	4695 W Overland Road, Suite 140	Boise	ID	83705	359,917.66
Jacksonville Area Legal Aid, Inc	126 W Adams St	Jacksonville	FL	32202	356,333.00
John Marshall Law School	315 S Plymouth Court	Chicago	IL	60604	359,660.66
Legal Aid Chicago	120 S LaSalle Street	Chicago	IL	60602	360,000.00
Legal Aid of Arkansas, Inc	714 South Main	Jonesboro	AR	72401	341,396.00
Legal Aid Services of Oklahoma, Inc	2915 N Classen Blvd	Oklahoma City	OK	73106	360,000.00
Legal Aid Society of Hawaii	924 Bethel Street	Honolulu	HI	96813	360,000.00
Legal Aid Society of Palm Beach County, Inc ..	423 Fern Street, Suite 200	West Palm Beach ..	FL	33401	360,000.00
Legal Aid Society of San Diego, Inc	110 South Euclid Avenue	San Diego	CA	92114	263,500.00
Legal Assistance of Western New York, Inc	1 West Main Street	Rochester	NY	14614	360,000.00
Legal Services of Eastern Michigan	436 S Saginaw Street, Suite 101	Flint	MI	48502	332,257.00
Lexington Fair Housing Council, Inc	207 E Reynolds Rd., Suite 130	Lexington	KY	40517	360,000.00
Long Island Housing Services, Inc	640 Johnson Avenue	Bohemia	NY	11716	360,000.00
Louisiana Fair Housing Action Center, Inc	1340 Poydras St	New Orleans	LA	70112	360,000.00
Massachusetts Fair Housing Center Inc	57 Suffolk Street	Holyoke	MA	01040	360,000.00
Metro Fair Housing Services, Inc	215 Lakewood Way SW, Suite 106	Atlanta	GA	30315	360,000.00
Metropolitan Fair Housing Council of Oklahoma, Inc.	312 NE 28th Street, Suite 112	Oklahoma City	OK	73105	360,000.00
Metropolitan Milwaukee Fair Housing Council ..	759 North Milwaukee Street	Milwaukee	WI	53202	360,000.00
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave	St. Louis	MO	63110	360,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	360,000.00
Mid-Minnesota Legal Assistance	430 First Avenue North, Suite 300	Minneapolis	MN	55401	360,000.00
Mississippi Center for Justice	5 Old River Place, Suite 203	Jackson	MS	39215	360,000.00
Mobile Fair Housing Center	P.O. Box 16324	Mobile	AL	36616	360,000.00
Montana Fair Housing, Inc	501 East Front Street, Suite 533	Butte	MT	59701	310,675.00
National Community Reinvestment Coalition ...	740 15th Street NW	Washington	DC	20005	360,000.00
National Fair Housing Alliance	1331 Pennsylvania Ave. NW, Suite 650	Washington	DC	20004	360,000.00
New Hampshire Legal Assistance	117 N State Street	Concord	NH	03301	360,000.00
New Jersey Citizen Action Education Fund, Inc	625 Broad Street	Newark	NJ	07102	360,000.00
North Texas Fair Housing Center	8625 King George Drive, Suite 130	Dallas	TX	75235	360,000.00
Northwest Fair Housing Alliance	35 W Main, Suite 250	Spokane	WA	99201	360,000.00
Ohio State Legal Services Association	1108 City Park Avenue	Columbus	OH	43206	360,000.00
Orange County Fair Housing Council, Inc	1516 Brookhollow Drive	Santa Ana	CA	92705	360,000.00
Pine Tree Legal Assistance	88 Federal Street	Portland	ME	04112	360,000.00
Prairie State Legal Services, Inc	303 N Main Street, Suite 600	Rockford	IL	61101	360,000.00
Project Sentinel Inc	1490 El Camino Real	Santa Clara	CA	95050	360,000.00
Rogers Park Community Council	1530 W Morse Avenue	Chicago	IL	60626	360,000.00
San Antonio Fair Housing Council, Inc	4414 Centerview Drive, Suite 229	San Antonio	TX	78228	360,000.00
Silver State Fair Housing Council	110 W Arroyo Street	Reno	NV	89509	335,776.00

Organization name	Street address	City	State	Zip codes	Award amount
South Suburban Housing Center	18220 Harwood Ave., Suite 1	Homewood	IL	60430	352,690.00
South Coast Fair Housing, Inc	721 County Street	New Bedford	MA	02740	360,000.00
Southern California Housing Rights Center	3255 Wilshire Blvd	Los Angeles	CA	90010	360,000.00
Southwest Fair Housing Council	179 N Church Ave	Tucson	AZ	85719	360,000.00
Southwestern Pennsylvania Legal Services, Inc	10 West Cherry Avenue	Washington	PA	15205	360,000.00
Suffolk University	8 Ashburton Place	Boston	MA	02108	359,888.00
Tennessee Fair Housing Council	107 Music City Circle	Nashville	TN	37214	360,000.00
West Tennessee Legal Services, Inc	210 W Main Street	Jackson	TN	38301	360,000.00
Westchester Residential Opportunities, Inc	470 Mamaroneck Avenue, Suite 410	White Plains	NY	10605	360,000.00
Total .....	.....	.....	.....	.....	34,269,516.46

Appendix M

FY2020 Fair Housing Initiatives Program (FHIP): COVID-19 Education and Outreach (FR-6400-N-70)

Contact: Kimberly Harley (202) 402-4753.

Organization name	Street address	City	State	Zip codes	Award amount
Baltimore City Office of Equity and Civil Rights	7 E Redwood Street	Baltimore	MD	21202	\$20,000.00
Bridgeport Neighborhood Trust, Inc	570 State Street	Bridgeport	CT	06605	20,000.00
Citizen Action of New Jersey	625 Broad Street	Newark	NJ	07102	20,000.00
Consumer Credit Counseling of Maryland & Delaware, Inc.	6315 Hillside Court	Columbia	MD	21046	20,000.00
CSA San Diego County	327 Van Houten Avenue	El Cajon	CA	92020	20,000.00
Fair Housing Advocates of Northern California	1314 Lincoln Avenue, Ste A	San Rafael	CA	94901	20,000.00
Fair Housing Center of Northern Alabama	1820 7th Avenue North	Birmingham	AL	35203	20,000.00
Fair Housing Center of West Michigan	20 Hall Street SE	Grand Rapids	MI	49507	20,000.00
Fair Housing Council of Northern New Jersey ..	131 Main Street	Hackensack	NJ	07601	20,000.00
Fair Housing Council of Oregon	1221 SW Yamhill Street #305	Portland	OR	97205	20,000.00
Family Housing Advisory Services, Inc	2401 Lake Street	Omaha	NE	68111	20,000.00
Greater Houston Fair Housing Center, Inc	2626 S Loop W	Houston	TX	77001	20,000.00
High Plains Fair Housing Center	406 Demers Road	Grand Forks	ND	58201	20,000.00
Housing Opportunities Project for Excellence (HOPE), Inc.	11501 NW 2nd Avenue	Miami	FL	33168	20,000.00
Inland Fair Housing and Mediation Board	1500 South Haven Avenue, Suite 100	Ontario	CA	91761	20,000.00
Intermountain Fair Housing Council, Inc	4696 W Overland Rd	Boise	ID	83705	20,000.00
Iowa Legal Aid	1111 9th Street	Des Moines	IA	50314	20,000.00
Lancaster Housing Opportunity Partnership	308 E King Street	Lancaster	PA	17602	10,000.00
Mental Health Advocacy Services, Inc	3255 Wilshire Blvd	Los Angeles	CA	90010	20,000.00
Miami Valley Fair Housing Center, Inc	505 Riverside Drive	Dayton	OH	45405	20,000.00
National Fair Housing Alliance	1331 Pennsylvania Ave. NW	Washington	DC	20004	500,000.00
Northwest Fair Housing Alliance	35 W Main	Spokane	WA	99201	20,000.00
Orange County Fair Housing Council, Inc	2021 E 4th Street	Santa Ana	ID	93705	20,000.00
Project Sentinel, Inc	1490 El Camino Real	Santa Clara	CA	95050	20,000.00
Silver State Fair Housing Council	110 W Arroyo Street	Reno	NV	89509	20,000.00
Sonora Environmental Research Institute, Inc ..	3202 E Grant Road	Tucson	AZ	85716	20,000.00
Total .....	.....	.....	.....	.....	990,000.00

Appendix N

FY 2020 Lead Hazard Reduction Grant Program (FR-6400-N-13)

Contact: Yolanda Brown (202) 402-7596.

Organization name	Street address	City	State	Zip/postal code	Award amount
City of Waterbury	One Jefferson Square	Waterbury	CT	06706-1102	\$5,700,000.00
State of Connecticut	505 Hudson Street	Hartford	CT	06106	5,037,437.00
City of Bridgeport	999 Broad Street	Bridgeport	CT	06604-4060	3,562,689.00
City of Clinton	611 South 3rd Street, P.O. Box 2958	Clinton	IA	52733-2958	2,800,700.00
City of Waterloo	620 Mulberry Street	Waterloo	IA	50703	3,384,678.00
City of Bloomington	109 E Olive St. Economic/Community Development.	Bloomington	IL	61701	2,342,691.00
City of Baton Rouge	222 St. Louis Street	Baton Rouge	LA	70802	3,400,000.00
City of Alexandria	P.O. Box 71	Alexandria	LA	71309	2,694,573.00
City of New Bedford	133 William Street	New Bedford	MA	02740	2,400,000.00
City of Lawrence	200 Common St	Lawrence	MA	01840	5,004,920.00
City of Brockton	50 School Street	Brockton	MA	02301	4,700,000.00
Baltimore County	105 W Chesapeake Avenue	Towson	MD	21204	2,000,000.00
City of Lansing	124 W Michigan Ave	Lansing	MI	48933	4,589,940.00

Organization name	Street address	City	State	Zip/postal code	Award amount
City of Battle Creek	10 N Division Street Community Development	Battle Creek	MI	49014	3,400,000.00
City of Minneapolis	250 S 4th St., Room 414	Minneapolis	MN	55417	5,700,000.00
Kansas City Missouri	2400 Troost Avenue, Suite 4000	Kansas City	MO	64108	4,003,778.00
City of St. Louis	1520 Market Street	St. Louis	MO	63101	2,520,000.00
City of Greensboro	300 Washington Street, Room 315	Greensboro	NC	27402	2,698,441.00
City of Lincoln	555 South 10th Street Livable Neighborhoods	Lincoln	NE	68508	3,400,000.00
County of Sullivan	14 Main St	Newport	NH	03773	1,703,524.00
City of Nashua	229 Main Street	Nashua	NH	03061	5,700,000.00
New Hampshire Housing Finance Authority	32 Constitution Drive	Bedford	NH	03110	4,983,542.00
City of Paterson	155 Market Street	Paterson	NJ	07505	3,400,000.00
City of Albany	Albany Community Development Agency, 200 Henry Johnson Blvd.	Albany	NY	12210	3,500,000.00
Chautauqua County	3 N Erie St	Mayville	NY	14757	3,000,000.00
City of New York	100 Gold St	New York	NY	10038	3,500,000.00
City of Buffalo	City Hall, 65 Niagara Square, Room 920	Buffalo	NY	14202	2,023,602.00
City of Schenectady	105 Jay St	Schenectady	NY	12305	3,406,500.46
County of Hamilton	250 William Howard Taft 2nd Floor	Cincinnati	OH	45219	2,000,000.00
City of Cincinnati	801 Plum Street	Cincinnati	OH	45202-0000	3,500,000.00
City of Toledo	One Government Center, Suite 1800	Toledo	OH	43604-2275	5,700,000.00
City of Lancaster	105 E Main Street	Lancaster	OH	43130	1,400,000.00
City of Portland (OR)	1221 SW 5th Avenue	Portland	OR	97204	3,600,000.00
Westmoreland County	40 North Pennsylvania Avenue	Greensburg	PA	15601-2341	3,400,000.00
City of Allentown	435 Hamilton Street	Allentown	PA	18101	5,700,000.00
Redevelopment Authority of the City of Erie (PA)	626 State Street, Room 107	Erie	PA	16501	3,011,446.00
Allegheny County	Chatham One Suite 900	Pittsburgh	PA	15219	5,600,000.00
City of Providence	444 Westminster Street	Providence	RI	02903-3206	5,700,000.00
Shelby County	1075 Mullins Station Road	Memphis	TN	38134	4,143,959.00
City of Fort Worth	1000 Throckmorton	Fort Worth	TX	76102	4,700,000.00
City of Roanoke	215 Church Ave., Room 208 North	Roanoke	VA	24011	3,718,733.00
City of Burlington	149 Church Street	Burlington	VT	05401	3,623,992.44
Kenosha County	8600 Sheridan Road, Suite 600	Kenosha	WI	53143-6615	4,400,000.00
Wisconsin Department of Health Services	1 W Wilson Street, Room 150	Madison	WI	53701	3,400,000.00
Total					164,155,145.90

Appendix O

FY2020 Healthy Homes and Weatherization Cooperation Demonstration (FR-6400-N-62)

Contact: Brenda M. Reyes, MD, MPH
Phone (202) 402 6745.

Organization	Address	City	State	Zip 5	Amount
International Center for Appropriate and Sustainable Technology.	7400 W 14th Ave	Denver	CO	80214-0000	\$994,831.00
City of Toledo	One Government Center, Suite 1800	Toledo	OH	43604-2275	1,000,000.00
People Working Cooperatively, Inc	4612 Paddock Road	Cincinnati	OH	45229-1002	1,000,000.00
Salt Lake County	2001 South State S-2100	Salt Lake County	UT	84114-4575	1,000,000.00
Lawrence County Social Services	1745 Frew Mill Rd., Suite 9	New Castle	PA	16105-1745	1,000,000.00
Total					4,994,831.00

Appendix P

Moving to Work Demonstration (PIH 2018-17)

Contact: Carol Gilliam, 202-402-4354.

Organization	Address	City	State	Amount
Auburn Housing Authority	931 Booker Street	Auburn	AL	\$25,000
Sheffield Housing Authority	P.O. Box 429	Sheffield	AL	25,000
Housing Authority of the City of Ozark	241 Ed Lisenby Drive, P.O. Box 566	Ozark	AL	25,000
Fayetteville Housing Authority	1 N School Avenue	Fayetteville	AR	25,000
City of Pomona Housing Authority	505 South Garey Avenue	Pomona	CA	25,000
Solano County Housing Authority	40 Eldridge Avenue, Suite #2	Vacaville	CA	25,000
Brighton Housing Authority	22 S 4th Avenue, Suite 202	Brighton	CO	25,000
Housing Authority of the City of New Smyrna Beach	1101 South Dixie Freeway	New Smyrna	FL	25,000
Housing Authority of Newnan	48 Ball Street	Newman	GA	25,000
Housing Authority of the City of Pocatello	711 N 6th Avenue	Pocatello	ID	25,000
Ruston Housing	P.O. Box 2288	Ruston	LA	25,000
Rockville Housing Enterprises	1300 Piccard Drive, Suite #203	Rockville	MD	25,000

Organization	Address	City	State	Amount
Housing & Redevelopment Authority of Hibbing	3115 7th Avenue East	Hibbing	MN	25,000
Kandiyohi County Housing and Redevelopment Authority	2200 23rd Street NE, Suite 2090	Wilmar	MN	25,000
McLeod County Housing and Redevelopment Authority	2200 23rd Street NE, Suite 2090	Wilmar	MN	25,000
Washington County Community Development Agency	7645 Currell Boulevard, Wo	Woodbury	MN	25,000
Ripley County Public Housing Agency	3019 Fair Street	Poplar Bluff	MO	25,000
Robeson County Housing Authority	100 Oxedine Circle	Lumberton	NC	25,000
South Sioux City Housing Agency	118 E 21st Street	Sioux City	NE	25,000
Dover Housing Authority	62 Whittier Street	Dover	NH	25,000
Township of Neptune Housing Authority	1810 Alberta Avenue	Neptune	NJ	25,000
Pleasantville Housing Authority	168 N Main Street	Pleasantville	NJ	25,000
Housing Authority of Cheraw	P.O. Box 969	Florence	SC	25,000
Housing Authority of Fort Mill	P.O. Box 220	Fort Mill	SC	25,000
Maryville Housing Authority	311 Atlantic Avenue	Maryville	TN	25,000
Housing Authority of Travis County	502 E Highland Mall Boulevard, Suite 106B	Austin	TX	25,000
Rosenberg Housing Authority	117 Lane Drive, Suite 18	Rosenberg	TX	25,000
Bristol Redevelopment and Housing Authority	809 Edmond Street	Bristol	VA	25,000
Harrisonburg Redevelopment and Housing Authority	P.O. Box 1071	Harrisonburg	VA	25,000
Brattleboro Housing Authority	P.O. Box 2275	Brattleboro	VT	25,000
Randolph County Housing Authority	2280 Randolph Avenue	Elkins	WV	25,000
Total .....	.....	.....	.....	775,000

Appendix Q

FY2020 HBCU Cooperative Research in Housing Technologies (FR-6500-N-55)

Contact: Carol Gilliam, 202-402-4354.

Organization	Address	City	State	Zip code	Amount
North Carolina A&T State University	1601 East Market Street	Greensboro	NC	27411	\$249,930

Appendix R

FY2020 Social and Economic Impacts of the CDBG and HOME Programs (FR-6400-N-57)

Contact: Carol Gilliam, 202-402-4354.

