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Presidential Documents

Title 3—

The President

Proclamation 10346 of March 1, 2022

Read Across America Day, 2022

By the President of the United States of America

A Proclamation

Reading ignites imagination, insight, and inspiration. It nourishes a child's creativity and curiosity, and inspires a passion for lifelong learning. Books can challenge and inspire. They can teach important lessons, reveal new worlds, and enrich our understanding of our own—of different people, perspectives, and cultures. On Read Across America Day, we celebrate the joy of learning and give thanks to the parents, caregivers, educators, librarians, authors, and community members who invest in our Nation's children.

For many young Americans, the path to literacy begins with treasured and timeless traditions: being read to at bedtime, gathering in classrooms for story time, and attending events at local libraries with family and friends. Children's classics such as Dr. Seuss' ''Green Eggs and Ham'' and ''Oh, the Places You'll Go!'' have inspired a passion for reading and endless creativity that spans generations. Today's stories and adventures are as diverse as the world in which we live, and by reading them, we come to more fully understand the vibrant diversity of our Nation—and the world. This is especially important as young people learn and grow and engage with their own sense of identity. Books build each child's sense of belonging and can help inculcate respect and empathy for others.

The First Lady, a lifelong educator, has said, ''reading is the foundation of all education. It affects every aspect of our society.'' This has never been truer than today. It is one of the many reasons why my Administration is committed to advancing educational excellence for every child and literacy for every American. It is why I have proposed making 2 years of high-quality preschool available to every child in America. It is one of the reasons why safely reopening schools for in-person instruction was a priority for my Administration from day one—so that children could get back to learning in the classroom with their peers—and why the American Rescue Plan included $122 billion to keep schools open safely and help address the learning loss and mental health impacts of missing school. School districts across the country are already using these funds to support literacy efforts by updating curricula and hiring specialists.

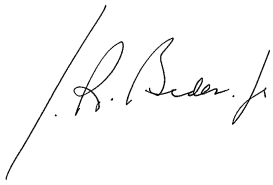
My Administration is also committed to supporting volunteer and literacy programs that help young people and adults master reading. This work is crucial, as half of adults in the United States are unable to read a book written for the eighth-grade level, and nearly a quarter of American adults have not read a book over the last year.

I often say that children are the kite strings that keep our National ambitions aloft. On Read Across America Day, we dedicate ourselves to helping each new generation of readers and thinkers become the leaders who will write a more hopeful chapter in the American narrative and in the story of our shared world. As the great American writer Toni Morrison reminds us: ''If you find a book you really want to read but it hasn't been written yet, then you must write it.''

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 March 2, 2022,

as Read Across America Day. I call upon children, families, educators, librarians, public officials, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

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



[FR Doc. 2022–04776
Filed 3–3–22; 8:45 am]
Billing code 3395–F2–P

Presidential Documents

Memorandum of March 1, 2022

Maximizing Assistance To Respond to COVID–19

Memorandum for the Secretary of Homeland Security [and] the Administrator of the Federal Emergency Management Agency

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5207 (the ''Stafford Act''), I hereby order as follows:

Section 1. *Policy*. It is the policy of my Administration to combat and respond to the coronavirus disease 2019 (COVID–19) pandemic with the full capacity and capability of the Federal Government to protect and support our families, schools, and businesses, and to assist State, local, Tribal, and territorial governments to do the same, including through emergency and disaster assistance available from the Federal Emergency Management Agency (FEMA) and through Federal support of the Governors' use of the National Guard.

Sec. 2. *Assistance for Category B COVID–19 Emergency Protective Measures*. FEMA shall provide a 100 percent Federal cost share for all work eligible for assistance under Public Assistance Category B, pursuant to sections 403 (42 U.S.C. 5170b), 502 (42 U.S.C. 5192), and 503 (42 U.S.C. 5193) of the Stafford Act, including work described in section 3(a) of the Presidential Memorandum of January 21, 2021 (Memorandum to Extend Federal Support to Governors' Use of the National Guard to Respond to COVID–19 and to Increase Reimbursement and Other Assistance Provided to States), and in section 2 of that memorandum on the Governors' use of the National Guard, performed from January 20, 2020, through July 1, 2022.

Sec. 3. *General Provisions*. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

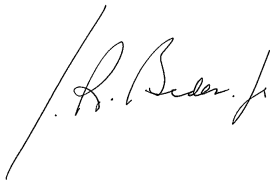
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

(c) This memorandum 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.

(d) The Administrator of FEMA is authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, March 1, 2022

[FR Doc. 2022–04778
Filed 3–3–22; 8:45 am]
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Rules and Regulations

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0988; Airspace Docket No. 21–ANE–8]

RIN 2120–AA66

Establishment of Class E Airspace; Falmouth, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface for Falmouth Airpark, Falmouth, MA, to accommodate area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures (SIAPs) serving this airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Effective 0901 UTC, May 19, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337; Telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace for Falmouth Airpark, Falmouth, MA.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR 71601, December 17, 2021) for Docket No. FAA–2021–0988 to establish Class E airspace extending upward from 700 feet above the surface for Falmouth Airpark, Falmouth, MA.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

The Rule

The FAA is amending 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Falmouth Airpark, Falmouth, MA, providing the controlled airspace required to support RNAV (GPS) standard instrument approach procedures for IFR operations at this airport.

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

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

ANE MA E5 Falmouth, MA [New]

Falmouth Airpark, MA
(Lat. 41°35′08′ W″ N, long. 70°32′25″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Falmouth Airpark.

Issued in College Park, Georgia, on February 28, 2022.

Andreese C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2022–04544 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–1057; Airspace Docket No. 21–ASO–38]

RIN 2120–AA66

Amendment of Class E Airspace; Peachtree City, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet above the surface for Atlanta Regional Airport Falcon Field (formerly Peachtree City, Falcon Field Airport), Peachtree City, GA by updating the airport's name and geographical coordinates to coincide with the FAA's database. This action also increases the radius and removes excessive verbiage from the legal description of the airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Effective 0901 UTC, May 19, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FOR FURTHER INFORMATION CONTACT: John Goodson, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone (404) 305–5966.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class E airspace extending upward from 700 feet above the surface to support IFR operations in Peachtree City, GA.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR, 70773, December 13, 2021) for Docket No. FAA–2021–1057 to amend Class E airspace extending upward from 700 feet above the surface for Peachtree City, GA.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment supporting this action was received.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

The Rule

The FAA amends 14 CFR part 71 by amending Class E airspace extending upward from 700 feet above the surface at Atlanta Regional Airport Falcon Field (formerly Peachtree City, Falcon Field Airport), Peachtree City, GA, by updating the airport's name and updating the geographical coordinates to coincide with the FAA's database. In addition, this action amends the radius to 8.7 miles (formerly 6.5 miles) and eliminates excessive verbiage in the legal description.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

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

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44

FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal. Since this is a routine matter that only affects air traffic procedures an air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order JO 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

ASO GA E5 Peachtree City, GA [Amended]

Atlanta Regional Airport Falcon Field, GA
(Lat. 33°21′28″ N, long. 84°34′21″ W)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of Atlanta Regional Airport Falcon Field.

Issued in College Park, Georgia, on February 28, 2022.

Andreese C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2022–04531 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0169; Airspace Docket No. 21–ASO–3]

RIN 2120–AA66

Amendment Class D and Class E Airspace; South Florida

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, delay of effective date.

SUMMARY: This action changes the effective date of a final rule published in the **Federal Register** on September 8, 2021, amending airspace for several airports in the south Florida area. The FAA is delaying the effective date to coincide with the completion of ongoing airspace projects in the area.

DATES: The effective date of the final rule published on September 8, 2021 (86 FR 50245), delayed on January 27, 2022 (87 FR 4154), is further delayed until September 8, 2022. The Director of the Federal Register approved this incorporation by reference action under Title 1 Code of Federal Regulations part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337; Telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Background

The FAA published a final rule in the **Federal Register** for Docket No. FAA–2021–0169 (86 FR 50245, September 8, 2021), amending Class D and Class E airspace for eight airports in the south Florida area. The FAA then delayed the effective date for that final rule until May 19, 2022 (87 FR 4154). Due to delays in other rule making projects in the area, the FAA is delaying the effective date to September 8, 2022. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Good Cause for No Notice and Comment

Section 553(b)(3)(B) of Title 5, United States Code, (the Administrative Procedure Act) authorizes agencies to dispense with notice and comment procedures for rules when the agency for ''good cause'' finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under this section, an agency, upon finding good cause, may issue a final rule without seeking comment prior to the rulemaking. The FAA finds that prior notice and public comment to this final rule is unnecessary due to the brief length of the extension of the effective date and the fact that there is no substantive change to the rule.

Delay of Effective Date

Accordingly, pursuant to the authority delegated to me, the effective date of the final rule, Airspace Docket 21–ASO–3, as published in the **Federal Register** on September 8, 2021 (86 FR 50245) and delayed to May 19, 2022, on January 27, 2022 (87 FR 4154; FR Doc. 2021–19268), is hereby delayed until September 8, 2022.

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

Issued in College Park, Georgia, on February 24, 2022.

Andreese C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2022–04448 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31415; Amdt. No. 3997]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPS) and associated Takeoff Minimums and Obstacle Departure procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective March 4, 2022. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 4, 2022.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops–M30. 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.
2. The FAA Air Traffic Organization Service Area in which the affected airport is located;
3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,
4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fr.inspection@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms 8260–3, 8260–4, 8260–5, 8260–15A, 8260–15B, when required by an entry on 8260–15A, and 8260–15C.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers or aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the typed of SIAPS, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on February 18, 2022.

Thomas J. Nichols,

Aviation Safety, Flight Standards Service, Manager, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CRF part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff

Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 24 March 2022

Sand Point, AK, PASD, RNAV (GPS) Y RWY 14, Orig-A
Little Rock, AR, Bill and Hillary Clinton NTL/Adams Fld, Takeoff Minimums and Obstacle DP, Amdt 10
Fresno, CA, KFAT, ILS Y OR LOC Y RWY 29R, ILS Y RWY 29R (SA CAT I), ILS Y RWY 29R (CAT II), ILS Y RWY 29R (CAT III), Amdt 39A
Nucla, CO, KAIB, RNAV (GPS)-A, Amdt 1
Windsor Locks, CT, KBDL, COPTER ILS OR LOC RWY 6, Amdt 2A
Windsor Locks, CT, KBDL, ILS OR LOC RWY 6, ILS RWY 6 (SA CAT I), ILS RWY 6 (CAT II), ILS RWY 6 (CAT III), Amdt 38B
Windsor Locks, CT, KBDL, ILS OR LOC RWY 24, ILS RWY 24 (SA CAT I), ILS RWY 24 (SA CAT II), Amdt 13B
Sioux City, IA, KSUX, ILS OR LOC RWY 31, Amdt 27
Spencer, IA, KSPW, ILS OR LOC RWY 12, Amdt 2C
Coeur D'Alene, ID, KCOE, RNAV (GPS) RWY 2, Orig
Quinter, KS, 1QK, RNAV (GPS) RWY 17, Orig
Quinter, KS, 1QK, RNAV (GPS) RWY 35, Orig
Covington, KY, KCVG, ILS OR LOC RWY 27, ILS RWY 27 (SA CAT I), ILS RWY 27 (SA CAT II), Amdt 19
Covington, KY, KCVG, RNAV (GPS) Y RWY 27, Orig-D
Covington, KY, KCVG, RNAV (RNP) Z RWY 27, Orig-B
Oakdale, LA, KACP, RNAV (GPS) RWY 18, Amdt 1
Oakdale, LA, KACP, RNAV (GPS) RWY 36, Amdt 3
Fitchburg, MA, KFIT, RNAV (GPS) RWY 32, Amdt 2
Rangeley, ME, Stephen A. Bean Muni, Takeoff Minimums and Obstacle DP, Amdt 2
Marlette, MI, 77G, RNAV (GPS) RWY 10, Amdt 1D
Marlette, MI, 77G, RNAV (GPS) RWY 28, Amdt 2
Marlette, MI, Marlette Township, Takeoff Minimums and Obstacle DP, Amdt 1
Kansas City, MO, KMKC, RNAV (GPS) RWY 3, Amdt 3A
Lincoln, NE, KLNK, VOR RWY 17, Amdt 7B
Lincoln, NE, KLNK, VOR Y RWY 18, Amdt 13C
New York, NY, LaGuardia, RNAV (GPS) X RWY 31, Orig
Oklahoma City, OK, KOKC, ILS OR LOC RWY 17L, Amdt 3D
Oklahoma City, OK, KOKC, ILS OR LOC RWY 17R, ILS RWY 17R (SA CAT II), Amdt 13A
Oklahoma City, OK, KOKC, ILS OR LOC RWY 35L, Amdt 2D
Oklahoma City, OK, KOKC, ILS OR LOC RWY 35R, ILS RWY 35R (SA CAT I), ILS RWY 35R (CAT II), Amdt 10E
Oklahoma City, OK, KOKC, VOR RWY 17L, Amdt 2B
Albany, OR, Albany Muni, Takeoff Minimums and Obstacle DP, Amdt 2C
Humboldt, TN, M53, RNAV (GPS) RWY 22, Orig-A
Dallas, TX, KADS, ILS OR LOC RWY 16, Amdt 11C
Dallas, TX, KADS, ILS OR LOC RWY 34, Amdt 3C
Dallas, TX, KADS, RNAV (GPS) RWY 16, Amdt 1C
Dallas, TX, KADS, RNAV (GPS) RWY 34, Amdt 2A
Dallas, TX, Addison, Takeoff Minimums and Obstacle DP, Amdt 6A
Terrell, TX, KTRL, RNAV (GPS) RWY 18, Orig-C
Terrell, TX, KTRL, RNAV (GPS) RWY 36, Orig-C

Rescinded: On January 24, 2022 (87 FR 3423), the FAA published an Amendment in Docket No. 31409, Amdt No. 3991, to Part 97 of the Federal Aviation Regulations under section 97.37. The following entry for Old Town, ME, effective March 24, 2022, is hereby rescinded in its entirety:

Old Town, ME, Dewitt Fld/Old Town Muni, Takeoff Minimums and Obstacle DP, Amdt 1

Rescinded: On February 3, 2022 (87 FR 6021), the FAA published an Amendment in Docket No. 31411, Amdt No. 3993, to Part 97 of the Federal Aviation Regulations under section 97.33. The following entry for Salinas, CA, effective March 24, 2022, is hereby rescinded in its entirety:

Salinas, CA, KSNS, RNAV (GPS) RWY 8, Orig

[FR Doc. 2022–04494 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31416; Amdt. No. 3998]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective March 4, 2022. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 4, 2022.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops–M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC, 20590–0001;
2. The FAA Air Traffic Organization Service Area in which the affected airport is located;
3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,
4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, email *fr.inspection@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29 Room 104, Oklahoma City, OK 73169. Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on February 18, 2022.