Organization	Address	City	State	Zip code	Amount
The Regents of the University of Idaho	875 Perimeter Drive, MS-3020	Moscow	ID	83844-3020	\$245,761
The Urban Institute	500 L'Enfant Plaza SW	Washington	DC	20024-2274	248,926
Total .....	.....	.....	.....	.....	494,687

Appendix S

FY2020 Alternative Methods for Calculating Fair Market Rents (FMRs) in Rental Markets With Rapidly Rising Rents (FR-6400-N-60)

Contact: Carol Gilliam, 202-402-4354.

Organization	Address	City	State	Zip code	Amount
Urban Institute	500 L Enfant Plaza	Washington	DC	20024-2274	\$223,197
University of Georgia Research Foundation	310 E Campus Road	Athens	GA	30602	127,840
UrbanSim Inc	1666 Shattuck Avenue	Berkeley	CA	94709-1631	148,936
Total .....	.....	.....	.....	.....	499,973

Appendix T**FY2020 Choice Neighborhoods
Planning Grant Program (FR-6400-N-38)**

Contact: Luci Blackburn (202) 402-4190.

Organization	Address	City	State	Zip	Award amount
Akron Metropolitan Housing Authority	100 W Cedar Street	Akron	OH	44307	\$450,000.00
Atlantic City Housing Authority and Urban Re-development.	227 N Vermont Avenue 17th Floor	Atlantic City	NJ	8401	450,000.00
Cincinnati Metropolitan Housing Authority	1627 Western Ave	Cincinnati	OH	45214	410,000.00
City of Fayetteville	433 Hay Street	Fayetteville	NC	28301	450,000.00
Fineview Citizens Council Inc.	447 Marshall Avenue	Pittsburgh	PA	15214	450,000.00
Greater Easton Development Partnership	325 Northampton Street	Easton	PA	18042	450,000.00
Housing Authority of the City of Atlanta	230 John Wesley Dobbs Ave. NE	Atlanta	GA	30303	450,000.00
Housing Authority of the City of Fresno	1331 Fulton Street	Fresno	CA	93721	450,000.00
Housing Authority of the City of Montgomery ...	525 South Lawrence Street	Montgomery	AL	36104	450,000.00
Houston Housing Authority	2640 Fountain View Drive	Houston	TX	77057	450,000.00
Lucas Metropolitan Housing Authority	435 Nebraska Ave	Toledo	OH	43697	450,000.00
Total .....	.....	.....	.....	.....	4,910,000.00

Appendix U**FY2021 Foster Youth to Independence
(FYI) Grant Program (PIH 2020-28)**

Contact: Michelle Daniels 202-402-6051 and Ryan Jones 202-402-2677.

Organization	Address	City	State	Zip code	Amount
Alaska Housing Finance Corporation	4300 Boniface Parkway	Anchorage	AK	99504	\$89,042.00
Housing Authority of the Birmingham District ...	1826 3rd Avenue S	Birmingham	AL	35233	8,258.00
Housing Authority of the City of Montgomery ...	525 S Lawrence St	Montgomery	AL	36104	13,260.00
Housing Authority of the City of Dothan	602 S Lena Street	Dothan	AL	36301	5,365.00
The Housing Authority of the City of Huntsville	200 Washington Street NE	Huntsville	AL	35804	6,283.00
Scottsdale Housing Agency	Paiute Neighborhood Center #8	Scottsdale	AZ	85251	178,034.00
Housing Authority of the City of Santa Ana	20 Civic Center Plaza 2nd Floor	Santa Ana	CA	92701	344,259.00
Littleton Housing Authority	5745 S Bannock St	Littleton	CO	80120	258,224.00
Montrose County Housing Authority	222 Hap Court	Olathe	CO	81425	17,663.00
Garfield County Housing Authority	1430-F Railroad Avenue	Rifle	CO	81650	7,632.00
Hawaii Public Housing Authority	1002 North School Street	Honolulu	HI	96817	14,674.00
Cedar Rapids Housing Services	101 First Street SE	Cedar Rapids	IA	52401	5,425.00
Eastern Iowa Regional Housing Authority	7600 Commerce Park	Dubuque	IA	52002	10,551.00
Housing Authority of Lexington	300 West New Circle Road	Lexington	KY	40505	23,013.00
Lowell Housing Authority	350 Moody Street	Lowell	MA	1879	83,531.00
Falmouth Housing Authority	115 Scranton Avenue	Falmouth	MA	2540	31,222.00
Stockbridge Housing Authority	5 Pine Street	Stockbridge	MA	1262	11,135.00
Portland Housing Authority	14 Baxter Boulevard	Portland	ME	4101	11,036.00
Melvindale Housing Commission	3501 Oakwood Boulevard	Melvindale	MI	48122	163,332.00
HRA in and for the City of Brainerd, Minnesota	324 E River Road	Brainerd	MN	56401	13,618.00
HRA of St. Cloud, Minnesota	1225 W Saint Germain	Saint Cloud	MN	56301	12,151.00
Missoula Housing Authority	1235 34th Street	Missoula	MT	59801	13,385.00
Sandhills Community Action Program, Inc	103 Saunders Street	Carthage	NC	28327	4,592.00
Concord Housing Authority	23 Green Street	Concord	NH	3301	7,197.00
Glens Falls Housing Authority	Jay St	Glens Falls	NY	12801	5,548.00
Lorain Metropolitan Housing Authority	1600 Kansas Avenue	Lorain	OH	44052	12,772.00
Portage Metropolitan Housing Authority	2832 State Route 59	Ravenna	OH	44266	7,179.00
Henry Metropolitan Housing Authority	1044 Chelsea Avenue	Napoleon	OH	43545	3,860.00
Housing Authority of Clackamas County	13930 South Gain Street	Oregon City	OR	97045	19,968.00
Scranton Housing Authority	400 Adams Avenue	Scranton	PA	18510	6,216.00
Allegheny County Housing Authority	625 Stanwix Street	Pittsburgh	PA	15222	6,051.00
Housing Authority of the County of Beaver	300 State Street	Beaver	PA	15009	5,059.00
Housing Authority of the County of Cumberland	114 N Hanover Street	Carlisle	PA	17013	11,757.00
Rhode Island Housing	44 Washington Street	Providence	RI	2903	94,340.00
Housing Authority of Rock Hill	P.O. Box 11579	Rock Hill	SC	29730	157,770.00
Housing Authority of the City of El Paso, TX ...	5300 E Paisano Drive	El Paso	TX	79905	11,944.00
Panhandle Community Services	1309 SW 8th	Amarillo	TX	79101	152,742.00
Brazos Valley Council of Governments	3991 E 29th Street	Bryan	TX	77802	65,435.00
Housing Authority City of Bellingham	208 Unity Street	Bellingham	WA	98225	8,579.00
HA City of Yakima	810 N 6th Avenue	Yakima	WA	98902	13,174.00
Wausau Community Development Authority	550 E Thomas Street	Wausau	WI	54403	3,389.00
Walworth County Housing Authority	735 North Wisconsin Street	Elkhorn	WI	53121	4,980.00
Barron County Housing Authority	611 Woodland Avenue	Barron	WI	54812	14,137.00
Total .....	.....	.....	.....	.....	1,937,782.00

Appendix V

FY2020 Family Self-Sufficiency
Renewal Program (FR-6400-04)

Contact: Anice Chenault
Anice.S.Chenault@hud.gov.

Organization	Address	City	State	ZIP	Total
Sheffield Housing Authority	505 N Columbia Avenue Family Self-Sufficiency Prog.	Sheffield	AL	35660-429	\$51,602.00
Housing Authority of Birmingham District	1826 3rd Avenue South	Birmingham	AL	35233-1905	143,982.00
Prichard Housing Authority	P.O. Box 10307	Prichard	AL	36610	48,036.00
Tuscaloosa Housing Authority	2117 Jack Warner Parkway	Tuscaloosa	AL	35401-1092	134,908.00
Auburn Housing Authority	931 Booker Street	Auburn	AL	36832-2902	60,848.00
Bessemer Housing Authority	1515 Fairfax Ave	Bessemer	AL	35020-6648	61,609.00
Huntsville Housing Authority	200 Washington Street, P.O. Box 486	Huntsville	AL	35804-486	268,129.00
Albertville Housing Authority	711 South Broad Street	Albertville	AL	35950-19	22,000.00
The Housing Authority of The City of Montgomery, AL.	525 South Lawrence Street FSS	Montgomery	AL	36104-4611	109,800.00
Alexander City Housing Authority	2110 County Rd	Alexander City	AL	35010-3800	48,583.00
Alaska Housing Finance Corporation	P.O. Box 101020	Anchorage	AK	99510-1020	288,000.00
City of Mesa	200 S Center St, Building 1, P.O. Box 1466	Mesa	AZ	85211-1466	75,759.00
Mohave County	700 W Beale Street Mohave County Housing Auth.	Kingman	AZ	86402-7000	58,114.00
Chandler, City of	Mail Stop 101, P.O. Box 4008 Housing and Redevelopment.	Chandler	AZ	85244-4008	137,867.00
Yuma County Housing Department	2050 W Main Street Housing	Somerton	AZ	85350-2534	202,658.00
Housing Authority of the City of Yuma	420 S Madison Avenue	Yuma	AZ	85364-2320	344,456.00
Douglas City of Public Housing Authority	425 E 10th Street	Douglas	AZ	85607-2008	72,000.00
Housing Authority of Cochise County	1415 Melody Ln., Bldg. A	Bisbee	AZ	85603-0	58,420.00
City of Tucson	310 N Commerce Park Loop, P.O. Box 27210	Tucson	AZ	85726-7210	138,572.00
City of Phoenix Housing Department	251 W Washington 4th Floor	Phoenix	AZ	85003-2245	216,000.00
City of Scottsdale Housing Agency	Community Assistance Office, 6535 E Osborn Rd., Bldg. 8.	Scottsdale	AZ	85251-6029	33,750.00
City of Tempe	31 E 5th Street Housing Services	Tempe	AZ	85281-3601	68,000.00
The Housing Authority of Maricopa County	8910 N 78th Ave	Peoria	AZ	85345-7900	72,000.00
Housing Authority of Lonoke County	617 North Greenlaw	Carlisle	AR	72024-74	21,466.00
Housing Authority of the city of West Memphis	390 South Walker Avenue	West Memphis	AR	72301-6013	52,951.00
Housing Authority of The City of Fort Smith	2100 North 31st Street Family Self Sufficiency	Fort Smith	AR	72904-6140	58,793.00
Jonesboro Urban Renewal and Housing Authority.	330 Union	Jonesboro	AR	72401-2815	44,500.00
Conway County Housing Authority	P.O. Box 229	Morrilton	AR	72110-229	49,043.00
McGehee Public Residential Housing Facilities Board.	P.O. Box 725 Family Self-Sufficiency	McGehee	AR	71654-725	39,961.00
Northwest Regional Housing Authority	P.O. Box 2568	Harrison	AR	72601-2568	18,668.00
Pine Bluff Housing Authority	2503 Belle Meade, P.O. Box 8872	Pine Bluff	AR	71601-6815	70,159.00
Pope County Public Facilities Board/Universal Housing.	P.O. Box 846/301 E Third Street	Russellville	AR	72801-5109	21,872.00
Housing Authority of The City of Hot Springs	1004 Illinois Street	Hot Springs	AR	71901-4351	54,606.00
White River Regional Housing Authority	P.O. Box 650	Melbourne	AR	72556-650	43,461.00
Wynne Housing Authority	200 Fisher Place HCV FSS	Wynne	AR	72396-552	19,000.00
Lee County Housing Authority	199 Highway 243 N	Marianna	AR	72360-2854	30,000.00
Pulaski County Government	201 S Broadway Suite 220	Little Rock	AR	72201-2338	43,974.00
North Little Rock Housing Authority	P.O. Box 516	North Little Rock	AR	72115-0	52,000.00
Housing Authority of The City of Madera	205 North G Street Housing Services	Madera	CA	93637-3512	65,201.00
Garden Grove Housing Authority	12966 Euclid Street, Ste 150 Housing Authority	Garden Grove	CA	92840-9202	76,039.00
City of Norwalk	12700 Norwalk Blvd	Norwalk	CA	90650-3144	36,000.00
Housing Authority of The City of Santa Barbara	808 Laguna St. Family Self-Sufficiency	Santa Barbara	CA	93101-1590	203,425.00
Housing Authority of The County of San Joaquin.	2575 Grand Canal Blvd	Stockton	CA	95207-8260	214,436.00
The Housing Authority of The County of Santa Cruz.	2160 41st Avenue	Capitola	CA	95010-2009	152,078.00
Housing Authority of The City of San Buenaventura.	995 Riverside Street	Ventura	CA	93001-1636	71,902.00
Housing Authority of The City of Redding	777 Cypress Avenue Housing Division	Redding	CA	96001-2718	33,528.00
Housing Authority of The County of Marin	4020 Civic Center Drive Supportive Housing	San Rafael	CA	94903-4173	228,082.00
County of Shasta Housing Authority and Community Action Agency.	1450 Court St., Ste. 108	Redding	CA	96001-1661	31,564.00
Lake County Housing Commission	16170 Main Street, Suite F, P.O. Box 1049 Housing.	Lower Lake	CA	95457-7603	33,500.00
San Diego Housing Commission	1122 Broadway, Suite 300	San Diego	CA	92101-5629	451,692.00
Housing Authority of The City of San Luis Obispo.	487 Leff Street Family Self Sufficiency	San Luis Obispo	CA	93401-4347	124,300.00
Housing Authority of The City of Napa	1115 Seminary Street	Napa	CA	94559-2512	78,659.00
Housing Authority of The County of Sacramento.	801 12th Street	Sacramento	CA	95814-2947	142,761.00
Housing Authority of The City of Sacramento	801 12th Street	Sacramento	CA	95814-2947	67,364.00
Housing Authority of The City of Alameda	701 Atlantic Ave. Housing Programs	Alameda	CA	94501-2161	72,000.00
Housing Authority of The County of Butte	2039 Forest Avenue	Chico	CA	95928-7042	71,322.00
City of Pomona Housing Authority	505 S Garey Avenue Housing Authority	Pomona	CA	91766-3320	75,659.00
Area Housing Authority of The County of Ventura.	1400 West Hillcrest Dr	Newbury Park	CA	91320-2721	69,000.00
Housing Authority of The County of Monterey	123 Rico St	Salinas	CA	93907-2157	138,759.00