Thomas J. Nichols,

Aviation Safety, Flight Standards Service, Manager, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, CFR part 97, (is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

** * * Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
24–Mar–22	MO	Charleston	Mississippi County	1/8132	12/8/21	This NOTAM, published in Docket No. 31414, Amdt No. 3996, TL 22–07, (87 FR 10070, February 23, 2022) is hereby rescinded in its entirety.
24–Mar–22	AZ	Tucson	Ryan Fld	2/7103	1/24/22	This NOTAM, published in Docket No. 31414, Amdt No. 3996, TL 22–07, (87 FR 10070, February 23, 2022) is hereby rescinded in its entirety.
24–Mar–22	WA	Arlington	Arlington Muni	1/5237	2/7/22	LOC RWY 34, Amdt 5A.
24–Mar–22	WA	Arlington	Arlington Muni	1/5238	2/7/22	NDB RWY 34, Amdt 4A.
24–Mar–22	MO	Charleston	Mississippi County	2/1588	2/4/22	RNAV (GPS) RWY 18, Orig-A.
24–Mar–22	MS	Philadelphia	Philadelphia Muni	2/1665	2/7/22	RNAV (GPS) RWY 18, Amdt 1.
24–Mar–22	MS	Philadelphia	Philadelphia Muni	2/1666	2/7/22	RNAV (GPS) RWY 36, Amdt 1.
24–Mar–22	MI	Marlette	Marlette Township	2/3659	2/11/22	RNAV (GPS) RWY 19, Orig-C.
24–Mar–22	PA	Wilkes-Barre	Wilkes-Barre Wyoming Valley.	2/6225	2/7/22	RNAV (GPS) RWY 25, Orig-C.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
24–Mar–22	PA	Wilkes-Barre	Wilkes-Barre Wyoming Valley.	2/6226	2/7/22	RNAV (GPS) RWY 7, Orig-B.
24–Mar–22	WI	Green Bay	Green Bay-Austin Straubel Intl.	2/7089	2/7/22	RADAR 1, Amdt 9E.
24–Mar–22	ND	Mohall	Mohall Muni	2/7090	2/7/22	RNAV (GPS) RWY 31, Orig-A.
24–Mar–22	WA	Toledo	Ed Carlson Meml Fld—South Lewis County.	2/7092	2/7/22	RNAV (GPS) RWY 6, Orig.
24–Mar–22	MN	Granite Falls	Granite Falls Muni/Lenzen-Roe-Fagen Meml Fld.	2/8599	2/8/22	RNAV (GPS) RWY 33, Orig-A.
24–Mar–22	MN	Granite Falls	Granite Falls Muni/Lenzen-Roe-Fagen Meml Fld.	2/8604	2/8/22	VOR/DME RWY 33, Orig-C.

[FR Doc. 2022–04497 Filed 3–3–22; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 6

Public Health Service

42 CFR Part 1

Centers for Medicare and Medicaid Services

42 CFR Part 404

Office of the Inspector General

42 CFR Part 1000

Office of the Secretary

45 CFR Part 8

Administration for Children and Families

45 CFR Parts 200, 300, 403, 1010, and 1300

[Docket No. HHS–OS–2020–0012]

RIN 0991–AC24

Securing Updated and Necessary Statutory Evaluations Timely; Administrative Delay of Effective Date

AGENCY: Department of Health and Human Services (HHS).

ACTION: Final rule; delay of effective date.

SUMMARY: The Department of Health and Human Services (HHS or Department) is postponing, pending judicial review, the effective date of a final rule entitled ''Securing Updated and Necessary Statutory Evaluations Timely'' (SUNSET final rule) and published in the **Federal Register** of January 19, 2021, and a final rule correction published in the **Federal Register** of March 23, 2021.

DATES: As of March 4, 2022, the effective date of the SUNSET final rule published January 19, 2021 (86 FR 5694), which was delayed until March 22, 2022, by an order that took effect as of March 19, 2021 (86 FR 15404, March 23, 2021), is further delayed pursuant to 5 U.S.C. 705 for six months until September 22, 2022.

As of March 4, 2022, the effective date of the correction published March 23, 2021 (86 FR 15404), is delayed until September 22, 2022.

FOR FURTHER INFORMATION CONTACT: Daniel J. Barry, Acting General Counsel, 200 Independence Avenue SW, Washington, DC 20201; or by email at *reviewnprm@hhs.gov;* or by telephone at 1–877–696–6775.

SUPPLEMENTARY INFORMATION:

I. Overview

The SUNSET final rule, if implemented, would establish a new process for regulatory review of HHS regulations, which includes the automatic expiration of regulations under certain circumstances. It was scheduled to take effect on March 22, 2021. After a lawsuit was filed on March 9, 2021, seeking to overturn the SUNSET final rule, HHS issued an Administrative Delay of Effective Date (First Administrative Delay), which took effect as of March 19, 2021, which postponed the effective date of the SUNSET final rule, pending judicial review, until March 22, 2022. 86 FR 15404 (Mar. 23, 2021).

After conducting a thorough review of the SUNSET final rule including the oral and written comments on its proposal and the allegations in the lawsuit, HHS published a notice of proposed rulemaking to withdraw or repeal the SUNSET final rule (Withdrawal NPRM). 86 FR 59906 (Oct. 29, 2021). The comment period on the Withdrawal NPRM closed on December 28, 2021. HHS received approximately 80 comments. Some comments were submitted by Plaintiffs in the lawsuit seeking to overturn the SUNSET final rule, and their comments incorporated by reference the Complaint they had filed.

HHS is currently in the process of reviewing the comments and developing a final rule. For the reasons described below, HHS finds that the interests of justice require that the SUNSET final rule's effective date be postponed pending judicial review because: (1) A postponement will permit HHS to continue and complete its review of the SUNSET final rule in light of the claims raised in the litigation; (2) the resolution of the rulemaking will inform the government's position in this lawsuit; and (3) based on HHS's review of the Complaint, HHS believes that the Court may find that: (a) Some of Plaintiffs' claims have merit; (b) Plaintiffs' allegations of harm are credible; and (c) the balance of equities and the public interest warrant postponement of the effective date to preserve the status quo while the Court considers the challenge to the SUNSET final rule.

II. Background

A. The SUNSET Proposed and Final Rules

On November 4, 2020, HHS published a notice of proposed rulemaking entitled ''Securing Updated and Necessary Statutory Evaluations Timely'' (SUNSET proposed rule). 85 FR 70096. The SUNSET proposed rule provided that comments could be submitted until December 4, 2020, except for comments on the portion of the rule amending 42 CFR parts 400–429 and parts 475–499, which were due by January 4, 2021. HHS received 532 comments total throughout the 60-day comment period, and the commenters ''generally opposed the proposed rule, although some commenters supported it.'' 86 FR 5704.

HHS also held a public hearing on November 23, 2020, to receive information and views on the proposed rule (Public Hearing). Over twenty interested parties provided oral comments at the Public Hearing. See Transcript, Public Hearing on the

Securing Updated and Necessary Statutory Evaluations Timely Notice of Proposed Rulemaking (Nov. 23, 2020) (available at *https://www.regulations.gov/document/HHSOS-2020-0012-0501*) (Public Hearing Transcript).

HHS issued the SUNSET final rule on January 19, 2021. 86 FR 5694. The substance of the SUNSET proposed and final rules are more fully described in the First Administrative Delay, and that description is adopted by reference into this preamble. See 86 FR 15405.

B. The Santa Clara Complaint

On March 9, 2021, the County of Santa Clara, California Tribal Families Coalition, National Association of Pediatric Nurse Practitioners, American Lung Association, Center for Science in the Public Interest, and Natural Resources Defense Council sued the Department seeking to overturn the SUNSET final rule under the Administrative Procedure Act (APA). Complaint, *County of Santa Clara* v. *HHS,* Case No. 5:21–cv–01655–BLF (N.D. Cal.). The substance of the Complaint is more fully described in the First Administrative Delay, and that description is adopted by reference into this preamble. See 86 FR 15405.

C. The Administrative Delay of Effective Date and Stay of Litigation.

On March 9, 2021, HHS issued the First Administrative Delay, which took effect as of March 19, 2021, which postponed the effective date of the SUNSET final rule, pending judicial review, until March 22, 2022. HHS explained that it believed that the Court may find: (a) That some of Plaintiffs' claims have merit; (b) that Plaintiffs' allegations of harm are credible; and (c) that the balance of equities and the public interest warrant postponement of the effective date pending judicial review. Accordingly, the Department found that the interests of justice required a postponement in order to preserve the status quo, because, if the rule took effect while HHS was evaluating the rule in light of the claims raised in litigation, it could create significant obligations for HHS, cause confusion for the public, including Plaintiffs, and may lead to compliance costs as entities, including Plaintiffs, plan steps necessary to deal with the rule's implementation. HHS also observed that it was unaware of any benefits from the implementation of the SUNSET final rule that would be significantly curtailed from a stay of its effective date. See 86 FR 15404–08.

With respect to the *Santa Clara* litigation, the parties requested that the court stay the case on the ground that HHS was reviewing the SUNSET final rule in light of Plaintiffs' claims raised in this litigation and needed additional time to evaluate the claims and its position before taking further steps in the litigation. The court granted the stay. Order, *County of Santa Clara* v. *HHS,* Case No. 5:21–cv–01655–BLF (N.D. Cal.) (Apr. 22, 2021). Since that time, the parties have periodically submitted joint status reports to the court and requested that the litigation stay be extended, and those requests have thus far, as of February 1, 2022, been granted.

D. The Withdrawal NPRM

HHS published the Withdrawal NPRM on October 29, 2021, in which it proposed to withdraw or repeal the SUNSET final rule in its entirety. 86 FR 59906. In the Withdrawal NPRM, the Department explained that, in issuing the SUNSET rule, it should have engaged in a more robust consideration of the comments and should have given greater weight to the potential harms to stakeholders and the public health. Therefore, before issuing the Withdrawal NPRM, the Department reexamined the SUNSET final rule in light of the allegations in the *Santa Clara* complaint, the many comments submitted to the SUNSET proposed rule docket and raised at the Public Hearing, and the current Administration's policies. That review considered the processes followed in issuing the SUNSET final rule, its policy goals and objectives, the projected effects and analysis of impacts in its implementation, and the legal evaluation of and support for its provisions, including whether the rule is consistent with all HHS statutory obligations and its mission to promote and protect the public health.

The comment period on the Withdrawal NPRM closed on December 28, 2021, and HHS received approximately 80 comments. HHS is actively engaged in considering the comments and developing a final rule.

III. Discussion

Under 5 U.S.C. 705 of the APA, an agency ''may postpone the effective date of action taken by it, pending judicial review,'' when the ''agency finds that justice so requires.'' On March 9, 2021, HHS issued the First Administrative Delay after concluding that the interests of justice required that the SUNSET final rule be stayed pending judicial review. For the reasons described in the First Administrative Delay and as further discussed in this document, the Department has concluded that the considerations supporting the First Administrative Delay remain true today, and the interests of justice require that the effective date of the SUNSET final rule should be further stayed until September 22, 2022.

In the First Administrative Delay, the Department explained that it was taking a fresh and critical look at the SUNSET final rule in light of the allegations in the Complaint. The Complaint alleged serious legal vulnerabilities of the rule, and, while HHS did not concede any of these claims at that time, HHS required additional time to complete its evaluation of the SUNSET final rule given the pending litigation. In addition, the Complaint raised the question as to whether the SUNSET final rule, issued in the final days of the last Administration, is consistent with the policies and goals of the current Administration, both in terms of the appropriate role of regulatory oversight of the health care industry and necessary engagement with the public, including tribal organizations.

After further review of the SUNSET final rule, the allegations in the Complaint, and the comments on the SUNSET proposed rule, we issued the Withdrawal NPRM in October 2021, in which we discussed our tentative conclusions for further public comment. Our discussion included concerns regarding the procedural shortcomings of the SUNSET rulemaking process, the fundamental errors in its Regulatory Impact Analysis, and the attendant legal vulnerabilities of the SUNSET final rule. Our reanalysis of the regulatory impact of this rule, as set forth in the Withdrawal NPRM, has underscored our belief that the *Santa Clara* court could find merit in at least some of Plaintiffs' claims.

Our review of the approximately 80 comments submitted on the Withdrawal NPRM is ongoing. A few substantive comments support the SUNSET final rule while many other substantive comments favor withdrawal or repeal. As noted, Plaintiffs in the *Santa Clara* litigation submitted comments on the Withdrawal NPRM that attached copies of the Complaint. Accordingly, HHS's consideration of the Complaint's critique of the SUNSET final rule are part of its ongoing review.

The Complaint also alleges that Plaintiffs and others would be immediately harmed by the SUNSET final rule, if implemented. The Complaint alleges that the uncertainty resulting from its implementation impacts the entire healthcare sector, which accounts for nearly one-fifth of the U.S. economy and secures individual and community health for

hundreds of millions of Americans, and that participants in every single industry the Department regulates, including Plaintiffs, must plan their futures and operations without knowing what regulations will govern their businesses in these notoriously complex regulatory arenas. *See* Complaint, ¶¶ 2, 95–122. While HHS does not concede that Plaintiffs would establish irreparable harm in litigation, HHS agrees that it is appropriate to postpone the effective date of the SUNSET final rule to preserve the status quo and to ensure that HHS has time to evaluate the rule before it takes effect to avoid the possibility of confusion among the regulated community. All of these potential consequences would be detrimental to the public health, underscoring that justice requires a postponement of the SUNSET final rule's effective date pursuant to 5 U.S.C. 705.