Organization	Address	City	State	ZIP	Total
Roseville Housing Authority	316 Vernon Street, Ste. 150 Housing	Roseville	CA	95678-2649	72,000.00
Housing Authority of The City of Los Angeles ..	2600 Wilshire Blvd. Special Programs Admin ..	Los Angeles	CA	90057-3400	828,739.00
The Housing Authority of The County of Yolo ..	147 West Main Street Client Services	Woodland	CA	95695-2914	72,000.00
Housing Authority of The County of Santa Barbara.	815 West Ocean Avenue	Lompoc	CA	93436-6526	72,000.00
San Diego, County of (Dbá Hsg Authority of The County of Sd).	3989 Ruffin Road	San Diego	CA	92123-1815	68,164.00
El Dorado County Public Housing Authority	2900 Fairlane Court	Placerville	CA	95667-5335	59,902.00
Housing Authority of Alameda County	22941 Atherton Street	Hayward	CA	94541-6633	304,157.00
Housing Authority of The County of Stanislaus ..	1701 Robertson Road, P.O. Box 581918	Modesto	CA	95358-33	148,633.00
Housing Authority of The County of San Bernardino.	715 E Brier Drive	San Bernardino ...	CA	92408-2841	216,000.00
Housing Authority of The County of Contra Costa.	3133 Estudillo P.O. Box 2759	Martinez	CA	94553-3258	152,078.00
Imperial Valley Housing Authority	1402 D Street	Brawley	CA	92227-2117	65,000.00
City of Oceanside Community Development Commission.	300 North Coast Highway Housing	Oceanside	CA	92054-2823	72,000.00
Housing Authority of The City of Oxnard	435 South D Street	Oxnard	CA	93030-5918	150,617.00
Housing Authority of The City of Long Beach ...	521 East 4th Street	Long Beach	CA	90802-2502	298,674.00
Housing Authority of The County of San Mateo	264 Harbor Blvd., #A	Belmont	CA	94002-4017	380,197.00
The Housing Authority of The City of Santa Ana.	P.O. Box 22030 Housing Authority	Santa Ana	CA	92702-2030	152,078.00
Orange County Housing Authority	1501 E St. Andrew Place Housing Assistance	Santa Ana	CA	92705-4925	288,000.00
Santa Clara County Housing Authority	505 West Julian St	San Jose	CA	95110-2338	228,118.00
Culver City Housing Authority	9770 Culver Blvd. Culver City Housing Authority.	Culver City	CA	90232-507	36,436.00
Housing Authority of The County of Kern	601 24th Street	Bakersfield	CA	93301-4142	279,139.00
Anaheim Housing Authority	201 S Anaheim Blvd #203	Anaheim	CA	92805-9987	78,659.00
Housing Authority of The County of Riverside ..	5555 Arlington Ave	Riverside	CA	92504-2506	504,000.00
Los Angeles County Development Authority	700 W Main Street Housing Assistance	Alhambra	CA	91801-3312	760,394.00
Housing Authority of The City of San Jose	505 West Julian St	San Jose	CA	95110-2338	152,078.00
Vacaville Housing Authority	40 Eldridge Avenue, Suite 2	Vacaville	CA	95688-6824	144,000.00
Solano County Housing Authority	40 Eldridge Avenue, Suite 2	Vacaville	CA	95688-6824	32,836.00
Oakland Housing Authority	1619 Harrison Street	Oakland	CA	94612-3307	304,157.00
Housing Authority of Fresno County	1331 Fulton Street	Fresno	CA	93721-1630	66,413.00
The Housing Authority of The County of Merced (HACM).	405 U Street	Merced	CA	95341-6548	54,400.00
City of Santa Rosa Housing Authority	90 Santa Rosa Ave	Santa Rosa	CA	95404-4904	72,000.00
Colorado Department of Local Affairs, Division of Housing.	1313 Sherman St., Rm. 320	Denver	CO	80203-2288	65,000.00
Housing Authority of The City of Fort Collins ...	1715 West Mountain Ave	Fort Collins	CO	80521-2359	223,260.00
City of Grand Junction Housing Authority	8 Foresight Circle	Grand Junction	CO	81505-1014	54,624.00
Boulder County Housing Authority	P.O. Box 471 Housing	Boulder	CO	80306-471	216,000.00
Housing Authority of The City of Englewood ...	3460 S Sherman St. Suite 101	Englewood	CO	80113-2664	54,313.00
Housing Authority of The City and County of Denver.	1035 Osage Street	Denver	CO	80204-4035	327,384.00
Bristol Housing Authority	164 Jerome Avenue	Bristol	CT	6010-3711	70,636.00
Housing Authority of The City of Norwalk	24 1/2 Monroe Street	Norwalk	CT	6854-2926	144,000.00
Housing Authority of The City of Stamford	22 Clinton Avenue	Stamford	CT	6901-3316	72,000.00
The Housing Authority of The Town of Greenwich.	249 Milbank Avenue Section 8 and Family Housing.	Greenwich	CT	6830-6680	72,000.00
Ansonia Housing Authority	36 Main Street	Ansonia	CT	6401-0	72,000.00
Housing Authority of The City of New Britain ...	16 Armistice St	New Britain	CT	6053-0	72,000.00
Trout Brook Realty Advisors—Formerly WHHC	80 Shield Street	West Hartford	CT	6110-1920	75,506.00
Housing Authority of New Haven's (HANH) Elm City Communities.	360 Orange Street	New Haven	CT	6511-6403	141,596.00
Housing Authority of The City of Meriden	22 Church St. Family Self Sufficiency	Meriden	CT	6451-468	156,445.00
Connecticut Department of Housing	505 Hudson Street	Hartford	CT	6106-7107	206,880.00
Housing Authority of The City of Danbury	2 Mill Ridge Road	Danbury	CT	6811-5231	52,571.00
Housing Authority City of Derby	30 Elizabeth St., Suite 2	Derby	CT	6418-1869	31,432.00
Wilmington Housing Authority	400 N Walnut Street	Wilmington	DE	19801-1436	142,000.00
District of Columbia Housing Authority	2000 Alabama Avenue SE	Washington	DC	20020-2814	228,118.00
The Housing Authority of The City of Fort Pierce, Florida.	511 Orange Avenue	Fort Pierce	FL	34950-4278	66,385.00
Pinellas County Housing Authority	11479 Ulmerton Road	Largo	FL	33778-1147	118,000.00
The Housing Authority of The City of Daytona Beach.	211 N Ridgewood Avenue #300	Daytona Beach	FL	32114-3294	104,339.00
Housing Authority of The City of Miami Beach	200 Alton Road FSS	Miami Beach	FL	33139-6742	31,500.00
West Palm Beach Housing Authority	3700 Georgia Avenue	West Palm Beach ..	FL	33405-2177	132,002.00
Housing Authority of Brevard County	1401 Guava Ave	Melbourne	FL	32935-6582	132,181.00
The Housing Authority of The City of Tampa ...	5301 W Cypress Street Family Self-Sufficiency	Tampa	FL	33607-1727	486,017.00
Housing Authority of The City of Deerfield Beach.	533 South Dixie Highway, Suite 201	Deerfield Beach ...	FL	33441-4665	55,445.00
Boca Raton Housing Authority	2333A W Glades Rd	Boca Raton	FL	33431-7305	54,106.00
Broward County Housing Authority	4780 North State Road 7	Lauderdale Lakes ..	FL	33319-5860	254,735.00
Housing Authority of The City of Homestead ...	29355 S Dixie Highway	Homestead	FL	33033-2307	63,036.00
Housing Authority of The City of Fort Lauderdale.	500 West Sunrise Blvd	Fort Lauderdale ...	FL	33311-7234	124,909.00
Miami-Dade Public Housing and Community Development.	701 NW 1st Court 16th Floor Contract Administration.	Miami	FL	33136-3914	244,759.00
Pasco County Housing Authority	36739 S.R. 52 Family Self-Sufficiency	Dade City	FL	33525-5101	42,336.00
Lakeland Housing Authority	430 Hartsell Avenue	Lakeland	FL	33815-4502	72,000.00
Punta Gorda Housing Authority	340 Gulf Breeze Avenue	Punta Gorda	FL	33950-5634	51,255.00

Organization	Address	City	State	ZIP	Total
Pahokee Housing Authority	465 Friend Terrace Family Self-Sufficiency	Pahokee	FL	33476-1941	23,417.00
Walton County Housing Agency	63 BoPete Manor Road Citizen Services	DeFuniak Springs	FL	32435-2943	38,177.00
Manatee County Housing Authority	5631 11th Street East	Bradenton	FL	34203-5978	31,310.00
Delray Beach Housing Authority	82 NW 5th Avenue	Delray Beach	FL	33444-2612	52,969.00
Milton Housing Authority	5668 Byrom Street	Milton	FL	32570-5807	72,000.00
Winter Haven Housing Authority	2670 Avenue C SW	Winter Haven	FL	33880-2566	144,000.00
The Housing Authority of The City of New Smyrna Beach.	1101 South Dixie Freeway	New Smyrna Beach.	FL	32168-7405	69,380.00
Hialeah Housing Authority	75 East 6th Street	Hialeah	FL	33010-4845	129,930.00
Lee County Housing Authority	14170 Warner Cir Client Services	N Fort Myers	FL	33903-3528	56,716.00
Orange County Housing and Community Development.	525 E South Street	Orlando	FL	32801-2817	54,429.00
Clearwater Housing Authority	28050 US Hwy. 19 N, Suite 103	Clearwater	FL	33761-2600	55,352.00
Housing Authority of The City of Fort Myers	4224 Renaissance Preserve Way	Fort Myers	FL	33916-4800	140,000.00
Palm Beach County Housing Authority	3432 W 45th St	West Palm Beach	FL	33407-1844	57,500.00
Sarasota Housing Authority	269 S Osprey Ave	Sarasota	FL	34236-6805	42,261.00
Jacksonville Housing Authority	1300 Broad Street N. JHA Family Self-Sufficiency.	Jacksonville	FL	32202-3938	321,453.00
Ocala Housing Authority	1629 NW 4th St	Ocala	FL	34478-2468	91,641.00
Tallahassee Housing Authority	2940 Grady Rd	Tallahassee	FL	32312-2210	72,000.00
Housing Authority of The City of Augusta, Georgia.	1435 Walton Way	Augusta	GA	30901-2609	171,246.00
Northwest Georgia Housing Authority	326 West 9th Street	Rome	GA	30162-1428	104,831.00
Housing Authority of Columbus, Georgia	Post Office Box 630, 1000 Wynnton Toad	Columbus	GA	31902-630	105,100.00
Housing Authority of The City of College Park, Georgia.	2000 Princeton Avenue Housing Assistance	College Park	GA	30337-2412	144,000.00
Griffin Housing Authority	327 S 9th Street	Griffin	GA	30224-0	72,000.00
Housing Authority of Savannah	P.O. Box 1179	Savannah	GA	31402-1179	220,256.00
Newnan Housing Authority	48 Ball Street	Newnan	GA	30263-2307	78,659.00
Housing Authority of The City of Marietta	95 Cole Street Family Self-Sufficiency	Marietta	GA	30060-2090	115,944.00
Housing Authority of Fulton County, Georgia	4273 Wendell Drive	Atlanta	GA	30336-1632	65,490.00
Housing Authority of The City of Carrollton	1 Roop Street	Carrollton	GA	30117-4448	106,967.00
Housing Authority of The City of Jonesboro	203 Hightower Street, P.O. Box 458	Jonesboro	GA	30237-458	144,000.00
The Housing Authority of The City of Atlanta, Georgia.	230 John Wesley Dobbs Avenue NE	Atlanta	GA	30303-2421	276,021.00
Tri-City Housing Authority	P.O. Box 220	Woodland	GA	31836-220	26,393.00
Housing Authority of The City of East Point	3056 Norman Berry Drive	East Point	GA	30364-363	62,500.00
Housing Authority of The City of Albany, GA	P.O. Box 485	Albany	GA	31702-485	41,837.00
Guam Housing and Urban Renewal Authority	117 Bien Venida Avenue	Sinajana	GQ	96910-3643	138,883.00
Hawaii County Housing Agency	1990 Kinoole Street, Suite 102 OHCD	Hilo	HI	96720-5293	66,937.00
Maui, County of	200 S High Street Housing	Wailuku	HI	96793-2155	43,135.00
City and County of Honolulu	Kapalama Hale 925 Dillingham Blvd., Ste 200	Honolulu	HI	96817-4506	144,000.00
Hawaii Public Housing Authority	1002 North School Street E	Honolulu	HI	96817-6912	72,000.00
Kauai, County Of; DbA Kauai County Housing Agency.	4444 Rice Street, Suite 330	Lihue	HI	96766-1340	142,000.00
Boise City Housing Authority	1001 S Orchard St	Boise	ID	83705-1932	125,029.00
Ada County Housing Authority	1001 S Orchard St	Boise	ID	83705-1932	125,027.00
Southwestern Idaho Cooperative Housing Authority.	377 Cornell St	Middleton	ID	83644-9903	103,727.00
Idaho Housing and Finance Association	P.O. Box 7899	Boise	ID	83707-1899	230,623.00
Rockford Housing Authority	233 South Winnebago Street	Rockford	IL	61102-9904	144,000.00
Winnebago County Housing Authority	3617 Delaware Street	Rockford	IL	61102-1506	144,000.00
Housing Authority of The City of Freeport	1052 West Galena	Freeport	IL	61032-3814	72,000.00
Housing Authority of Henry County	125 North Chestnut Street Family Self-Sufficiency.	Kewanee	IL	61443-2110	94,700.00
Dupage Housing Authority	711 E Roosevelt Rd	Wheaton	IL	60187-5646	121,726.00
Lake County Housing Authority	33928 North US Highway 45	Grayslake	IL	60030-1714	250,045.00
Rock Island Housing Authority	227 21st Street	Rock Island	IL	61201-8822	64,538.00
St. Clair County Housing Authority	1790 S 74th St	Belleville	IL	62223-3366	59,040.00
Kankakee County Housing Authority	185 N. St. Joseph Ave., P.O. Box 965	Kankakee	IL	60901-965	45,200.00
Housing Authority of Champaign County	2008 N Market St	Champaign	IL	61822-1308	72,000.00
Madison County Housing Authority	2 Eastport Plaza Drive	Collinsville	IL	62234-4909	71,789.00
Housing Authority of Joliet	6 S Broadway Street	Joliet	IL	60436-1753	71,582.00
Housing Authority of Marion County	719 Howard St	Centralia	IL	62801-689	50,000.00
Springfield Housing Authority	200 North Eleventh Street	Springfield	IL	62703-1004	263,338.00
Peoria Housing Authority	100 South Richard Pryor Place	Peoria	IL	61605-3905	113,400.00
Chicago Housing Authority	60 East Van Buren Department of Resident Service.	Chicago	IL	60605-1240	904,560.00
Housing Authority of The City of Bloomington	104 E Wood Street	Bloomington	IL	61701-6768	42,500.00
The Housing Authority of The City of East St. Louis.	700 North 20th Street Family Self-Sufficiency	East St. Louis	IL	62205-1814	72,000.00
Menard County Housing Authority	101 West Sheridan Rd., P.O. Box 168	Petersburg	IL	62675-1349	60,000.00
Moline Housing Authority	4141 11th Avenue A	Moline	IL	61265-2592	72,000.00
Housing Authority of Cook County	175 W Jackson Blvd., Suite 350	Chicago	IL	60604-3042	188,747.00
Macoupin County Housing Authority	760 Anderson Street P.O. Box 226	Carlinville	IL	62626-1003	45,786.00
Waukegan Housing Authority	215 South Martin Luther King Jr. Avenue	Waukegan	IL	60085-5522	58,133.00
Housing Authority of The City of Elgin	130 South State Street	Elgin	IL	60123-6444	72,000.00
Housing Authority of The City of Elkhart	1396 Benham Ave	Elkhart	IN	46516-3341	50,750.00
Hammond	1402 173rd St FSS Program	Hammond	IN	46324-2861	61,944.00
Housing Authority of The City of Terre Haute	P.O. Box 3086 Resident & Community Services.	Terre Haute	IN	47803-86	112,445.00
Housing Authority of The City of Kokomo	210 E Taylor St., P.O. Box 1207	Kokomo	IN	46903-1207	52,292.00
South Bend Housing Authority	501 Alonzo Watson Drive	South Bend	IN	46601-3715	43,407.00

Organization	Address	City	State	ZIP	Total
Housing Authority of The City of Gary	578 Broadway	Gary	IN	46402-0	50,951.00
The Housing Authority of The City of New Albany Indiana.	P.O. Box 11	New Albany	IN	47150-11	176,874.00
Housing Authority City of Vincennes	501 Hart Street, P.O. Box 1636	Vincennes	IN	47591-2103	44,509.00
Fort Wayne Housing Authority	7315 Hanna Street	Fort Wayne	IN	46816-1175	148,174.00
Indianapolis Housing Agency	1919 N Meridian Street	Indianapolis	IN	46202-1303	255,162.00
Housing Authority of The City of Columbus Indiana.	799 McClure Road	Columbus	IN	47201-6610	47,769.00
The Housing Authority of The City of Evansville Marion Housing Authority	402 Court Street Suite B	Evansville	IN	47708-1102	132,452.00
	601 S Adams St	Marion	IN	46953-2042	72,000.00
Southern Iowa Regional Housing Authority	219 N Pine Street	Creston	IA	50801-2413	53,817.00
Eastern Iowa Regional Housing Authority	7600 Commerce Park	Dubuque	IA	52002-9673	206,170.00
Iowa City Housing Authority	410 E Washington Street	Iowa City	IA	52240-1825	135,420.00
Central Iowa Regional Housing Authority	1201 SE Gateway Drive	Grimes	IA	50111-6637	35,000.00
Municipal Housing Agency of The City of Fort Dodge.	700 South 17th Street	Fort Dodge	IA	50501-5300	103,332.00
City of Sioux City Housing Authority	405 6th Street, Suite 107, P.O. Box 447 Housing Services Division.	Sioux City	IA	51102-447	144,000.00
City of Dubuque	350 W 6th Street Suite 312	Dubuque	IA	52001-4648	133,507.00
City Of Des Moines Municipal Housing Agency Region XII Regional Housing Authority	2309 Euclid Ave. Supportive Services—FSS ...	Des Moines	IA	50310-5703	223,726.00
Muscatine, City Of D/B/A Muscatine Municipal Housing Agency.	320 E 7th, P.O. Box 663	Carroll	IA	51401-0	53,304.00
	215 Sycamore St Housing	Muscatine	IA	52761-3839	29,984.00
City of Cedar Rapids	101 First Street SE Housing Services	Cedar Rapids	IA	52401-1205	152,078.00
Salina Housing Authority	469 S 5th St	Salina	KS	67401-4110	50,000.00
Nek-Cap, Inc	1260 220th Street, P.O. Box	Hiawatha	KS	66434-380	54,629.00
Lawrence-Douglas County Housing Authority ...	1600 Haskell Avenue	Lawrence	KS	66044-4399	239,921.00
The Housing Authority of The City of Kansas City, Kansas.	1124 N 9th Street Cherrie Escobar	Kansas City	KS	66101-2197	62,312.00
Johnson County, Kansas	12425 West 87th Street Parkway, Suite 200 Housing Services.	Lenexa	KS	66215-4524	32,309.00
Topeka Housing Authority	2010 SE California Ave	Topeka	KS	66607-1444	51,620.00
City of Olathe Housing Authority	P.O. Box 768 200 West Santa Fe Street	Olathe	KS	66051-768	54,635.00
Boone County Fiscal Court Assisted Housing Department.	2950 Washington PO Box 536	Burlington	KY	41005-0	66,373.00
Cumberland Valley Regional Housing Authority Housing Authority of Newport, Ky	P.O. Box 806	Barbourville	KY	40906-806	119,852.00
	30 East 8th Street	Newport	KY	41071-459	61,659.00
Appalachian Foothills Housing Agency, Inc	1214 Riverside Boulevard	Wurtland	KY	41144-1635	\$44,651.00
Housing Authority of Glasgow	111 Bunche Avenue, P.O. Box 1745	Glasgow	KY	42142-1745	51,107.00
Pineville Urban Renewal & Community	114 W Kentucky Avenue	Pineville	KY	40977-460	41,649.00
Louisville Metro Housing Authority	420 South Eighth Street Special Program	Louisville	KY	40203-1906	461,726.00
City of Covington CDA	2300 Madison Avenue 2nd floor	Covington	KY	41014-2237	60,320.00
Kentucky Housing Corporation	1231 Louisville Road Tenant Assistance Programs.	Frankfort	KY	40601-6156	121,185.00
City of Richmond Section 8 Housing	P.O. Box 250	Richmond	KY	40476-250	100,000.00
Lexington-Fayette Urban County Housing Authority.	300 West New Circle Road	Lexington	KY	40505-1428	115,073.00
Housing Authority of Covington	2300 Madison Ave	Covington	KY	41014-1237	60,320.00
Georgetown Housing Authority	139 Scroggins Park Drive	Georgetown	KY	40324-2039	47,285.00
Housing Authority of Bowling Green	247 Double Springs Road, P.O. Box 116	Bowling Green	KY	42101-5160	49,500.00
Terrebonne Parish Consolidated Government ..	809 Barrow Street Section 8	Houma	LA	70360-0	50,137.00
Housing Authority of The City of Shreveport	2500 Line Avenue	Shreveport	LA	71104-3022	103,854.00
St. James Parish Housing Authority	2627 King Avenue, P.O. Box 280	Lutcher	LA	70071-0	69,380.00
Calcasieu Parish Police Jury Human Services Housing Department.	2001 Moeling Street	Lake Charles	LA	70601-0	26,000.00
Housing Authority of New Orleans	4100 Touro Street	New Orleans	LA	70122-3143	64,949.00
Housing Authority of Jefferson Parish	1718 Betty Street Contract Administration	Marrero	LA	70072-3318	60,000.00
Maine State Housing Authority	26 Edison Drive	Augusta	ME	4330-6046	62,467.00
City of Caribou	25 High St	Caribou	ME	4736-25	57,446.00
Westbrook Housing Authority	30 Liza Harmon Drive Family Self-Sufficiency	Westbrook	ME	4092-3438	47,266.00
Housing Authority of The City of Old Town	358 Main Street P.O. Box 404	Old Town	ME	4468-404	47,944.00
Bangor Housing Authority	161 Davis Rd	Bangor	ME	4401-2310	63,709.00
Housing Authority of The City of Brewer	15 Colonial Circle, Suite 1	Brewer	ME	4412-1576	60,978.00
Augusta Housing Authority	33 Union Street, Suite 3	Augusta	ME	4330-6800	32,484.00
Lewiston Housing Authority	1 College St	Lewiston	ME	4240-7175	58,873.00
Portland Housing Authority	14 Baxter Boulevard	Portland	ME	4101-1822	78,659.00
Housing Authority of Washington County	319 E Antietam St. 2nd. Floor	Hagerstown	MD	21740-5701	72,000.00
Hagerstown Housing Authority	35 W Baltimore Street	Hagerstown	MD	21740-6059	176,548.00
Howard County Housing Commission	9770 Patuxent Woods Drive Suite 100	Columbia	MD	21046-3374	61,059.00
Housing Opportunities Commission of Montgomery County, MD.	10400 Detrick Avenue Housing Resource Division.	Kensington	MD	20895-2440	392,113.00
Housing Authority of Baltimore City	417 E Fayette Street, Room 923	Baltimore	MD	21202-3431	504,000.00
Housing Authority for The City of Annapolis	1217 Madison Street	Annapolis	MD	21403-2203	72,000.00
Housing Commission of Anne Arundel County	7477 Baltimore-Annapolis Blvd. Housing Resources.	Glen Burnie	MD	21061-370	206,192.00
Commissioners of Carroll County	225 N Center Street	Westminster	MD	21157-5108	62,481.00
Havre De Grace Housing Authority	101 Stansbury Ct.	Havre de Grace	MD	20178-2641	72,000.00
Cecil County Housing Agency	200 Chesapeake Blvd. Suite 1800	Elkton	MD	21921-6682	53,594.00
Rockville Housing Enterprises	621 Southlawn Lane, STE A STE A	Rockville	MD	20850-1456	65,000.00
Housing Authority of St. Mary's County, Maryland.	21155 Lexwood Drive, Suite C	Lexington Park	MD	20653-4386	54,324.00
Marsha J. Parham-Green	6401 York Road Office of Housing	Baltimore	MD	21212-2152	243,864.00
Harford County, Maryland	15 South Main Street	Bel Air	MD	21014-8725	32,036.00