We further conclude that extending the effective date of the SUNSET final rule will create no countervailing harms because this delay merely continues the status quo. And because implementation of the regulatory review framework provided under the SUNSET final rule would be a complex and lengthy process, any purported benefits from the retirement of regulations under the new process would not accrue for several years. Accordingly, given the public health concerns and the harms from the implementation of the SUNSET final rule alleged by the Plaintiffs and echoed in the comments to the SUNSET proposed rule and the Withdrawal NPRM, and the dearth of countervailing harms from extending the effective date, the balance of equities and the public interest favor the extension of the stay of the effective date of the SUNSET final rule to preserve the status quo and allow for judicial review of its legality before any implementation.

Accordingly, HHS is issuing this further stay of the effective date of this final rule pending judicial review. This postponement applies to all of the regulations established under the SUNSET final rule. As noted above, the Complaint alleges that the SUNSET final rule suffers from a variety of defects, including procedural defects related to its promulgation. The Department believes it is appropriate to review the entire rule in light of the claims raised in the litigation, which it continues to actively evaluate in conjunction with its consideration of the comments to the Withdrawal NPRM and its efforts to develop a final rule. Thus, this postponement reaches the full rule, consistent with the Complaint's prayer for relief.

Xavier Becerra,

Secretary.

[FR Doc. 2022–04524 Filed 3–3–22; 8:45 am]

BILLING CODE 4150–26–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 7

[Docket No. FDA–2018–D–2074]

Initiation of Voluntary Recalls; Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, Department of Health and Human Services (HHS).

ACTION: Notification of availability.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing the availability of a final guidance for industry and FDA staff entitled ''Initiation of Voluntary Recalls Under 21 CFR part 7, subpart C.'' The guidance for industry and FDA staff provides guidance on timely initiation of voluntary recalls of FDA-regulated products. It also discusses preparations that firms in a distribution chain should consider making to ensure timely responses to a recall communication. In addition, the guidance discusses how FDA assists firms with carrying out their recall responsibilities to protect the public health from distributed products in violation of the Federal Food, Drug, and Cosmetic Act (FD&C Act) and other laws administered by FDA. This guidance finalizes the draft guidance of the same title issued on April 24, 2019.

DATES: The announcement of the guidance is published in the **Federal Register** on March 4, 2022.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–2074 for ''Initiation of Voluntary Recalls Under 21 CFR part 7, subpart C.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this

information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the guidance to the Office of Strategic Planning and Operational Policy, Office of Regulatory Affairs, Food and Drug Administration, 12420 Parklawn Dr., Element Bldg., Rm. 4141, Rockville, MD 20857. Send two self-addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance.

FOR FURTHER INFORMATION CONTACT: Peter Fox, Office of Regulatory Affairs, Office of Strategic Planning and Operational Policy, Food and Drug Administration, 12420 Parklawn Dr., Element Bldg., Rm. 4146, Rockville, MD 20857, 240–402–1857, *Peter.Fox@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry and FDA staff entitled ''Initiation of Voluntary Recalls Under 21 CFR part 7, subpart C.'' The guidance for industry and FDA staff provides guidance on timely initiation of voluntary recalls of FDA-regulated products. The guidance discusses what preparations firms in a distribution chain, including manufacturers and distributors, should consider making to establish recall initiation procedures; to ensure timely identification of, and response to, product problems that might lead to a recall; and to promptly issue recall communications and press releases or other public notices. It also discusses preparations that firms in a distribution chain should consider making to ensure timely responses to recall communications. In addition, the guidance discusses how FDA assists firms with carrying out their recall responsibilities to protect the public health from distributed products in violation of the FD&C Act and other laws administered by FDA.

This guidance finalizes the draft guidance of the same title issued on April 24, 2019 (84 FR 17112). FDA considered comments received on the draft guidance as the guidance was finalized. In addition to editorial changes made to improve clarity, changes from the draft to the final guidance include the addition of the terms *correction* and *market withdrawal* to the terminology section, the addition of language encouraging the use of electronic communications for conveying voluntary recall communications about FDA-regulated products, and the deletion of section IV (''References'').

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in 21 CFR 7.46, 7.49, and 7.59 have been approved under OMB control number 0910–0249; section 417 of the FD&C Act (21 U.S.C. 350f) has been approved under OMB control number 0910–0643; section 761 of the FD&C Act (21 U.S.C. 379aa–1) has been approved under OMB control number 0910–0291; 21 CFR 107.240 has been approved under OMB control number 0910–0188; 21 CFR part 117 has been approved under OMB control number 0910–0751; and 21 CFR part 507 has been approved under OMB control number 0910–0751.

III. Electronic Access

Persons with access to the internet may obtain the guidance at either *https://www.fda.gov/regulatory-information/search-fda-guidance-documents* or *https://www.regulations.gov.*

Dated: February 28, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–04704 Filed 3–3–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Part 0

[Docket No. OAG 175; AG Order No. 5536–2022]

Revisions to Approval of Civil Consent Decrees With State and Local Governmental Entities

AGENCY: Office of the Attorney General, Department of Justice.

ACTION: Final rule.

SUMMARY: This final rule revises the regulations of the Department of Justice (''Department'') to restore the traditional process regarding the approval procedures to be used when a civil action against a State or local governmental entity is to be resolved by consent decree.

DATES: This rule is effective March 4, 2022.

FOR FURTHER INFORMATION CONTACT: Robert Hinchman, Senior Counsel, Office of Legal Policy, U.S. Department of Justice, Room 4252 RFK Building, 950 Pennsylvania Avenue NW, Washington, DC 20530, telephone (202) 514–8059 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Discussion

A. Overview

This rule implements the April 16, 2021 Memorandum of Attorney General Merrick B. Garland titled ''Civil Settlement Agreements and Consent Decrees with State and Local Governmental Entities'' (the ''April 2021 Memorandum''), available at *https://www.justice.gov/ag/page/file/1387481/download.* Specifically, this rule withdraws the changes made to the Department's regulations by the rule ''Approval of Civil Consent Decrees With State and Local Governmental Entities'' published on December 28, 2020 (85 FR 84229).

The April 2021 Memorandum also specifically rescinded the Memorandum issued by former Attorney General Jefferson B. Sessions III, entitled ''Principles and Procedures for Civil Consent Decrees and Settlement

Agreements with State and Local Governmental Entities'' (November 7, 2018) (the ''November 2018 Memorandum'').

In addition, for consistency with the April 2021 Memorandum, the Department will revise the changes made to the *Justice Manual* in 2020 in response to the November 2018 Memorandum.

B. Background—Previous Administration

The November 2018 Memorandum set forth principles to guide the development of consent decrees with State or local governmental entities, including limitations on the circumstances in which a consent decree with a State or local governmental entity may be appropriate, the substantive requirements for such consent decrees, internal notification requirements regarding the initiation of negotiations for consent decrees, and a requirement of review and approval of senior leadership of the Department before a consent decree is agreed to by the United States or submitted to the court for entry. Subsequently, conforming changes were made to the *Justice Manual* and to the Department's regulations at 28 CFR 0.160. The revisions to § 0.160, codified at paragraphs (d)(6) and (e), were limited to amending the Department's settlement authority regulations to require approval of the specified consent decrees by the Deputy Attorney General or the Associate Attorney General. See 85 FR 84229 (Dec. 28, 2020).