Organization	Address	City	State	ZIP	Total
Housing Authority of The City of Frederick	209 Madison Street	Frederick	MD	21701-6536	73,418.00
Methuen Housing Authority	24 Mystic St	Methuen	MA	1844-2499	64,393.00
Melrose Housing Authority	910 Main Street	Melrose	MA	2176-2331	30,967.00
Brockton Housing Authority	45 Goddard Road	Brockton	MA	2303-7070	139,000.00
North Andover Housing Authority	1 Morkeski Meadows	North Andover	MA	1845-4932	66,052.00
Boston Housing Authority	52 Chauncy Street Leased Housing	Boston	MA	2111-2325	303,318.00
Gloucester Housing Authority	259 Washington Street, P.O. Box 1599	Gloucester	MA	1930-1599	53,286.00
Fall River Housing Authority	85 Morgan St	Fall River	MA	2721-1816	142,000.00
Medford Housing Authority	121 Riverside Ave. Family Self-Sufficiency	Medford	MA	2155-4611	72,000.00
Arlington Housing Authority	4 Winslow Street	Arlington	MA	2474-3062	72,000.00
Revere Housing Authority	70 Cooledge Street	Revere	MA	2151-0	36,000.00
Chelmsford Housing Authority	10 Wilsons Street	Chelmsford	MA	1824-3160	64,449.00
Lynn Housing Authority & Neighborhood Development (LHAND)	10 Church Street	Lynn	MA	1902-4418	116,810.00
Winchester Housing Authority	13 Westley Street	Winchester	MA	1890-2130	72,000.00
Holyoke Housing Authority	475 Maple Street Suite One	Holyoke	MA	1040-0	113,158.00
Milton Housing Authority	65 Miller Avenue	Milton	MA	2186-4756	72,000.00
Malden Housing Authority	630 Salem Street	Malden	MA	2148-4361	136,319.00
Braintree Housing Authority	25 Roosevelt Street	Braintree	MA	2184-8663	62,036.00
Taunton Housing Authority	30 Olney Street, Suite B	Taunton	MA	2780-4141	69,267.00
Lowell Housing Authority	350 Moody Street, P.O. Box 60	Lowell	MA	1853-60	73,032.00
Framingham Housing Authority	1 John J Brady Drive Family Self-Sufficiency	Framingham	MA	1702-2300	74,265.00
Chelsea Housing Authority	54 Locke Street	Chelsea	MA	2150-2250	72,000.00
Commonwealth of Massachusetts	100 Cambridge Street, Suite 300	Boston	MA	2114-2531	785,547.00
Worcester Housing Authority	40 Belmont Street Resident Programs—FSS	Worcester	MA	1605-2658	360,000.00
Somerville Housing Authority	30 Memorial Road	Somerville	MA	2145-1704	132,987.00
Acton Housing Authority	68 Windsor Avenue	Acton	MA	1720-2861	66,430.00
Leominster Housing Authority	100 Main Street	Leominster	MA	1453-5599	57,439.00
Greenfield Housing Authority	1 Elm Terrace	Greenfield	MA	1301-2203	63,961.00
Wayland Housing Authority	106 Main Street	Wayland	MA	1778-4939	33,000.00
Attleboro Housing Authority	80 South Ave	Attleboro	MA	2703-4532	60,000.00
Plymouth Housing Authority	130 Court Street	Plymouth	MA	2360-8728	52,000.00
Quincy Housing Authority	80 Clay Street	Quincy	MA	2170-2745	72,000.00
Saginaw Housing Commission	1803 Norman St., P.O. BOX 3225	Saginaw	MI	48605-3225	75,689.00
Ann Arbor Housing Commission	727 Miller Avenue RAD PBV & HCV	Ann Arbor	MI	48103-3353	144,000.00
Traverse City Housing Commission	150 Pine St	Traverse City	MI	49684-2478	70,148.00
Wyoming Housing Commission	2450 36th St. SW	Wyoming	MI	49519-6111	151,798.00
Michigan State Housing Development Authority	735 East Michigan Avenue RAHS	Lansing	MI	48909-1474	1,064,552.00
Plymouth Housing Commission	1160 Sheridan Street	Plymouth	MI	48170-1560	133,413.00
Kent, County Of	121 Franklin Street SE, Suite 110	Grand Rapids	MI	49507-1132	133,806.00
Westland Housing Commission	32150 Dorsey Road	Westland	MI	48186-4784	39,602.00
Detroit Housing Commission	1301 East Jefferson	Detroit	MI	42807-0	307,780.00
Pontiac Housing Commission	132 Franklin Blvd	Pontiac	MI	48341-1778	72,000.00
Housing and Redevelopment Authority of Duluth, MN.	222 E 2nd St., P.O. Box 16900	Duluth	MN	55816-900	73,019.00
Housing & Redevelopment Authority of Clay County.	116 Center Ave. E P.O. Box 99	Dilworth	MN	56529-99	73,196.00
Mankato Economic Development Authority	10 Civic Center Plaza, P.O. Box 3368	Mankato	MN	56002-3368	61,376.00
Housing and Redevelopment Authority of Virginia, Mn.	442 Pine Mill Court	Virginia	MN	55792-3097	67,053.00
Dakota County Community Development Agency.	1228 Town Centre Drive Family Self Sufficiency.	Eagan	MN	55123-1066	24,876.00
Public Housing Agency of The City of Saint Paul.	555 N Wabasha St., Suite 400	Saint Paul	MN	55102-1602	23,329.00
Washington County Community Development Agency.	7645 Currell Blvd	Woodbury	MN	55125-2256	48,711.00
Scott County Community Development Agency	323 Naumkeag St	Shakopee	MN	55379-1652	23,836.00
Northwest Minnesota Multi County Housing Authority.	205 Garfield Avenue Family Self-Sufficiency	Mentor	MN	56736-128	72,000.00
Brainerd, City of	324 East River Road	Brainerd	MN	56401-3504	67,304.00
South Central Mn Multi-County HRA	422 Belgrade Avenue, Suite 102	North Mankato	MN	56003-3874	46,034.00
Southeastern Minnesota Multi-County HRA	134 East Second Street	Wabasha	MN	55981-1440	43,083.00
Housing Authority of St. Louis Park	5005 Minnetonka Boulevard	St. Louis Park	MN	55416-2216	41,866.00
Mississippi Regional Housing Authority No. VIII	10430 Three Rivers Rd: Mailing: P.O. Box 2347, Gulfport, MS 39505-2347.	Gulfport	MS	39501-5914	105,222.00
Tennessee Valley Regional Housing Authority	1210 Proper St	Corinth	MS	38834-1210	180,101.00
South Delta Regional Housing Authority	202 Weston Ave	Leland	MS	38756-202	53,250.00
Mississippi Regional Housing Authority VI	2180 Terry Road, P.O. Box 8746	Jackson	MS	39284-8746	137,103.00
The Housing Authority of The City of Jackson, Mississippi.	2747 Livingston Road	Jackson	MS	39213-6928	55,636.00
Mississippi Regional Housing Authority No. II ...	900 Molly Barr Road	Oxford	MS	38655-2106	35,000.00
The Housing Authority City of Meridian	2425 E Street	Meridian	MS	39305-870	126,449.00
The Housing Authority of The City of Biloxi	330 Benachi Avenue, P.O. Box 447	Biloxi	MS	39533-447	48,687.00
Mississippi Regional Housing Authority, No. VII	P.O. Box 748	McComb	MS	39649-748	216,680.00
Lincoln County Public Housing Agency	16 N Court ST, P.O. Box 470	Bowling Green	MO	63334-470	91,437.00
St Charles County Government	201 N Second ST, Room 529	ST. Charles	MO	63301-0	47,834.00
Housing Authority of The City of Liberty, MO ...	17 East Kansas	Liberty	MO	64068-2372	51,855.00
The Housing Authority of Kansas City, Missouri	920 Main Suite 701	Kansas City	MO	64105-2017	287,995.00
Saint Charles Housing Authority	1041 Olive Street	Saint Charles	MO	63301-4711	111,946.00
Phelps County Public Housing Agency	#4 Industrial Drive	St. James	MO	65559-9998	59,946.00
Ripley County Public Housing Agency	3019 Fair Street	Poplar Bluff	MO	63901-7044	43,605.00
Economic Security Dba Jasper County Public Housing Agency.	302 Joplin St	Joplin	MO	64801-2354	47,526.00

Organization	Address	City	State	ZIP	Total
Housing Authority of The City of Springfield, Missouri.	421 W Madison St	Springfield	MO	65806-2938	26,825.00
St. Clair County PHA	106 West Fourth Street Housing	Appleton City	MO	64724-1402	165,683.00
Housing Authority of The City of Jefferson	P.O. Box 1029, 1040 Myrtle Avenue	Jefferson City	MO	65102-1029	72,000.00
St. Francois County Public Housing Agency	403 Parkway Drive, P.O. Box 308	Park Hills	MO	63601-308	55,774.00
St. Louis Housing Authority	3520 Page Boulevard Development	St. Louis	MO	63106-1417	141,449.00
Franklin County Public Housing Agency	P.O. Box 920 Housing Program	Hillsboro	MO	63050-920	87,169.00
Housing Authority of The City of Columbia, Missouri.	201 Switzler Street	Columbia	MO	65203-4156	107,052.00
Housing Authority of St. Louis County	P.O. Box 23886	St. Louis	MO	63121-9129	135,996.00
Missoula Housing Authority	1235 34th Street	Missoula	MT	59801-8521	218,242.00
Housing Authority of Billings	2415 1st Avenue North	Billings	MT	59101-2318	50,536.00
Kearney Housing Authority	2715 I Avenue, P.O. Box 1236	Kearney	NE	68848-1236	87,502.00
Douglas County Housing Authority	5404 N 107th Plaza	Omaha	NE	68134-1100	58,675.00
Goldenrod Regional Housing Agency	1017 Avenue E, P.O. Box 799	Wisner	NE	68791-799	95,482.00
Housing Authority of The City of Omaha	1823 Harney Street	Omaha	NE	68102-1908	224,272.00
Housing Authority of The City of Lincoln	5700 R Street Family Self-Sufficiency	Lincoln	NE	68505-2332	129,466.00
Southern Nevada Regional Housing Authority ..	340 North 11th Street Family Self-Sufficiency ..	Las Vegas	NV	89101-3125	707,939.00
Reno Housing Authority	1525 E 9th Street	Reno	NV	89512-3012	113,084.00
Keene Housing	831 Court St	Keene	NH	03431-1712	145,456.00
Manchester Housing and Redevelopment Authority.	198 Hanover Street	Manchester	NH	03104-6125	51,941.00
Dover Housing Authority	62 Whittier Street	Dover	NH	03820-2946	72,000.00
New Hampshire Housing Finance Authority	32 Constitution Drive	Bedford	NH	03110-6062	265,638.00
Woodbridge Housing Authority	800 B Bunn's Lane	Woodbridge	NJ	07095-1765	26,591.00
Passaic County Public Housing Agency	100 Hamilton Plaza, Suite 510	Paterson	NJ	07505-2100	123,466.00
Trenton Housing Authority	875 New Willow Street	Trenton	NJ	08638-4039	63,331.00
Housing Authority of Plainfield	510 E Front Street	Plainfield	NJ	07060-510	69,000.00
NJ Department of Community Affairs	101 S Broad Street, P.O. Box 051	Trenton	NJ	08625-51	72,000.00
Atlantic City Housing and Redevelopment Authority.	227 North Vermont Avenue, 17th Floor	Atlantic City	NJ	08401-5563	64,724.00
Housing Authority of The City of Vineland	191 West Chestnut Avenue	Vineland	NJ	08360-5417	70,000.00
Housing Authority of The City of Perth Amboy	881 Amboy Avenue, P.O. Box 390	Perth Amboy	NJ	08862-390	139,243.00
Housing Authority of Morris	99 Ketch Road	Morristown	NJ	07960-2606	86,892.00
Housing Authority of The Borough of Madison	24 Central Ave	Madison	NJ	07940-1811	72,000.00
Lakewood Housing Authority	317 Sampson Avenue, P.O. Box 1599	Lakewood	NJ	08701-3565	73,605.00
Lakewood Twp. Residential Assistance Program.	600 W Kennedy Blvd	Lakewood	NJ	08701-1243	60,438.00
Housing Authority of The City of Jersey City	400 U.S. Highway #1 Marion Gardens	Jersey City	NJ	07306-6545	275,886.00
Housing Authority of Gloucester County	100 Pop Moylan Blvd	Deptford	NJ	08096-1947	53,677.00
Housing Authority of The Borough of Fort Lee	1403 Teresa Drive Suite FLHA	Fort Lee	NJ	07024-2101	55,000.00
County Treas., County of Monmouth, NJ	3000 Kozloski Road, P.O. Box 3000	Freehold	NJ	07728-9969	72,000.00
The Housing Authority of The City of Orange ..	340 Thomas Blvd	Orange	NJ	09730-7050	68,000.00
Pleasantville Housing Authority	168 North Main Street	Pleasantville	NJ	08232-2569	77,699.00
Housing Authority of The City of Newark	500 Broad Street 2nd Floor	Newark	NJ	07102-3112	134,897.00
Housing Authority of The City of East Orange ..	7 Glenwood Avenue, Suite 304A	East Orange	NJ	07017-1041	72,000.00
Housing Authority Town of Dover	215 East Blackwell Street	Dover	NJ	07801	35,514.00
Housing Authority of The City of Paterson	60 Van Houten St., P.O. Box H	Paterson	NJ	07505-1028	56,737.00
Housing Authority of The City of Camden	2021 Watson Street, 2nd Floor	Camden	NJ	08105-1866	56,545.00
Housing Authority of The Township of Irvington ..	101 A Union Avenue Family Self-Sufficiency ..	Irvington	NJ	07111-3261	37,879.00
Clovis Housing & Redevelopment Agency, Inc ..	2101 W Grand Avenue, P.O. Box 1240	Clovis	NM	88101-7088	101,653.00
Eastern Regional Housing Authority	P.O. Drawer 2057	Roswell	NM	88202-2057	122,420.00
Bernalillo County Housing Department	2400 Wellesley Dr. NE—Suite 100 Community Services.	Albuquerque	NM	87107-1812	80,334.00
Mesilla Valley Public Housing Authority	926 S San Pedro St HOUSING CHOICE VOUCHER.	Las Cruces	NM	88001-3637	50,121.00
Housing Authority of The City of Truth or Consequences.	108 S Cedar St	Truth or Consequences.	NM	87901-2881	47,226.00
Santa Fe County	52 Camino de Jacobo Housing Authority	Santa Fe	NM	87507-3502	50,149.00
El Camino Real Housing Authority	P.O. Box 00 301 Otero Avenue	Socorro	NM	87801-5000	51,266.00
Santa Fe Civic Housing Authority	664 Alta Vista Street	Santa Fe	NM	87505-4149	62,284.00
Troy Housing Authority	One Eddy's Lane	Troy	NY	12180-1423	144,000.00
Village of Ballston Spa	11 Federal Street	Saratoga Springs	NY	12866-4111	46,830.00
Town of Colonie	11 Federal Street	Saratoga Springs	NY	12866-4111	56,708.00
Village of Corinth	11 Federal Street	Saratoga Springs	NY	12866-4111	67,174.00
Village of Fort Plain	11 Federal Street	Saratoga Springs	NY	12866-4111	68,706.00
Mechanicville Housing Authority	11 Federal Street	Saratoga Springs	NY	12866-4111	69,192.00
Cohoes Housing Authority	11 Federal Street	Saratoga Springs	NY	12866-4111	68,876.00
Gloversville Housing Authority	11 Federal Street	Saratoga Springs	NY	12866-4111	104,633.00
Town of Guildeland	11 Federal Street	Saratoga Springs	NY	12866-4111	67,897.00
Village of Highland Falls	11 Federal Street	Saratoga Springs	NY	12866-4111	66,704.00
City of Johnstown	11 Federal Street	Saratoga Springs	NY	12866-4111	66,704.00
Town of Rotterdam	11 Federal Street	Saratoga Springs	NY	12855-4111	58,682.00
Village of Scotia	11 Federal Street	Saratoga Springs	NY	12866-4111	59,384.00
Town of Islip Housing Authority	963 Montauk Hwy	Oakdale	NY	11769-1433	60,316.00
City of Utica Section 8 Program	1 Kennedy Plaza Section 8 Program	Utica	NY	13502-4236	51,659.00
North Hempstead Housing Authority	899 Broadway	Westbury	NY	11590-0	36,000.00
Ithaca Housing Authority	800 S Plain St	Ithaca	NY	14850-5347	151,519.00
Town of Babylon Housing Assistance Agency ..	281 Phelps Lane Housing Assistance Agency ..	N. Babylon	NY	11703-4006	49,913.00
City of Oswego Community Development Office.	159 Liberty Street Housing Choice Voucher ..	Oswego	NY	13126-1904	54,000.00
Municipal Housing Authority of The City of Schenectady.	375 Broadway	Schenectady	NY	12305-2505	122,302.00

Organization	Address	City	State	ZIP	Total
NVS Housing Trust Fund Corp	38-40 State Street Statewide Section 8	Albany	NY	12207-2837	1,457,220.00
City of Lockport Housing Authority	301 Michigan St	Lockport	NY	14094-1724	72,000.00
Rental Assistance Corporation of Buffalo	470 Franklin St	Buffalo	NY	14202-1302	109,375.00
Rochester Housing Authority	675 West Main Street	Rochester	NY	14611-2313	200,877.00
Syracuse Housing Authority	516 Burt Street	Syracuse	NY	13202-3934	201,000.00
New York City Housing Authority	250 Broadway Office of the EVP	New York	NY	10007-2516	216,000.00
City of North Tonawanda PHA	500 Wheatfield Street	North Tonawanda	NY	14120-7026	50,975.00
Monticello Housing Authority	76 Evergreen Drive	Monticello	NY	12701-0	72,000.00
Municipal Housing Authority of The City of Utica, New York	509 Second Street, Suite One	Utica	NY	13501-2450	72,000.00
Albany Housing Authority	200 South Pearl Street	Albany	NY	12202-2028	227,558.00
Town of Brookhaven, Department of Housing And Human Services	One Independence Hill HCV FSS Program	Farmingville	NY	11738-362	72,000.00
Erie County PHA Consortium, Town of Amherst Lead Applicant	5583 Main Street	Amherst	NY	14221-5488	164,685.00
Amsterdam Housing Authority	52 Division Street	Amsterdam	NY	12010-4007	101,435.00
New York City Department of Housing Preservation + Development	100 Gold Street Tenant Resources	New York	NY	10038-1605	1,210,135.00
Buffalo Municipal Housing Authority	300 Perry Street Resident Services	Buffalo	NY	14204-2270	34,500.00
Town of Huntington Housing Authority	1A Lowndes Avenue	Huntington Station	NY	11746-1261	72,000.00
Village of Kiryas Joel Housing Authority	51 Forest Road, Suite 360	Monroe	NY	10950-2938	72,859.00
Housing Authority of The City of Wilson	301 Nash St NE	Wilson	NC	27893-3834	66,159.00
Housing Authority of The City of Kinston NC	608 N Queen St Kinston Housing Authority	Kinston	NC	28501-697	110,472.00
Northwestern Regional Housing Authority	869 Highway 105 Extension, Suite 10, P.O. Box 2510	Boone	NC	28607-4958	206,884.00
Economic Improvement Council, Inc	712 Virginia Road Family Self Sufficiency	Edenton	NC	27932-549	50,887.00
Rowan County Housing Authority	310 Long Meadow Dr	Salisbury	NC	28147-8200	108,000.00
Housing Authority City of Asheville	165 S French Broad Avenue Ste 1	Asheville	NC	28801-3947	139,190.00
Roxboro Housing Authority	500 Mt. Bethel Church Street PO 996	Roxboro	NC	27573-4795	62,975.00
Coastal Community Action, Inc	P.O. Box 729	Newport	NC	28570-729	39,807.00
City of Hickory Public Housing Authority	841 S Center Street	Hickory	NC	28602-3611	59,506.00
North Wilkesboro Housing Authority	P.O. Box 1373 101 Hickory Street	North Wilkesboro	NC	28659-3521	60,000.00
Washington Housing Authority	809 Pennsylvania Ave., P.O. Box 1046	Washington	NC	27889-3824	45,000.00
Western Carolina Community Action	P.O. Box 685 220 King Creek Blvd.	Hendersonville	NC	28792-685	68,684.00
Housing Authority of The City of Wilmington, NC	1524 South 16th Street Family Self Sufficiency	Wilmington	NC	28401-6426	64,296.00
Housing Authority of The County of Wake	100 Shannon Drive Family Self-Sufficiency	Zebulon	NC	27597-399	56,000.00
Housing Authority of The City of High Point	500 E Russell Ave., P.O. Box 1779	High Point	NC	27260-1779	181,584.00
Rocky Mount Housing Authority	1065 Pinehurst Drive, Box 4717	Rocky Mount	NC	27803-4717	71,272.00
Western Piedmont Council of Governments	1880 2nd Ave. NW	Hickory	NC	28601-9026	76,039.00
Housing Authority of The Town of Laurinburg	Post Office Box 1437 Family Self-Sufficiency	Laurinburg	NC	28353-1437	52,500.00
Eastern Carolina Human Services Agency, Inc	237 New River Drive, Suite 1, P.O. Box 796	Jacksonville	NC	28541-796	72,000.00
Inlivan	400 East Blvd	Charlotte	NC	28203-5584	116,170.00
Gastonia Housing Authority	P.O. Box 2398	Gastonia	NC	28053-2398	51,821.00
Isothermal Planning and Development Commission	111 West Court Street Isothermal Plann and Dev. Comm.	Rutherfordton	NC	28139-841	35,744.00
Housing Authority of The City of Winston-Salem	500 W 4th Street, Suite 300	Winston-Salem	NC	27101-2782	62,912.00
Chatham County Housing Authority	13450 U.S. Hwy. 64 West, P.O. Box 571	Siler City	NC	27344-6443	24,669.00
Burlington Housing Authority	133 N Ireland St	Burlington	NC	27217-2365	66,349.00
City of Concord Housing Department	283 Harold Goodman Circle	Concord	NC	28025-5442	51,491.00
Housing Authority of The City of Goldsboro	700 N Jefferson Ave	Goldsboro	NC	27530-3135	66,746.00
Mid-East Regional Housing Authority	2995 Radio Station Road	Greenville	NC	27834-2995	46,566.00
Sandhills Community Action Program Inc	340 Commerce Avenue, Suite 20	Southern Pines	NC	28387-7168	45,000.00
The Housing Authority of The City of Durham	330 East Main Street	Durham	NC	27701-3718	132,977.00
Twin Rivers Opportunities, Inc	318 Craven Street	New Bern	NC	28560-1482	74,156.00
Mountain Projects, Inc	2177 Asheville Road	Waynesville	NC	28786-3139	33,975.00
Housing Authority of The City of Greenville	1103 Broad Street	Greenville	NC	27834-3952	170,000.00
Sanford Housing Authority	P.O. Box 636	Sanford	NC	27331-4115	118,651.00
Housing Authority of The City of Greensboro	450 N Church St	Greensboro	NC	27401-2001	282,581.00
Lexington Housing Authority	1 Jamaica Dr	Lexington	NC	27293-0	52,168.00
The Housing Authority of The City of Grand Forks ND	1405 1st Ave North	Grand Forks	ND	58203-3484	118,218.00
Fargo Housing and Redevelopment Authority	325 Broadway N	Fargo	ND	58102-430	124,155.00
Columbus Metropolitan Housing Authority	880 E 11th Avenue	Columbus	OH	43211-2771	186,722.00
Meigs Metropolitan Housing Authority	441 General Hartinger Parkway	Middleport	OH	45760-1251	23,214.00
Erie Metropolitan Housing Authority	322 Warren Street	Sandusky	OH	44870-2265	51,715.00
Morgan Metropolitan Housing Authority	4580 N St Rt 376	McConnelsville	OH	43756-9701	47,000.00
Pickaway Metro Housing Authority	176 Rustic Dr	Circleville	OH	43113-1576	24,069.00
Youngstown Metropolitan Housing Authority	131 W Boardman Street Youngstown FSS Program	Youngstown	OH	44503-1337	244,140.00
Jackson Metropolitan Housing Authority	249 West 13th Street, P.O. Box 619	Wellston	OH	45692-619	40,750.00
Knox Metropolitan Housing Authority	201 A West High Street	Mount Vernon	OH	43050-2427	23,122.00
Morrow Metropolitan Housing Authority	619 West Marion Street, Suite #107	Mount Gilead	OH	43338-1097	39,984.00
Fairfield Metropolitan Housing Authority	315 N Columbus St	Lancaster	OH	43130-1619	113,000.00
Tuscarawas Metropolitan Housing Authority	134 Second Street SW	New Philadelphia	OH	44663-3861	50,000.00
Parma Public Housing Agency	1440 Rockside Road, Suite 306 Housing Choice Voucher Program	Parma	OH	44134-2775	50,248.00
Vinton Metropolitan Housing Authority	310 West High Street, P.O. Box 487	McArthur	OH	45651-487	19,662.00
Portage Metropolitan Housing Authority	2832 State Route 59 Family Self-Sufficiency	Ravenna	OH	44266-1650	46,269.00
Allen Metropolitan Housing Authority	600 South Main Street	Lima	OH	45804-1242	43,500.00
Chillicothe Metropolitan Housing Authority	178 West Fourth Street	Chillicothe	OH	45601-3219	114,950.00
Adams Metropolitan Housing Authority	401 East Seventh Street	Manchester	OH	45144-1401	52,529.00

Organization	Address	City	State	ZIP	Total
The City of Marietta, Ohio PHA	301 Putnam Street	Marietta	OH	45750-0	48,000.00
Lucas Metropolitan Housing Authority	435 Nebraska Avenue, P.O. Box 477	Toledo	OH	43697-477	263,400.00
Athens Metropolitan Housing Authority	10 Hope Drive	Athens	OH	45701-2136	41,494.00
Geauga Metropolitan Housing Authority	385 Center Street—Office	Chardon	OH	44024-1155	67,151.00
Stark Metropolitan Housing Authority	400 Tuscarawas St. E	Canton	OH	44702-1131	57,300.00
Wayne Metropolitan Housing Authority	345 North Market Street	Wooster	OH	44691-3566	45,514.00
Cambridge Metropolitan Housing Authority	1100 Maple Court, P.O. Box 1388	Cambridge	OH	43725-6388	32,900.00
Lake Metropolitan Housing Authority	189 First Street	Painesville	OH	44077-3111	60,000.00
Lorain Metropolitan Housing Authority	1600 Kansas Ave.	Lorain	OH	44052-3317	121,759.00
Zanesville Metropolitan Housing Authority	407 Pershing Road	Zanesville	OH	43701-6871	222,874.00
Clinton Metropolitan Housing Authority	478 Thorne Avenue	Wilmington	OH	45177-1222	50,750.00
Akron Metropolitan Housing Authority	100 West Cedar Street	Akron	OH	44307-2502	349,899.00
Dayton Metropolitan Housing Authority	400 Wayne Ave Family Self-Sufficiency	Dayton	OH	45410-1118	120,678.00
Cincinnati Metropolitan Housing Authority	1627 Western Avenue	Cincinnati	OH	45214-2001	364,652.00
Springfield Metropolitan Housing Authority	101 West High Street	Springfield	OH	45502-1219	72,000.00
Logan County Metropolitan Housing Authority	116 N Everett St	Bellefontaine	OH	43311-1132	47,403.00
Trumbull Metropolitan Housing Authority	4076 Youngstown Road, SE	Warren	OH	44484-3397	119,097.00
Housing Authority of The City of Shawnee, OK	601 W Seventh Street, P.O. Box 3427	Shawnee	OK	74802-3427	136,979.00
Housing Authority of The City of Muskogee	220 North 40th	Muskogee	OK	74401-1471	50,305.00
Housing Authority of The City of Norman	700 North Berry Road	Norman	OK	73069-7562	50,935.00
Oklahoma City Housing Authority	1700 Northeast Fourth Street	Oklahoma City	OK	73117-3800	50,794.00
Oklahoma Housing Finance Agency	100 NW 63rd ST Suite 200	Oklahoma City	OK	73116-8208	213,207.00
Housing Authority of The City of Tulsa	415 E Independence St	Tulsa	OK	74106-5727	95,600.00
Housing Authority of The City of Stillwater	807 S Lowry, Ofc.	Stillwater	OK	74074-4742	52,354.00
Linn-Benton Housing Authority	1250 Queen Avenue SE	Albany	OR	97322-6661	144,000.00
Central Oregon Regional Housing Authority	405 SW 6th Street	Redmond	OR	97756-2204	148,564.00
Northeast Oregon Housing Authority	2608 May Lane	La Grande	OR	97850-7357	105,024.00
Marion County Housing Authority	2645 Portland Road NE, Suite 200	Salem	OR	97301-200	48,111.00
Housing Authority & Urban Renewal Agency of Polk County.	240 SW Walnut Avenue	Dallas	OR	97338-1428	72,000.00
Housing Authority of Yamhill County	135 NE Dunn Pl	McMinnville OR 97128.	OR	97128-9081	235,979.00
Housing Authority of Clackamas County	P.O. Box 1510 13930 S Gain Street	Oregon City	OR	97045-510	64,734.00
Housing Authority of Jackson County	2251 Table Rock Rd	Medford	OR	97501-1409	142,929.00
Home Forward	135 SW Ash Street FSS/GOALS	Portland	OR	97204-3540	568,303.00
Mid-Columbia Housing Authority	500 E 2nd Street	The Dalles	OR	97058-0	60,912.00
Housing Authority of Washington County	111 NE Lincoln Street MS 63 STE 200-L	Hillsboro	OR	97124-3036	68,424.00
Homes for Good Housing Authority	100 W 13th Ave. Supportive Housing Division	Eugene	OR	97401-3433	228,117.00
Salem Housing Authority	360 Church Street SE	Salem	OR	97301-3707	296,482.00
Housing Authority of The County of Chester	30 West Barnard Street, Suite 2	West Chester	PA	19382-1	55,000.00
Adams County Housing Authority	40 E High ST	Gettysburg	PA	17325-2316	48,639.00
Harrisburg Housing Authority	351 Chestnut Street	Harrisburg	PA	17101-2785	27,300.00
Clinton County Housing Authority	369 Linden Circle	Lock Haven	PA	17745-3211	58,000.00
Housing Authority of The County of Dauphin	501 Mohn Street	Steelton	PA	17113-7598	31,000.00
Housing Authority of The County of Armstrong	350 South Jefferson Street	Kittanning	PA	16201-2418	26,587.00
Housing Authority of Lycoming County	1941 Lincoln Drive	Williamsport	PA	17701-2824	40,710.00
Housing Authority of The County of Cumberland.	114 N Hanover Street HCV & PFH	Carlisle	PA	17013-2445	25,000.00
Housing Authority of The City of Pittsburgh	200 Ross Street 9th Floor	Pittsburgh	PA	15219-2068	377,268.00
The Housing Authority of Franklin	436 W Washington Street	Chambersburg	PA	17201-2458	22,200.00
Westmoreland County Housing Authority	167 S Greengate Road	Greensburg	PA	15601-6392	238,155.00
Housing Authority of Northumberland County	50 Mahoning Street	Milton	PA	17847-1016	64,458.00
The Housing Authority of The County of Butler	114 Woody Dr	Butler	PA	16001-5692	55,352.00
Altoona Housing Authority	2700 Pleasant Valley Boulevard	Altoona	PA	16602-4492	54,000.00
Housing Authority of Centre County	602 E Howard St. HCV	Bellefonte	PA	16823-2145	57,064.00
Housing Authority of Indiana County	104 Philadelphia Street	Indiana	PA	15701-2132	39,589.00
Housing Authority of The County of Clarion (Inc).	8 West Main Street	Clarion	PA	16214-1816	84,901.00
Housing Authority of The City of Easton	157 S 4th St	Easton	PA	18042-4505	50,000.00
Housing Authority of The County of Union	1610 Industrial Blvd., Suite 400	Lewisburg	PA	17837-1292	48,500.00
Montgomery County Housing Authority	104 W Main St., Suite 1	Norristown	PA	19401-4716	63,968.00
Lehigh County Housing Authority	635 Broad Street	Emmaus	PA	18049-3722	55,985.00
Allegheny County Housing Authority	251 Jefferson Drive	McKees Rocks	PA	15136-3742	128,737.00
Philadelphia Housing Authority	2013 Ridge Avenue Resident Programs	Philadelphia	PA	19121-4113	370,000.00
Housing Authority of The City of York	31 S Broad St	York	PA	17403-0	69,380.00
Municipality of San German	Ave. Universidad Interamericana #136	San German	RQ	00683	56,816.00
Municipality of Bayamon	P.O. Box 1588 Section 8 Program	Bayamon	RQ	00960-1588	28,324.00
Municipality of San Juan	P.O. Box 70179 Section 8	San Juan	RQ	00936-8179	25,387.00
Town of Cumberland Housing Authority	573 Mendon Rd., Suite 4	Cumberland	RI	02864-6200	74,576.00
Town of Coventry Housing Authority	14 Manchester Circle	Coventry	RI	02816-8827	60,814.00
The Housing Authority of The City of Providence, RI.	100 Broad Street	Providence	RI	02903-4131	219,159.00
Rhode Island Housing and Mortgage Finance Corporation.	44 Washington Street Leased Housing	Providence	RI	02903-1721	207,693.00
Narragansett Housing Authority	25 Fifth Avenue Family Self-Sufficiency Progra	Narragansett	RI	02882-3612	76,039.00
East Providence Housing Authority	99 Goldsmith Avenue East Providence Hous-	East Providence	RI	02914-2221	66,745.00
Housing Authority of The Town of East Greenwich.	146 First Avenue FSS	East Greenwich	RI	02818-3663	65,473.00
Town of North Providence Housing Authority	945 Charles Street North Providence HA	North Providence	RI	02904-5647	20,043.00
Housing Authority of The City of Pawtucket	214 Roosevelt Avenue	Pawtucket	RI	06860-2153	152,078.00
The Central Falls Housing Authority	30 Washington Street	Central Falls	RI	02863-2842	70,871.00
Warwick Housing Authority	1035 West Shore Road	Warwick	RI	02886-3417	21,648.00