C. Current Administration

Upon further consideration, the Attorney General has determined to restore longstanding regulations, protocols, and practices by authorizing the Assistant Attorneys General of the litigating components generally to handle such approvals because they are the Department officials most familiar with and best able to assess each particular case.

Accordingly, this rule restores the regulatory provisions at 28 CFR 0.160 as they existed prior to the revisions adopted on December 28, 2020.[1]

The April 2021 Memorandum also noted that, pursuant to longstanding Department settlement authority regulations predating the changes discussed above, and still in effect, a settlement agreement or consent decree with a State or local governmental entity must be referred to the Deputy Attorney General or the Associate Attorney General for approval if the component head ''is of the opinion that[,] because of a question of law or policy presented . . . or for any other reason, the proposed settlement should receive the personal attention of the Deputy Attorney General or the Associate Attorney General, as appropriate.'' 28 CFR 0.160(d)(2).

II. Regulatory Certifications

A. Administrative Procedure Act

This rule relates to a matter of agency management or personnel and is a rule of agency organization, procedure, or practice. As such, this rule is exempt from the usual requirements of prior notice and comment and a 30-day delay in effective date. *See* 5 U.S.C. 553(a)(2), (b)(A), (d).

B. Regulatory Flexibility Act

A Regulatory Flexibility Analysis was not required for this final rule because the Department was not required to publish a general notice of proposed rulemaking for this matter. *See* 5 U.S.C. 601(2), 604(a).

C. Executive Orders 12866 and 13563—Regulatory Review

This rule has been drafted and reviewed in accordance with Executive Order 12866, ''Regulatory Planning and Review,'' section 1(b), The Principles of Regulation, and Executive Order 13563, ''Improving Regulation and Regulatory Review,'' section 1, General Principles of Regulation.

This final rule is ''limited to agency organization, management, or personnel matters'' and thus is not a ''rule'' for purposes of review by the Office of Management and Budget. Executive Order 12866, sec. 3(d)(3).

D. Executive Order 12988—Civil Justice Reform

This regulation meets the applicable standards set forth in section 3(a) and 3(b)(2) of Executive Order 12988, ''Civil Justice Reform.''

E. Executive Order 13132—Federalism

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. This rule only pertains to the internal delegation of the Attorney General's litigation authority, regarding the authority of the Department's litigation components for approval of consent decrees entered into by the Department. Therefore, in accordance with Executive Order 13132, ''Federalism,'' the Department has determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

F. Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted for inflation) in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*

G. Congressional Review Act

This rule is not a major rule as defined by section 804 of the Congressional Review Act (CRA), 5 U.S.C. 804. This action pertains to agency management or personnel, and agency organization, procedure, or practice, and does not substantially affect the rights or obligations of non-agency parties. Accordingly, it is not a ''rule'' as that term is used in the CRA, 5 U.S.C. 804(3)(B), (C). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

H. Paperwork Reduction Act of 1995

This final rule does not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies), Privacy, Reporting and recordkeeping requirements, Whistleblowing.

Accordingly, by virtue of the authority vested in me as Attorney General, including 5 U.S.C. 301 and 28 U.S.C. 509, 510, part 0 of title 28 of the Code of Federal Regulations is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

■ 1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–519.

■ 2. In § 0.160:

■ a. Revise paragraphs (d)(4) and (5); and

[1] In addition to other changes made by the December 28, 2020, rule, that rule also corrected an existing drafting error by removing ''or'' at the end of 28 CFR 0.160(d)(1). That was a non-substantive change, and accordingly this final rule does not undo that technical correction.

■ b. Remove paragraphs (d)(6) and (e).

The revisions read as follows:

§ 0.160 Offers that may be accepted by Assistant Attorneys General.

* * * * *

(d) * * *

(4) When the proposed settlement commits a department or agency to expend funds that Congress has not appropriated and that have not been budgeted for the action in question, or commits a department or agency to seek particular appropriation or budget authorization; or

(5) When the proposed settlement otherwise limits the discretion of a department or agency to make policy or managerial decisions committed to the department or agency by Congress or by the Constitution.

Dated: February 18, 2022.

Merrick B. Garland,

Attorney General.

[FR Doc. 2022–04509 Filed 3–3–22; 8:45 am]

BILLING CODE 4410–BB–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2021–0482; FRL–9596–02–R3]

Air Plan Approval; Pennsylvania; Revision of the Maximum Allowable Sulfur Content Limit for Number 2 and Lighter Commercial Fuel Oil

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania. The revision pertains to the reduction of the maximum allowable sulfur content limit for Number 2 (No. 2) and lighter commercial fuel oil, generally sold and used for residential and commercial furnaces and oil heat burners for home or space heating, water heating or both, from the current limit of 500 parts per million (ppm) to 15 ppm. EPA is approving this revision to the Pennsylvania SIP in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on April 4, 2022.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2021–0482. 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, *e.g.,* confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Mallory Moser, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–215–814–2030. Ms. Moser can also be reached via electronic mail at *moser.mallory@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On December 15, 2021 (86 FR 71213), EPA published a notice of proposed rulemaking (NPRM) that proposed approval of a SIP revision that incorporates the Commonwealth's updated low-sulfur fuel oil provisions into the Pennsylvania SIP. The SIP revision was submitted by Pennsylvania on September 4, 2020, requesting that EPA incorporate the Pennsylvania Department of Environmental Protection's (PADEP's) revisions to 25 Pennsylvania Code (Pa. Code) Chapters 123 Section 22 into the Pennsylvania SIP. In response to the NPRM, EPA received one comment supporting the proposed action which can be found in the docket. EPA received no adverse comments.

II. Summary of SIP Revision and EPA Analysis

The SIP revision incorporates amendments to 25 Pa. Code Chapter 123 section 22 which set the maximum allowable sulfur content limit for various fuel types into the Pennsylvania SIP. The amendments to 25 Pa. Code Chapter 123.22, reduce the SIP approved maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil, generally sold for and used in residential and commercial furnaces and oil heat burners for home or space heating, water heating, or both, from a limit of 500 ppm of sulfur to 15 ppm. The amendments to 25 Pa. 123.22, became effective on September 1, 2020.

The low-sulfur fuel oil provisions will aid in reducing regional haze and visibility impairment in Pennsylvania. Additionally, decreased emissions of sulfur dioxide (SO_2) will contribute to the attainment, maintenance, or both, of the SO_2 and fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS) in Pennsylvania and surrounding areas. Other specific requirements of the SIP revision and the rationale for EPA's proposed action are explained in the NPRM and will not be restated here. Relevant support documents for this action are available online at *https://www.regulations.gov,* Docket number EPA–R03–OAR–2021–0482.

III. EPA's Response to Comments Received

EPA received one comment, from the State of New Jersey, supporting our proposed action in the December 15, 2021, NPRM. The comment received is in the docket for this rulemaking action. We received no adverse comments.