Organization	Address	City	State	ZIP	Total
Housing Authority of Myrtle Beach	605 10th Avenue North P.O. Box 2468	Myrtle Beach	SC	029578-2468	68,680.00
Housing Authority of The City of Spartanburg ..	2271 South Pine Street	Spartanburg	SC	029302-4339	69,296.00
Housing Authority of The City of Greenville	122 Edinburgh Court	Greenville	SC	029607-2530	110,000.00
The Housing Authority City of Charleston	550 Meeting Street Housing Choice Voucher ..	Charleston	SC	029403-5068	61,181.00
Charleston County Housing and Redevelop- ment Authority.	2106 Mount Pleasant Street	Charleston	SC	029403-0	67,671.00
Beaufort Housing Authority	Post Office Box 1104	Beaufort	SC	29901-1104	51,569.00
Housing Authority of The City of Columbia, SC	1917 Harden Street	Columbia	SC	29204-1015	54,676.00
North Charleston Housing Authority	6327 Rivers Avenue FSS Program	North Charleston ..	SC	29406-4850	59,442.00
Brookings County Housing & Redevelopment Commission.	1310 S Main Ave., Suite #104, P.O. BOX 432	Brookings	SD	57006-432	37,966.00
Mobridge Housing & Redevelopment Commis- sion.	202 1ST Ave. East	Mobridge	SD	57601-370	34,233.00
Sioux Falls Housing and Redevelopment Com- mission.	630 S Minnesota Ave	Sioux Falls	SD	57104-4825	89,579.00
Knoxville Community Development Corporation	901 N Broadway, P.O. Box 3550	Knoxville	TN	37927-6663	56,967.00
Kingsport Housing and Redevelopment Author- ity.	906 E Sevier Ave	Kingsport	TN	37660-44	107,982.00
East Tennessee Human Resource Agency, Inc.	9111 Cross Park Drive Suite D-100	Knoxville	TN	37923-4517	57,600.00
Shelbyville Housing Authority	316 Templeton Street	Shelbyville	TN	37160-3295	57,034.00
Franklin Housing Authority	200 Spring Street	Franklin	TN	37064-3311	59,391.00
Jackson Housing Authority	125 Preston Street Social Services	Jackson	TN	38301-4888	217,699.00
Tennessee Housing Development Agency	502 Deaderick Street	Nashville	TN	37243-900	306,432.00
Memphis Housing Authority	700 Adams Ave	Memphis	TN	38105-5029	66,744.00
Town of Crossville Housing Authority	P.O. Box 425	Crossville	TN	38557-425	54,158.00
Oak Ridge Housing Authority	10 Van Hicks Road	Oak Ridge	TN	37830-4969	39,809.00
Chattanooga Housing Authority	801 N Holtzclaw Avenue	Chattanooga	TN	37404-1236	72,000.00
Metropolitan Development and Housing Agen- cy.	701 South Sixth Street MDHA Social Services Division.	Nashville	TN	37206-3809	281,022.00
Housing Authority of The City of Beaumont	1890 Laurel	Beaumont	TX	77701-1904	98,053.00
Housing Authority of The City of Lubbock	1708 Crickets Avenue	Lubbock	TX	79401-5127	46,113.00
Brazos Valley Council of Government	P.O. Drawer 4128 Family Self-Sufficiency	Bryan	TX	77802-4128	395,640.00
Galveston Housing Authority	4700 Broadway	Galveston	TX	77551-4241	72,000.00
Housing Authority of The City of Kingsville	1000 W Corral Avenue	Kingsville	TX	78363-3035	56,996.00
The Housing Authority of The City of Dallas, Texas.	3939 North Hampton Road	Dallas	TX	75212-1602	784,491.00
Ark-Tex Council of Governments	4808 Elizabeth St Housing Choice Voucher Program.	Texarkana	TX	75505-5307	65,229.00
Dallas, County of	2377 North Stemmons Freeway, Suite 600 Dallas County Housing Agency.	Dallas	TX	75207-2710	71,671.00
Houston Housing Authority	2640 Fountain View Dr	Houston	TX	77057-7610	393,387.00
Housing Authority of The City of Austin	1124 S IH-35 Special Programs & Intake	Austin	TX	78704-2614	293,577.00
Housing Authority of The City of Arlington	501 W Sanford Street, Suite 20	Arlington	TX	76011-7090	189,423.00
Deep East Texas Council of Governments	1405 Kurth Drive Family Self-Sufficiency Pro- gram.	Lufkin	TX	75904-1929	72,000.00
Housing Authority of Texarkana Texas	1611 N Robison Rd	Texarkana	TX	75501-4113	71,630.00
City of Tyler Housing Agency	900 W Gentry Pkwy Housing Choice Voucher Program.	Tyler	TX	75702-5521	58,563.00
Montgomery County Housing Authority	1500 North Frazier, Suite 101	Conroe	TX	77301-2220	42,762.00
Housing Authority of The City of Fort Worth	1201 E 13TH Street	Fort Worth	TX	76102-5794	360,000.00
Housing Authority of The City of Pharr	104 W Polk Ave	Pharr	TX	78577-3023	45,741.00
City of Longview, TX	P.O. Box 1952 Housing	Longview	TX	75601-1952	56,041.00
Housing Authority of The City of San Angelo ..	420 East 28th Street	San Angelo	TX	76903-2455	75,000.00
Housing Authority of The City of Brownsville ...	2606 Boca Chica Blvd	Brownsville	TX	78521-2312	166,274.00
Robstown Housing Authority	625 W Avenue F	Robstown	TX	78380-4110	39,442.00
Housing Authority of The City of Abilene	1149 E South 11th Street HCV	Abilene	TX	79602-3701	55,162.00
Mission Housing Authority	1300 East 8th Street	Mission	TX	78572-1300	54,456.00
Housing Authority of The City of El Paso	5300 E Paisano Housing Programs	El Paso	TX	79905-2931	116,390.00
Walker County Housing Authority	340 State Hwy. N, Ste. E	Huntsville	TX	77320-3176	45,450.00
Tarrant County Housing Assistance Office	2100 Circle Drive, Suite 200 Tarrant County Housing Asst.	Fort Worth	TX	76119-8130	216,833.00
The Housing Authority of The City of Wichita Falls, Texas.	501 Webster	Wichita Fall	TX	76306-2954	55,981.00
Midland County Housing Authority	1710 Edwards	Midland	TX	79701-2313	45,000.00
McAllen Housing Authority	2301 Jasmine Avenue	McAllen	TX	78501-7496	22,925.00
Texoma Council of Governments	1117 Gallagher Dr., Suite 210	Sherman	TX	75090-3107	144,000.00
San Marcos Housing Authority	1201 Thorpe Ln Office	San Marcos	TX	78666-6565	118,843.00
City of Garland Housing Agency	210 Carver St., Ste. 201B	Garland	TX	75040-0	59,318.00
Housing Authority of The City of Waco	4400 Cobbs Dr., P.O. Box 978	Waco	TX	76703-978	117,068.00
Housing Authority of The County of Hidalgo	1800 N Texas Blvd	Weslaco	TX	78599-4034	95,306.00
San Antonio Housing Authority	818 S Flores Street	San Antonio	TX	78204-1430	936,002.00
Housing Authority of Bexar County	1954 E Houston Suite 104	San Antonio	TX	78202-2952	192,149.00
Provo City Housing Authority	688 West 100 North	Provo	UT	84601-2632	72,000.00
Housing Authority of The County of Salt Lake ..	3595 South Main Street	Salt Lake City	UT	84115-4434	229,581.00
Housing Authority of The City of Ogden	1100 Grant Avenue	Ogden	UT	84404-4931	59,444.00
Tooele County Housing Authority	66 West Vine US	Tooele	UT	84074-0	52,720.00
Housing Authority of Salt Lake City	1776 S West Temple	Salt Lake City	UT	84115-1816	101,804.00
Davis Community Housing Authority	352 S 200 W	Farmington	UT	84025-328	60,178.00
Housing Authority of Utah County	485 N Freedom Blvd	Provo	UT	84601-2824	53,539.00
Brattleboro Housing Authority	PO Box 2275	W. Brattleboro	VT	5303-0	70,168.00
Burlington Housing Authority	65 Main Street	Burlington	VT	5401-8408	118,482.00
Vermont State Housing Authority	One Prospect Street	Montpelier	VT	5602-3556	261,814.00
Virgin Islands Housing Authority	9900 Oswald Harris Court #1 Estate Thomas ..	St. Thomas	VQ	802-3100	69,380.00

Organization	Address	City	State	ZIP	Total
Hampton Redevelopment and Housing Authority.	1 Franklin Street, Suite 603 HCV-FSS	Hampton	VA	23669-280	60,152.00
City of Roanoke Redevelopment and Housing Authority.	2624 Salem Turnpike, NW	Roanoke	VA	24017-5443	151,470.00
Harrisonburg Redevelopment & Housing Authority.	286 Kelley Street	Harrisonburg	VA	22802-4721	35,103.00
Hopewell Redevelopment and Housing Authority.	P.O. Box 1361	Hopewell	VA	23860-7812	72,000.00
Franklin Redevelopment and Housing Authority	100 East Fourth Ave	Franklin	VA	23851-1901	60,000.00
Danville Redevelopment and Housing Authority	135 Jones Crossing Community Relations	Danville	VA	24541-2245	24,818.00
Newport News Redevelopment and Housing Authority.	227 27th Street Community Resources Division.	Newport News	VA	23607-797	112,031.00
James City County Office of Housing and Community Development.	5320 Palmer Lane, Ste. 1A	Williamsburg	VA	23188-2674	26,500.00
Fairfax County Redevelopment and Housing Authority.	3700 Pender Drive, Suite 100	Fairfax	VA	22030-6039	152,078.00
Waynesboro Redevelopment and Housing Authority.	1700 New Hope Road, P.O. Box 1138	Waynesboro	VA	22980-821	48,638.00
City of Virginia Beach Department of Housing ..	2424 Courthouse Drive Municipal Center—Building 18A.	Virginia Beach	VA	23456-9083	56,347.00
Richmond Redevelopment and Housing Authority.	901 Chamberlayne Parkway	Richmond	VA	23220-6887	72,000.00
County of Loudoun	P.O. Box 7400 HCV	Leesburg	VA	20177-7400	74,080.00
Portsmouth Redevelopment and Housing Authority.	3116 South Street	Portsmouth	VA	23707-4116	226,656.00
Chesapeake Redevelopment and Housing Authority.	1468 South Military Highway	Chesapeake	VA	23320-2604	167,440.00
Alexandria Redevelopment and Housing Authority.	401 Wythe St	Alexandria	VA	22314-0	78,659.00
Norfolk Redevelopment and Housing Authority	555 E Main Street Client Services	Norfolk	VA	23510-1820	360,000.00
Bristol Redevelopment and Housing Authority ..	809 Edmond Street Family Self-Sufficiency	Bristol	VA	24201-4385	49,627.00
Suffolk Redevelopment and Housing Authority	530 E PINNER STREET	Suffolk	VA	23434-3023	52,368.00
Housing Authority of The City of Longview	820 11th Ave. FSS Program	Longview	WA	98632-2402	98,387.00
Housing Authority of The City of Everett	3107 Colby Avenue	Everett	WA	98201-4024	72,000.00
Pierce County Housing Authority	603 Polk Street South	Tacoma	WA	98444-5649	138,000.00
Housing Authority of Island County	7 NW 6th Street	Coupeville	WA	98239-3400	57,928.00
Housing Authority of The City of Yakima	810 North 6th Avenue	Yakima	WA	98902-1474	129,286.00
Housing Authority City of Kennewick	1915 West 4th Place FSS	Kennewick	WA	99336-5130	56,862.00
King County Housing Authority	600 Andover Park West Resident Services	Tukwila	WA	98188-3326	366,906.00
Housing Authority of Chelan County and The City of Wenatchee.	1555 S Methow	Wenatchee	WA	98801-9417	48,943.00
City of Kelso Housing Authority	1415 S 10th Ave	Kelso	WA	98626-2729	69,688.00
Peninsula Housing Authority	2603 S Francis Street	Port Angeles	WA	98362-6710	94,170.00
Columbia Gorge Housing Authority	500 E 2nd Street	The Dalles	WA	97058-0	60,912.00
Housing Authority of Thurston County	1206 12th Ave SE Housing Stability Division ..	Olympia	WA	98501-2351	147,211.00
Housing Authority of The City of Tacoma	902 South L Street Family Self Sufficiency	Tacoma	WA	98405-4037	197,662.00
Vancouver Housing Authority	2500 Main St	Vancouver	WA	98660-2675	215,063.00
The Housing Authority of The City of Bremerton.	600 park Ave	Bremerton	WA	98337-1544	67,927.00
Housing Authority of Skagit County	1650 Port Drive	Burlington	WA	98233-3106	58,556.00
Seattle Housing Authority	190 Queen Anne Ave N, P.O. Box 19028	Seattle	WA	98109-1028	456,236.00
Housing Authority of The City of Pasco And Franklin County.	2505 W Lewis St	Pasco	WA	99301-4569	50,160.00
Parkersburg Housing Authority	1901 Cameron Ave	Parkersburg	WV	26101-9316	47,419.00
Clarksburg-Harrison Regional Housing Authority.	433 Baltimore Ave	Clarksburg	WV	26301-2053	43,263.00
The Fairmont-Morgantown Housing Authority ...	P.O. Box 2738 103 12th Street	Fairmont	WV	26555-2738	30,186.00
Benwood-McMechen Housing Authority	2200 Marshall Street	Benwood	WV	26031-1323	18,104.00
Wheeling Housing Authority	P.O. Box 2089 11 Community Street	Wheeling	WV	26003-5201	55,903.00
Housing Authority of Mingo County	5026 Helena Avenue	Delbarton	WV	25670-120	69,000.00
Charleston-Kanawha Housing Authority	1525 Washington Street West	Charleston	WV	25387-2315	91,019.00
Dane County Housing Authority	6000 Gisholt Drive, #203	Monona	WI	53713-3707	63,670.00
Housing Authority of The City of Milwaukee	P.O. Box 324	Milwaukee	WI	53201-324	151,474.00
City of Beloit	100 State Street Beloit Housing Authority	Beloit	WI	53511-6234	36,000.00
Appleton Housing Authority	925 W Northland Avenue	Appleton	WI	54914-1422	57,500.00
Housing Authority of Racine County	837 Main Street	Racine	WI	53403-1522	72,000.00
Brown County Housing Authority	305 E Walnut St., Rm. 320, P.O. Box 23600 ..	Green Bay	WI	54305-3600	90,308.00
City of Kenosha Housing Authority	625 52nd Street, RM 98	Kenosha	WI	53140-3480	72,000.00
Dunn County Housing Authority	800 Wilson Ave., Room 330	Menomonie	WI	54751-0	20,750.00
Winnebago County Housing Authority	600 Merritt Avenue	Oshkosh	WI	54901-5178	72,000.00
Total .....	.....	.....	.....	.....	77,745,862.00

Appendix W**FY2020 Family Self-Sufficiency
Renewal Supplemental Program (FR-
6400-04)**

Contact: Anice Chenault
Anice.S.Chenault@hud.gov.

Organization	Address	City	State	ZIP	Total
Housing Authority of the City of Bloomington ...	1007 North Summit Street	Bloomington	IN	47404	\$94,004.00
Cuyahoga Metropolitan Housing Authority	8120 Kinsman Road	Cleveland	OH	44104	246,468.00
Jefferson County Housing Authority	3700 Industrial Parkway	Birmingham	AL	35217	139,725.00
Housing Authority of the Town of Boonton	125 Chestnut St	Boonton	NJ	07005	72,000.00
Housing Authority of Frankfort	590 Walter Todd Drive	Frankfort	KY	40601	56,650.00
Regional Housing Authority	1455 Butte House Road	Yuba City	CA	95993	115,000.00
Municipality of Juana Diaz	#35 Degeta U Street	Juana Diaz	PR	00795	24,680.00
Housing Authority of the City of Pueblo	201 S Victoria Ave	Pueblo	CO	81003	44,343.00
Municipality of Ponce	P.O. Box 331709	Ponce	PR	00733	15,040.00
Grand Rapids Housing Commission	1420 Fuller Avenue, SE	Grand Rapids	MI	49507	360,000.00
City of Wichita Kansas Housing Authority	455 N Main St	Wichita	KS	67202	199,023.00
Housing Authority of Prince George's County ...	9200 Basil Court	Largo	MD	20774	138,000.00
Adams County Housing Authority DBA Maiker Housing Partners.	3033 W 71st Ave. #1000	Westminster	CO	80030	58,960.00
Total .....	.....	.....	.....	.....	1,563,893.00

Appendix X**FY2015 Tribal Veterans Affairs
Supportive Housing (TRIBAL HUD
VASH) Grant Program (PIH Notice
2020-10)**

Contact: Hilary Atkin, 202-402-3427.

Organization	Address	City	State	Zip code	Amount
AVCP Regional Housing Authority	P.O. Box 767	Bethel	AK	99559	\$41,991.00
Cook Inlet Housing Authority	3510 Spenard Road, Suite 100	Anchorage	AK	99503	173,429.00
Tlingit Haida Regional Housing Authority	P.O. Box 32237	Juneau	AK	99803	207,316.00
San Carlos Housing Authority	P.O. Box 740	Peridot	AZ	85542-0740	119,551.00
Blackfeet Housing Authority	P.O. Box 449	Browning	MT	59417	202,481.00
Turtle Mountain Housing Authority	P.O. Box 620	Belcourt	ND	58316	69,716.00
Zuni Housing Authority	P.O. Box 710	Zuni	NM	87327	85,595.00
Oglala Sioux Lakota Housing	P.O. Box 603	Pine Ridge	SD	57770	68,199.00
Oneida Nation of Wisconsin	P.O. Box 68	Oneida	WI	54155	140,985.00
Hopi Housing Authority	P.O. Box 906	Polacca	AZ	86042	123,647.00
Standing Rock Housing Authority	P.O. Box 769	Fort Yates	ND	58538	77,488.00
Navajo Housing Authority	P.O. Box 4980	Window Rock	NM	86515	251,296.00
Cherokee Nation	P.O. Box 948	Tahlequah	OK	74465	98,876.00
Cheyenne-Arapaho Tribes	P.O. Box 167	Concho	OK	73022	127,124.00
Choctaw Nation	P.O. Drawer 1210	Durant	OK	74702	116,806.00
Muscogee Creek Nation	P.O. Box 580	Okmulgee	OK	74447	178,123.00
Osage Nation	P.O. Box 779	Pawhuska	OK	74056	117,082.00
Sicangu Wicoti Awayankapi Corporation	P.O. Box 69	Rosebud	SD	57570	19,074.00
Confederated Tribes of Warm Springs	1234 VETERANS STREET	Jefferson	OR	97761	35,353.00
Tohono O'dham KIKI: Association	P.O. Box 790	Sells	AZ	85634-0790	391,267.00
Leech Lake Housing Authority	611 Elm Ave	Cass Lake	MN	56633	31,821.00
White Earth Reservation Housing Authority	3303 US Hwy. 59	Waubun	MN	56589	65,700.00
Lumbee Tribe of North Carolina	6984 Highway 711	Pembroke	NC	28372	204,608.00
Colville Indian Housing Authority	P.O. Box 528	Nespelem	WA	99155-0528	40,693.00
Spokane Indian Housing Authority	P.O. Box 195	Wellpinit	WA	99040-0195	148,615.00
Yakama Nation Housing Authority	P.O. Box 156	Wapato	WA	98951-0156	131,336.00
Total .....	.....	.....	.....	.....	3,268,172.00

Appendix Y**FY2020 Indian Community
Development Block Grant Imminent
Threat CARES (ICDBG-IT CARES)
Grant Program (PIH Notice 2020-11)**

Contact: Hilary Atkin, 202-402-3427.

Organization	Address	City	State	Zip code	Amount
Native Village of Selawik	P.O. Box 59	Selawik	AK	99770	\$421,525.00

Organization	Address	City	State	Zip code	Amount
Orutsarmiut Native Council	P.O. Box 927	Bethel	AK	99559	900,000.00
Greenville Rancheria	410 Main Street	Greenville	CA	95947	900,000.00
Three Affiliated Tribes of Fort Berthold	404 Frontage Road	New Town	ND	58763-0404	900,000.00
Duck Valley Housing Authority	P.O. Box 129	Owyhee	NV	89832	900,000.00
Confederated Tribes of Siletz Indians of Oregon	201 SE Swan Avenue	Siletz	OR	97380	900,000.00
Sicangu Wicoti Awayankapi Corporation	P.O. Box 69	Rosebud	SD	57570	2,939,921.00
Lower Elwha Klallam Tribe	2851 Lower Elwha Road	Port Angeles	WA	98363	261,083.00
Quinault Housing Authority	P.O. Box 160	Taholah	WA	98587	900,000.00
St. Croix Chippewa Housing Authority	4456 State Road 70	Webster	WI	54893	775,000.00
Gwichyaa Zhee/aka Native Village of Fort Yukon	P.O. Box 126	Fort Yukon	AK	99740	900,000.00
Hughes Village	P.O. Box 45029	Hughes	AK	99745	900,000.00
Knik Tribe	P.O. Box 871565	Wasilla	AK	99687	900,000.00
Native Village of Tetlin	P.O. Box 68	Tok	AK	99780	899,085.00
Yakutat Tlingit Tribe	P.O. Box 418	Yakutat	AK	99689	900,000.00
Bear River Band of Rohnerville Rancheria	266 Keisner Rd	Loleta	CA	95551	541,577.00
Seminole Tribe of Florida	6300 Stirling Rd	Hollywood	FL	33024	900,000.00
Coeur d'Alene Tribal Housing Authority	P.O. Box 267	Plummer	ID	83851	900,000.00
Grand Traverse Band of Ottawa and Chippewa Indians	2605 NW Bay Shore Dr	Peshawbestown	MI	49682	900,000.00
Red Lake Comprehensive Health	2460 Hospital Drive NW	Red Lake	MN	56671	1,499,918.00
Northern Cheyenne Tribal Housing Authority	P.O. Box 327	Lame Deer	MT	59043-0327	1,500,000.00
San Felipe Pueblo Housing Authority	P.O. Box 4222	San Felipe Pueblo	NM	87001	900,000.00
Zuni Housing Authority	P.O. Box 710	Zuni	NM	87327	1,500,000.00
Taos Pueblo Housing Authority	925 Spider Rock Road	Taos	NM	87571	899,754.00
Eastern Shawnee Tribe of Oklahoma	12755 S 705 Road	Wyandotte	OK	74370	900,000.00
Otoe-Missouria Tribe	8151 Highway 177	Red Rock	OK	74651	386,325.00
Ottawa Tribe of Oklahoma	P.O. Box 110	Miami	OK	74355	900,000.00
Quapaw Tribe	P.O. Box 765	Quapaw	OK	74363	699,660.00
Confederated Tribe of Coos, Lower Umpqua, Siuslaw Indians	1245 Fulton Ave	Coos Bay	OR	97420	900,000.00
Circle Native Community	P.O. Box 89	Circle	AK	99733	899,925.00
Native Village of Tanacross	P.O. Box 76009	Tanacross	AK	99776	899,836.00
Organized Village of Kake	P.O. Box 316	Kake	AK	99830	900,000.00
Organized Village of Saxman	Route 2, Box 2	Saxman	AK	99901	900,000.00
Houlton Band of Maliseet Indians	P.O. Box 88	Houlton	ME	04730	900,000.00
Keweenaw Bay Indian Community	220 Main Street	Baraga	MI	49908	900,000.00
Fort Belknap Housing Authority	668 Agency Main Street	Harlem	MT	59526-9455	900,000.00
Nambe Pueblo Housing Entity	P.O. Box 3456	Sante Fe	NM	87506	900,000.00
Winnemucca Indian Colony	595 Humboldt Street	Reno	NV	89509	900,000.00
Chickasaw Nation	P.O. Box 1548	Ada	OK	74821	2,999,915.00
Choctaw Nation	P.O. Drawer 1210	Durant	OK	74702	3,000,000.00
Comanche Nation	P.O. Box 908	Lawton	OK	73502	900,000.00
Kickapoo Tribe HA of OK	P.O. Box 120	McLoud	OK	74851	900,000.00
Pawnee Nation	P.O. Box 470	Pawnee	OK	74058	900,000.00
Cheyenne River Housing Authority	P.O. Box 480	Eagle Butte	SD	57625-0480	1,112,601.00
Bad River Band of the Lake Superior Tribe of Chippewa	P.O. Box 39	Odanah	WI	54861	900,000.00
Ho-Chunk Nation of Wisconsin	P.O. Box 730	Tomah	WI	54660	1,500,000.00
Akiak Native Community	P.O. Box 52127	Akiak	AK	99552	899,890.00
Central Council Tlingit and Haida Indian Tribes of Alaska	320 W Willoughby Ave	Juneau	AK	99801	1,500,000.00
Chilkoot Indian Association	P.O. Box 490	Haines	AK	99827	900,000.00
Chuloonawick Native Village	P.O. Box 245	Emmonak	AK	99581	900,000.00
Cook Inlet Tribal Council	3400 San Jeronimo	Anchorage	AK	99508	3,000,000.00
Klawock Cooperative Association	P.O. Box 430	Klawock	AK	99925	900,000.00
Organized Village of Grayling	P.O. Box 490	Grayling	AK	99590	895,500.00
Wrangell Cooperative Association	P.O. Box 2021	Wrangell	AK	99929	900,000.00
Tohono O'odham Kl:Kl: Association	P.O. Box 790	Sells	AZ	85634	1,500,000.00
Fort Hall Housing Authority	161 Wardance Circle	Pocatello	ID	83202	900,000.00
Nez Perce Tribe	P.O. Box 305	Lapwai	ID	83540	899,850.00
Little River Band of Ottawa Indians	2608 Government Center Drive	Manistee	MI	49660	898,560.00
Pokagon Band of Potawatomi Indians	58620 Sink Rd	Dowagiac	MI	49047	900,000.00
Turtle Mountain Housing Authority	P.O. Box 620	Belcourt	ND	58316	2,992,568.00
Coquille Indian Tribe	3050 Tremont	North Bend	OR	97459	900,000.00
Lummi Nation Housing Authority	2579 Kwina Road	Bellingham	WA	98226	1,494,909.00
Muckleshoot Housing Authority	38037 158th Avenue SE	Auburn	WA	98092	899,578.00
Nisqually Indian Tribe	4820 She Nah Num Drive SE	Olympia	WA	98513	900,000.00
Squaxin Island Tribe	10 SE Squaxin Lane	Shelton	WA	98584	899,997.00
Tulalip Tribes of Washington	6406 Marine Drive	Tulalip	WA	98271	1,500,000.00
Lac du Flambeau Band	P.O. Box 67	Lac du Flambeau	WI	54538	890,575.00
Angoon Community Association	P.O. BOX 328	Angoon	AK	99820	900,000.00
Craig Tribal Association	P.O. Box 828	Craig	AK	99921	900,000.00
Qawalangin Tribe of Unalaska	P.O. Box 334	Unalaska	AK	99685	392,914.00
Manzanita Band of Diegueno Indians	P.O. Box 1302	Boulevard	CA	91905	900,000.00
Pala Band of Mission Indians	35008 Pala Temecula Rd	Pala	CA	92059	900,000.00
Tule River Indian Housing Authority	342 N Reservation Rd	Porterville	CA	93257	900,000.00
Fort Peck Housing Authority	P.O. Box 667	Poplar	MT	59255-0667	1,500,000.00
Winnebago Tribe of Nebraska	P.O. Box 687	Winnebago	NE	68071-0687	900,000.00
Ponca Tribe	121 White Eagle Drive	Ponca	OK	74601	900,000.00
Warm Springs Housing Authority	P.O. Box 1167	Warm Springs	OR	97761	900,000.00
Confederated Tribes of the Chehalis Reservation	P.O. Box 536	Oakville	WA	98568	757,278.00

Organization	Address	City	State	Zip code	Amount
Native Village of Chenega	3000 C Street, Suite 301	Anchorage	AK	99503	637,149.00
Petersburg Indian Association	P.O. BOX 1418	Petersburg	AK	99833	900,000.00
Skagway Village	P.O. Box 1157	Skagway	AK	99840	900,000.00
Stevens Village	P.O. Box 16	Stevens Village ...	AK	99774	899,273.00
White Mountain Apache Housing Authority	P.O. Box 1270	Whiteriver	AZ	85941	3,000,000.00
Campo Band of Mission Indians	36190 Church Rd	Campo	CA	91906	900,000.00
Dry Creek Rancheria	P.O. Box 607	Geyserville	CA	95441	900,000.00
Elk Valley Rancheria	2332 Howland Hill Road	Cresant City	CA	95531	216,000.00
Kashia Band of Pomo Indians of Stewarts Point Rancheria	1420 Guerneville Road, Suite 1	Santa Rosa	CA	95403	900,000.00
La Jolla Band of Luiseno Indians	22000 Highway 76	Pauma Valley	CA	92061	800,000.00
Redwood Valley Little River Band of Pomo Indians	3250 Road I	Redwood Valley ...	CA	95470	900,000.00
Tolowa Dee-Ni Nation	140 Rowdy Creek Road	Smith River	CA	95567	898,563.00
Santa Clara Pueblo Housing Authority	201 Road Runner Road	Espanola	NM	87532	900,000.00
Peoria Tribe	3606 Sencay Avenue	Miami	OK	74354	900,000.00
Wichita Tribe and Affiliates	P.O. Box 729	Anadarko, OK	OK	73005	900,000.00
Paiute Indian Tribe of Utah	440 North Paiute Drive	Cedar City	UT	84721-0000	882,912.00
North Fork Rancheria	P.O. Box 929	North Fork	CA	93643	490,634.00
Chippewa Cree Tribe	96 Clinic Road	Box Elder	MT	59521-0000	817,725.00
Total .....	.....	.....	.....	.....	100,000,000.00

Appendix Z

**FY2020 Indian Community
Development Block Grant—Imminent
Threat (ICDBG—IT CARES) Grant
Program (FR-6400-N-23)**

Contact: Hilary Atkin, 202-402-3427.

Organization	Address	City	State	Zip code	Amount
Chilkoot Indian Association	P.O. Box 490	Haines	AK	99827	\$900,000.00
Sac and Fox Tribe of the Mississippi in Iowa ...	349 Meskwaki Rd	Tama	IA	52339	900,000.00
Native Village of Kipnuk	P.O. Box 057	Kipnuk	AK	99614	230,172.00
Total .....	.....	.....	.....	.....	2,030,172.00

Appendix A-A

**FY 2019 Emergency Safety and Security
RD1 (Notice 2019-22)**

Contact: David Fleischman (202) 402-2071.