IV. Final Action

EPA is approving, as a SIP revision, the Commonwealth of Pennsylvania's September 4, 2020, submittal revising the maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil.

V. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of Pennsylvania's maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil regulation described in 25 Pa. Code Chapter 123. EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and at the EPA Region III 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 EPA for inclusion in the SIP, 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 EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[1]

[1] 62 FR 27968 (May 22, 1997).

VI. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the 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 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

B. Submission to Congress and the Comptroller General

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

C. Petitions for Judicial Review

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 May 3, 2022. 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, which pertains to commercial fuel oil sulfur limits for combustion and sale in the Commonwealth of Pennsylvania, 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, Incorporation by reference, Particulate matter, Regional Haze, Sulfur oxides.

Dated: February 23, 2022.

Diana Esher,

Acting Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart NN—Pennsylvania

■ 2. In § 52.2020, the table in paragraph (c)(1) is amended by revising the entry for ''Section 123.22(a)'', the second entry for ''123.22(b)'', the second entry for ''123.22(c)'', the second entry for ''123.22(d)'', the second entry for ''123.22(e)'', and entries ''Section 123.22(f)'' and ''Section 123.22(g)'' to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(1) * * *

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Title 25—Environmental Protection Article III—Air Resources				
*	*	*	*	*
Chapter 123—Standards for Contaminants				
*	*	*	*	*
Sulfur Compound Emissions				

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
*	*	*	*	*
Section 123.22(a)	Combustion units. [General provisions—air basins and non-air basins].	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
*	*	*	*	*
123.22(b)	Combustion units—Erie Air Basin.	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
*	*	*	*	*
123.22(c)	Combustion units—Upper Beaver Valley Air Basin.	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
*	*	*	*	*
123.22(d)	Combustion units—Lower Beaver Valley Air Basin.	07/25/20	3/4/22 , [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
*	*	*	*	*
123.22(e)	Combustion units—Southeast PA Air Basin.	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
Section 123.22(f)	Combustion units—Sampling and testing.	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
Section 123.22(g)	Combustion units—Recordkeeping and reporting.	07/25/20	3/4/22, [INSERT **FEDERAL REGISTER** CITATION].	Amended sections 123.22(a) 123.22(b), 123.22(c), 123.22(d), 123.22(e), 123.22(f), and 123.22(g). Previous approval July 10, 2014.
*	*	*	*	*

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[FR Doc. 2022–04361 Filed 3–3–22; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 220216–0049 and 220223–0054;RTID 0648–XB808]

Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program

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

ACTION: Temporary rule; opening.

SUMMARY: NMFS is opening directed fishing for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) Program and the Community Development Quota (CDQ) Program. The season will open 1200 hours, Alaska local time (A.l.t.), March 6, 2022, and will close 1200 hours, A.l.t., December 7, 2022. This period is the same as the 2022 commercial halibut fishery opening dates adopted by the International Pacific Halibut Commission. The IFQ and CDQ halibut season is specified by a separate publication in the **Federal Register** of annual management measures.

DATES: Effective 1200 hours, A.l.t., March 6, 2022, until 1200 hours, A.l.t., December 7, 2022.

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

SUPPLEMENTARY INFORMATION: Beginning in 1995, fishing for Pacific halibut and sablefish with fixed gear in the IFQ regulatory areas defined in 50 CFR 679.2 has been managed under the IFQ Program. The IFQ Program is a regulatory regime designed to promote the conservation and management of these fisheries and to further the objectives of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act. Persons holding quota share receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, are contained in the preamble to the final rule implementing the IFQ Program published in the **Federal Register**, November 9, 1993 (58 FR 59375) and subsequent amendments.

This announcement is consistent with § 679.23(g)(1), which requires that the directed fishing season for sablefish managed under the IFQ Program be specified by the Administrator, Alaska Region, and announced by publication in the **Federal Register**. This method of season announcement was selected to facilitate coordination between the sablefish season, chosen by the Administrator, Alaska Region, and the halibut season, adopted by the

International Pacific Halibut Commission (IPHC). The directed fishing season for sablefish with fixed gear managed under the IFQ Program will open 1200 hours, A.l.t., March 6, 2022, and will close 1200 hours, A.l.t., December 7, 2022. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC. The IFQ and CDQ halibut season will be specified by a separate publication in the **Federal Register** of annual management measures pursuant to 50 CFR 300.62.

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 delay the opening of the sablefish fishery thereby increasing bycatch and regulatory discards between the sablefish fishery and the halibut fishery, and preventing the accomplishment of the management objective for simultaneous opening of these two fisheries. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of February 28, 2022.

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: March 1, 2022.

Ngagne Jafnar Gueye,

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

[FR Doc. 2022–04659 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 87, No. 43
Friday, March 4, 2022

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–0123; Airspace Docket No. 22–ANE–1]

RIN 2120–AA66

Proposed Establishment of Class E Airspace; Jaffrey, NH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace extending upward from 700 feet above the surface for Jaffrey/Silver Ranch Airport, Jaffrey, NH, to accommodate area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures (SIAPs) serving this airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Comments must be received on or before April 18, 2022.

ADDRESSES: Send comments on this proposal to: The U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001; Telephone: (800) 647–5527, or (202) 366–9826. You must identify the Docket No. FAA–2022–0123; Airspace Docket No. 22–ANE–1, at the beginning of your comments. You may also submit comments through the internet at *https://www.regulations.gov.*

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

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish Class E airspace for Jaffrey/Silver Ranch Airport, Jaffrey, NH.

Comments Invited

Interested persons are invited to comment on this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (Docket No. FAA–2022–0123 and Airspace Docket No. 22–ANE–1) and be submitted in triplicate to DOT Docket Operations (see **ADDRESSES** section for the address and phone number). You may also submit comments through the internet at *https://www.regulations.gov.*

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to FAA Docket No. FAA–2022–0123; Airspace Docket No. 22–ANE–1''. The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays, at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, GA 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA proposes an amendment to 14 CFR part 71 to establish Class E airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Jaffrey/Silver Ranch Airport, Jaffrey, NH, providing the controlled airspace required to support RNAV (GPS) standard instrument approach procedures for IFR operations at this airport.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

ANE MA E5 Jaffrey, NH [Established]

Jaffrey/Silver Ranch Airport, NH
(Lat. 42°48′18′ W″ N, long. 72°00′11″ W)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Jaffrey/Silver Ranch Airport.

Issued in College Park, Georgia, on February 28, 2022.

Andreese C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2022–04541 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 220225–0060]

RIN 0648–BK82

International Fisheries; Pacific Tuna Fisheries; 2022–2024 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS is proposing regulations under the Tuna Conventions Act of 1950, as amended (TCA), to implement Inter-American Tropical Tuna Commission (IATTC) Resolution C–21–05 (''Measures for the Conservation and Management of Bluefin Tuna in the Eastern Pacific Ocean''). This proposed rule would implement annual limits on commercial catch of Pacific bluefin tuna (*Thunnus orientalis*) in the eastern Pacific Ocean (EPO) for 2022–2024. This action is necessary to conserve Pacific bluefin tuna and for the United States to satisfy its obligations as a member of the IATTC.