Organization	Street address or P.O. box	City	State	Zip code	Award
Housing Authority of the City of Eutaw	301 Carver Circle	Eutaw	AL	35462	\$19,305.00
Housing Authority Of The City Of Norwalk	24 1/2 Monroe Street	Norwalk	CT	06856	24,939.00
Housing Authority of the City of Titusville	524 S Hopkins Avenue	Titusville	FL	32796	56,800.00
Ocala Housing Authority	1629 Nw 4Th Street	Ocala	FL	34475	113,414.00
Housing Authority of the City of Dublin	P.O. Box 36	Dublin	GA	31040	145,778.00
Delaware County Housing Authority	2401 S Haddix Avenue	Muncie	IN	47302	10,000.00
Housing Authority of Shelbyville	41 Cardinal Drive	Shelbyville	KY	40065	10,000.00
Town of Independence HA	222 Pine Street	Independence	LA	70443	200,000.00
Housing Authority of the City of Jefferson	1040 Myrtle Ave	Jefferson City	MO	65109	14,445.00
Housing Authority of the City of Fulton	350 Sycamore Street	Fulton	MO	65251	10,500.00
Housing Authority of the City of Malden	109 Watson Drive	Malden	MO	63863	10,500.00
Niagara Falls Housing Authority	744 10th St.	Niagara Falls	NY	14301	60,000.00
Housing Authority of the City of McAlester	520 W Kiowa Avenue	McAlester	OK	74501	27,400.00
Philadelphia Housing Authority	2013 Ridge Avenue	Philadelphia	PA	19121	188,799.00
Jackson Housing Authority	125 Preston Street	Jackson	TN	38301	242,550.00
Trenton Housing Authority	128 Burnett Drive	Trenton	TN	38382	20,450.00
Covington Housing Authority	1701 Shoaf Street	Covington	TN	38019	14,256.00
Newbern Housing Authority	100 Flower Valley Drive	Newbern	TN	38059	131,950.00
Housing Authority of Belton	715 Saunders St	Belton	TX	76513	8,375.00
Carrizo Springs Housing Authority	207 N 4th Street	Carrizo Springs ...	TX	78834	14,598.00
Marion Redevelopment & Housing Authority ...	237 Miller Avenue	Marion	VA	24354	75,000.00
Total .....	.....	.....	.....	.....	1,399,059.00

Appendix A–B

FY 2019 Emergency Safety and Security
RD2 (Notice 2019–22)

Contact: David Fleischman (202) 402–2071.

Organization	Street address or P.O. box	City	State	Zip code	Award
Housing Authority of the Birmingham District	1826 3rd Avenue S	Birmingham	AL	35233	\$249,984.00
Selma Housing Authority	444 Washington Street	Selma	AL	36702	222,008.00
Housing Authority of the City of Marion, AL	102 Cahaba Heights	Marion	AL	36756	21,808.00
Camden Housing Authority	800 Monroe Ave	Camden	AR	71701	35,239.50
Housing Authority of the City of Osceola	100 Wingfield	Osceola	AR	72370	55,660.00
Yuma County Housing Department	2050 W Main Street	Somerton	AZ	85350	120,000.00
City of Sacramento Housing Authority	801 12th Street	Sacramento	CA	95814	104,159.00
County of Sacramento Housing Authority	801 12th Street	Sacramento	CA	95814	28,557.00
West Haven Housing Authority	15 Glade Street	West Haven	CT	06516	13,885.00
Jacksonville Housing Authority	1300 N Broad Street	Jacksonville	FL	32202	123,760.00
Housing Authority of the City of Atlanta Georgia	230 John Wesley Dobbs Ave. NE	Atlanta	GA	30303	247,000.00
Housing Authority of the City of LaGrange	201 Chatham Street	Lagrange	GA	30240	55,210.00
Housing Authority of the City of Thomaston	574 Triune Avenue	Thomaston	GA	30286	33,548.00
Quincy Housing Authority	540 Harrison Street	Quincy	IL	62301	45,000.00
Fort Wayne Housing Authority	7315 South Hanna Street	Fort Wayne	IN	46816	169,739.00
Kokomo Housing Authority	210 E Taylor Street	Kokomo	IN	46901	119,569.00
Housing Authority of the City of Elkhart	1396 Benham Avenue	Elkhart	IN	46516	41,000.00
Housing Authority City of Bedford	1305 K Street	Bedford	IN	47421	25,000.00
Housing Authority of Lebanon	101 Hamilton Heights	Lebanon	KY	40033	15,144.00
Housing Authority of the City of Lafayette	115 Kattie Drive	Lafayette	LA	70501	115,401.00
Housing Authority of Monroe	300 Harrison Street	Monroe	LA	71201	56,620.00
Brockton Housing Authority	45 Goddard Road	Brockton	MA	02301	81,730.00
Greenville Housing Commission	308 E Oak Street	Greenville	MI	48838	14,700.00
Housing Authority of the City of Independence	4215 S Hocker Dr., Bldg. 5	Independence	MO	64055	41,778.00
The Housing Authority of the City of Canton	120 Faith Lane	Canton	MS	39046	22,500.00
The Housing Authority of the City of Natchez ...	2 Auburn Avenue	Natchez	MS	39120	129,000.00
Housing Authority of the City of Concord	283 Harold Goodman Circle SW	Concord	NC	28025	11,310.00
Oxford Housing Authority	101 Hillside Drive	Oxford	NC	27565	60,718.00
Cuyahoga Metropolitan Housing Authority	8120 Kinsman Road	Cleveland	OH	44104	111,326.00
Stark Metropolitan Housing Authority	400 Tuscarawas Street E	Canton	OH	44702	117,120.00
Housing Authority of the City of Pawtucket	214 Roosevelt Avenue	Pawtucket	RI	02860	35,000.00
Lenoir City Housing Authority	101 Oakwood Drive	Lenoir City	TN	37771	156,100.00
Houston Housing Authority	2640 Fountain View	Houston	TX	77057	249,946.00
Housing Authority of the City of Knox City	203 SW 4th St	Knox City	TX	79529	3,386.00
Housing Authority of the County of Salt Lake ...	3595 S Main Street	Salt Lake City	UT	84115	12,622.00
Norfolk Redevelopment & Housing Authority ...	555 E Main Street	Norfolk	VA	23510	180,000.00
Charleston/Kanawha Housing Authority	1525 Washington St., West	Charleston	WV	25387	85,140.00
Total .....	.....	.....	.....	.....	3,210,667.50

Appendix A–C

FY 2019 Emergency Safety and Security
RD3 (Notice 2019–22)

Contact: David Fleischman (202) 402–2071.

Organization	Street address or P.O. box	City	State	Zip code	Award
Housing Authority of the Birmingham District	1826 3rd Avenue S	Birmingham	AL	35233	\$197,534.00
Housing Authority of the City of Montgomery ...	525 S Lawrence St	Montgomery	AL	36104	249,780.00
Housing Authority of the City of Dothan	602 S Lena Street	Dothan	AL	36301	250,000.00
Housing Authority of Greene County, AL	429 W.M. Branch Heights Drive	Eutaw	AL	35462	53,625.00
Stuttgart Housing Authority	413 East Michigan Street	Stuttgart	AR	72160	8,700.00
City of Phoenix Housing Department	251 W Washington Street	Phoenix	AZ	85003	250,000.00
County of Butte HA	2039 Forest Ave., Suite #10	Chico	CA	95928	56,058.00
Housing Authority of the County of Flagler	414 S Bacher Street	Bunnell	FL	32110	227,000.00
Housing Authority of the City of Fort Myers	4224 Renaissance Preserve Way	Fort Myers	FL	33916	242,680.00
Housing Authority of Lexington	300 West New Circle Road	Lexington	KY	40505	81,550.00
Housing Authority of Irvine	285 Mountain Crest	Irvine	KY	40336	15,478.00
Housing Authority of Columbia	922 Carrie Bolin	Columbia	KY	42728	30,000.00
Springfield Housing Authority	60 Congress Street	Springfield	MA	01101	173,237.00
Housing Authority Of Baltimore City	417 E Fayette Street	Baltimore	MD	21202	250,000.00
Housing Authority of Kansas City, Missouri	920 Main Street, Suite 701	Kansas City	MO	64105	15,580.00
Noel Housing Authority	624 Johnson Drive	Noel	MO	64854	114,336.00
Housing Authority of the City of Goldsboro	700 N Jefferson Ave	Goldsboro	NC	27530	215,000.00
Rockingham Housing Authority	809 Armistead Street	Rockingham	NC	28379	250,000.00
Williamston Housing Authority	504 E Main Street	Williamston	NC	27892	116,671.00
Stark Metropolitan Housing Authority	400 Tuscarawas Street E	Canton	OH	44702	105,565.00
Housing Authority of the City of Idabel	901 Lyndon Road	Idabel	OK	74745	16,000.00
Housing Authority of the City of Pittsburgh	200 Ross Street	Pittsburgh	PA	15219	250,000.00
Philadelphia Housing Authority	2013 Ridge Avenue	Philadelphia	PA	19121	250,000.00

Organization	Street address or P.O. box	City	State	Zip code	Award
Ripley Housing Authority	101 Northcrest Street	Ripley	TN	38063	67,000.00
Housing Authority of Trinidad	144 Park Street	Trinidad	TX	75163	166,408.00
Housing Authority of the City of Oshkosh, WI ...	600 Merritt Avenue	Oshkosh	WI	54902	72,750.00
Total .....	.....	.....	.....	.....	3,724,952.00

Appendix A–D

FY 2020 Emergency Safety and Security
(Notice 2020–25)

Contact: David Fleischman (202) 402–2071.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount
Housing Authority of the City of Prattville, AL ...	318 Water Street	Prattville	AL	36067	\$68,076.00
Housing Authority of Greene County, AL	429 W.M. Branch Heights Drive	Eutaw	AL	35462	250,000.00
Housing Authority of the City of Morrilton	123 Old Cherokee Rd	Morrilton	AR	72110	13,767.00
Housing Authority of the City of Los Angeles ...	2600 Wilshire Blvd	Los Angeles	CA	90057	250,000.00
Housing Authority of the City of Richmond	330 24th Street	Richmond	CA	94804	226,543.00
Housing Authority of the City of Norwalk	24 1/2 Monroe Street	Norwalk	CT	06856	122,120.00
West Haven Housing Authority	15 Glade Street	West Haven	CT	06516	236,296.00
Housing Authority of the City of Eustis	1000 Wall Street	Eustis	FL	32726	250,000.00
Tallahassee Housing Authority	2940 Grady Road	Tallahassee	FL	32312	250,000.00
Housing Authority of the City of College Park ...	2000 W Princeton Avenue	College Park	GA	30337	209,942.00
Charles City Hsg and Redev Authority	501 Cedar Terrace South	Charles City	IA	50616	250,000.00
Knox County Housing Authority	11 Powell Street	Bicknell	IN	47512	5,110.00
Oberlin Housing Authority	202 N Elk Avenue	Oberlin	KS	67749	4,225.00
Housing Authority of Irvine	285 Mountain Crest	Irvine	KY	40336	34,660.00
Housing Authority of the City of Abbeville	1101 E Oak Street	Abbeville	LA	70510	250,000.00
Housing Authority of the Town of Lake Providence.	226 Foster Street	Lake Providence ..	LA	71254	234,025.00
Taunton Housing Authority	30 Olney Street	Taunton	MA	02780	250,000.00
Beverly Housing Authority	137 Bridge Street	Beverly	MA	01915	23,126.00
Housing Authority Of Crisfield	115 S 7th Street	Crisfield	MD	21817	250,000.00
Presque Isle Housing Authority	58 Birch Street	Presque Isle	ME	04769	94,096.00
Brewer Housing Authority	15 Colonial Circle Suite 1	Brewer	ME	04412	25,090.00
Houghton Housing Commission	401 E Montezuma Avenue	Houghton	MI	49931	12,507.00
City of Minneapolis PHA	1001 Washington Avenue N	Minneapolis	MN	55401	235,000.00
Anderson Housing Authority	500 Tatum Street	Anderson	MO	64831	245,780.00
Lanagan Housing Authority	Hiway 59	Lanagan	MO	64847	160,520.00
Pineville Housing Authority	Big Sugar Road	Pineville	MO	64850	203,250.00
Housing Authority of the City of Sedalia, MO ...	500 Welch Court	Sedalia	MO	65301	250,000.00
Housing Authority of the City of Kirkwood	385 S Taylor	Kirkwood	MO	63122	5,000.00
Dunn Housing Authority	817 Stewart Street	Dunn	NC	28334	250,000.00
Omaha Housing Authority	1823 Harney Street	Omaha	NE	68102	227,273.00
Clay Center Housing Authority	114 E Division Street	Clay Center	NE	68933	7,747.00
Elizabeth Housing Authority	688 Maple Avenue	Elizabeth	NJ	07202	244,844.00
Irvington Housing Authority	101 Union Avenue	Irvington	NJ	07111	250,000.00
Housing Authority City of Linden	1601 Dill Avenue	Linden	NJ	07036	249,200.00
Housing Authority of the County of Santa Fe ...	52 Camino De Jacobo	Santa Fe	NM	87507	250,000.00
New York City Housing Authority	90 Church Street	New York	NY	10007	250,000.00
Albany Housing Authority	200 South Pearl St.	Albany	NY	12202	216,357.00
Plattsburgh Housing Authority	4817 South Catherine St	Plattsburgh	NY	12901	250,000.00
Schenectady Municipal Housing Authority	375 Broadway	Schenectady	NY	12305	195,000.00
Lockport Housing Authority	301 Michigan St.	Lockport	NY	14094	250,000.00
Cuyahoga Metropolitan Housing Authority	8120 Kinsman Road	Cleveland	OH	44104	249,715.00
Zanesville Metropolitan Housing Authority	407 Pershing Road	Zanesville	OH	43701	250,000.00
Columbiana Metropolitan Housing Authority	325 Moore Street	East Liverpool	OH	43920	250,000.00
Housing Authority of the Town of Prague	607 Mitacek Ave	Prague	OK	74864	4,545.00
Housing Authority of the City of Seminole	111 Randolph Drive	Seminole	OK	74868	6,970.00
Housing Authority of the City of Shawnee	601 W 7th Street	Shawnee	OK	74801	31,050.00
Housing Authority of the City of Tecumseh	601 Leisure Drive	Tecumseh	OK	74873	4,420.00
Philadelphia Housing Authority	2013 Ridge Avenue	Philadelphia	PA	19121	4,656.00
Allegheny County Housing Authority	301 Chartiers Avenue	Mckees Rocks	PA	15136	129,022.00
Westmoreland County Housing Authority	167 South Greengate Road	Greensburg	PA	15601	250,000.00
HA County of Lawrence	P.O. Box 988	New Castle	PA	16101	150,204.00
Housing Authority of the County of Dauphin	501 Mohn Street	Steelton	PA	17113	70,000.00
HA of Indiana County	104 Philadelphia Street	Indiana	PA	15701	57,600.00
HA of the County of Erie	120 S Center Street	Corry	PA	16407	235,000.00
Central Falls Housing Authority	30 Washington Street	Central Falls	RI	02863	128,465.00
South Kingstown Housing Authority	364 Curtis Corner Road	Peace Dale	RI	02879	132,600.00
Coventry Housing Authority	14 Manchester Circle	Coventry	RI	02816	250,000.00
HA of Florence	400 E Pine Street	Florence	SC	29506	250,000.00
Norfolk Redevelopment & Housing Authority ...	555 E. Main Street	Norfolk	VA	23510	171,615.00
Seattle Housing Authority	190 Queen Anne Ave N	Seattle	WA	98109	250,000.00
Mauston Housing Authority	208 W Monroe Street	Mauston	WI	53948	24,954.00
Housing Authority of the City of Oshkosh, WI ...	600 Merritt Avenue	Oshkosh	WI	54902	49,630.00
Total .....	.....	.....	.....	.....	10,000,000.00

Appendix A–E**FY 2020 Emergency Disaster Grant**

Contact: David Fleischman (202) 402–2071.

Organization name	Street Address or P.O. box	City	State	Zip code	Award amount
Housing Authority of the City of Jasper	1005 Highway 69 S	Jasper	AL	35501	\$1,925,000.00
Housing Authority of the County of Poinsett	1104 Elm Street	Marked Tree	AR	72365	965,302.00
Housing Authority of the City of Luxora	1 Cedar St	Luxora	AR	72358	860,000.00
The Housing Authority of Henry County	125 N Chestnut St	Kewanee	IL	61443	121,491.00
Housing Authority of South Bend	501 Alonzo Watson Drive	South Bend	IN	46601	620,330.00
Worcester Housing Authority	40 Belmont Street	Worcester	MA	01605	3,284,700.00
Falmouth Housing Authority	115 Scranton Avenue	Falmouth	MA	02540	2,831,553.00
Total .....	.....	.....	.....	.....	10,608,376.00

Appendix A–F**FY 2020 Receivership**

Contact: David Fleischman (202) 402–2071.

Organization name	Street Address or P.O. box	City	State	Zip code	Award amount
Alexander County Housing Authority	1101 Ohio St	Cairo	IL	62914	\$1,279,402.00
Gary Housing Authority	578 Broadway	Gary	IN	46402–1900	8,661,383.00
New York City Housing Authority	200 South Pearl St	New York	NY	10007–2516	24,709,215.00
Total .....	.....	.....	.....	.....	34,650,000.00

Appendix A–G**FY 2021 Emergency Disaster Grant**

Contact: David Fleischman (202) 402–2071.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount
Housing Authority of the County of Ventura	1400 W Hillcrest Drive	Newbury Park	CA	91320	\$1,317,647.00
Housing Authority of the Town of Lake Providence.	226 Foster Street	Lake Providence ..	SC	71254	2,300,830.00
College Park Housing Authority	9014 Rhode Island Avenue	College Park	LA	20740	333,256.00
Housing Authority of the City of Wilson	301 E. Nash Street	Wilson	SD	27893	48,350.00
Housing Authority of Florence	400 E Pine Street	Florence	MD	29506	146,586.00
Canton Housing & Redevelopment Commission.	903 W 5th Street	Canton	NC	57013	2,631,792.00
Hughes Springs	1314 East 1st	Hughes Springs	TX	75656	418,000.00
Total	7,196,461.00

[FR Doc. 2021–20390 Filed 9–20–21; 8:45 am]

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