DATES: Comments on the proposed rule and supporting documents must be submitted in writing by April 4, 2022.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2022–0011, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and enter ''NOAA–NMFS–2022–0011'' in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Celia Barroso, NMFS West Coast Region Long Beach Office, 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier ''NOAA–NMFS–2022–0011'' in the comments.

Instructions: Comments must be submitted by one of the above methods to ensure they are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Copies of the draft Regulatory Impact Review (RIR) and other supporting documents are available via the Federal eRulemaking Portal: *http://www.regulations.gov,* docket NOAA–NMFS–2022–0011 or contact the Highly Migratory Species Branch Chief, Lyle Enriquez, 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802, or *WCR.HMS@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Celia Barroso, NMFS, 562–432–1850, *Celia.Barroso@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background on the IATTC

The United States is a member of the IATTC, which was established in 1949 and operates under the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica (Antigua Convention).[1]

The IATTC consists of 21 member nations and 5 cooperating non-member nations. The IATTC facilitates scientific research into, as well as the conservation and management of, tuna and tuna-like species in the IATTC Convention Area (Convention Area). The Convention Area is defined as waters of the EPO within the area bounded by the west coast of the Americas and by 50° N latitude, 150° W longitude, and 50° S latitude. The IATTC maintains a scientific research and fishery monitoring program, and regularly assesses the status of tuna, shark, and billfish stocks in the EPO to determine appropriate catch limits and other measures to promote sustainable fisheries and prevent overexploitation.

International Obligations of the United States Under the Convention

As a Party to the Antigua Convention and a member of the IATTC, the United States is legally bound to implement decisions of the IATTC. The TCA, 16 U.S.C. 951 *et seq.,* directs the Secretary of Commerce, in consultation with the Secretary of State and, with respect to enforcement measures, the U.S. Coast Guard, to promulgate such regulations as may be necessary to carry out the United States' obligations under the Antigua Convention, including recommendations and decisions adopted by the IATTC. The authority of the Secretary of Commerce to promulgate such regulations has been delegated to NMFS.

Pacific Bluefin Tuna Stock Status

In 2011, NMFS determined overfishing was occurring on Pacific bluefin tuna (76 FR 28422, May 17, 2011), which is considered a single Pacific-wide stock. Based on the results of a 2012 stock assessment conducted by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC), NMFS determined that Pacific bluefin tuna was not only subject to overfishing, but was also overfished (78 FR 41033, July 9, 2013). Subsequently, based on the results of the 2014, 2016, 2018, and 2020 ISC stock assessments, NMFS determined that Pacific bluefin tuna continued to be overfished and subject to overfishing.[2] The ISC completed a stock assessment in July 2020, which showed that the stock continues to be overfished and subject to overfishing when compared to commonly used reference points. Additionally, projections of catch scenarios (*i.e.,* increases in various amounts and maintaining catch limits) presented in the 2020 stock assessment indicated that catch increases were possible while still meeting the rebuilding targets and consistent with the rebuilding plan agreed to at the IATTC and Western and Central Pacific Fisheries Commission (WCPFC).

Pacific Bluefin Tuna Resolutions

Recognizing the need to reduce fishing mortality of Pacific bluefin tuna, the IATTC has adopted catch limits in the Convention Area since 2012.[3] At its Resumed 98th Meeting in October 2021, the IATTC adopted Resolution C–21–05, which establishes catch limits and reporting requirements for 2021–2024. This resolution was approved by the Secretary of State, prompting implementation by NMFS in this rulemaking.

Since 2016, the IATTC and the Northern Committee (NC) to the WCPFC have held annual joint working group meetings intended to develop a Pacific-wide approach to management of Pacific bluefin tuna. Conservation measures adopted by the IATTC and WCPFC have considered the recommendations of the Joint IATTC–WCPFC NC Working Group (Joint WG). Joint WG recommendations have included initial and second rebuilding targets and criteria that must be met before considering increased catch limits. At its 6th meeting held July 26–29 (Japan Standard Time), 2021, the Joint WG considered the ISC projections and noted that the initial rebuilding target may have been met early, and recommended the IATTC and WCPFC increase catch limits consistent with the rebuilding plan previously agreed to by the IATTC and WCPFC. Subsequently, the IATTC considered the Joint WG recommendation when it adopted Resolution C–21–05, which adopted catch limits consistent with the Joint WG recommendation. Furthermore, in July 2021 the Joint WG also recommended to strengthen the long-term harvest strategy of Pacific bluefin tuna by revising the rebuilding plan to specify when catch increases may be considered and when measures (*e.g.,* catch limits) must be adjusted to ensure the second rebuilding target is met. This recommendation was adopted by the IATTC in Resolution C–21–01.

Similar to previous IATTC resolutions on Pacific bluefin tuna, the main objective of Resolution C–21–05 is to reduce overfishing and to rebuild the stock by setting limits on commercial catch in the IATTC Convention Area during 2021–2024 consistent with a rebuilding plan. The Resolution established both biennial catch limits for 2021–2022 and 2023–2024 and single year catch limits for each year in 2021–2024. The U.S. Pacific bluefin tuna biennial catch limit for 2021–2022 is 739 metric tons (mt), not to exceed 523 mt in a single year. For 2023–2024, the biennial catch limit is 1,017 mt, not to exceed 720 mt in a single year. As in previous resolutions, an IATTC member may add to the new catch limit any under-harvest from the previous catch limit in an amount not to exceed 5 percent of the previous biennial catch limit. For example, the United States may add up to 5 percent of 600 mt (*i.e.,* 30 mt) from 2019–2020 to the 2021–2022 biennial catch limit.

Preliminary estimates from 2021 indicate U.S. commercial vessels caught less than 245 mt (precise estimates are not provided due to confidentiality restrictions). Considering the biennial limit of 739 mt for 2021–2022, the under-harvest from 2019–2020 biennium added to the 2021–2022 biennium (*i.e.,* 30 mt, or 5 percent of 600 mt), and preliminary estimates of the amount caught in 2021, the U.S. commercial limit in 2022 will be 523 mt (*i.e.,* the single-year maximum). In 2023, the annual limit will be 720 mt, the single-year maximum for the 2023–2024 biennium. The limit in 2024 is contingent on the amount of Pacific bluefin tuna caught in 2023 and if there is under-harvest from the 2021–2022 biennial limit added to the 2023–2024 biennial limit.

Implementation of Previous IATTC Resolution on Pacific Bluefin Tuna

NMFS promulgated regulations implementing Resolution C–20–02, which established a 425 mt commercial catch limit for U.S. vessels for 2021 only (86 FR 16303, March 29, 2021; 50 CFR 300.25(g)). Although Resolution C–21–05 establishes a biennial catch limit for both 2021–2022 and 2023–2024, NMFS

[1] *See https://www.iattc.org/PDFFiles/IATTC-Instruments/_English/IATTC_Antigua_Convention%20Jun%202003.pdf.*

[2] *See* 80 FR 12621, March 10, 2015; 82 FR 18434, April 19, 2017; 84 FR 19905, May 7, 2019; 86 FR 9910, Feb. 17, 2021.

[3] For more information about previous management measures, see the final rules implementing Resolution C–14–06 (80 FR 38986, July 8, 2015), Resolution C–16–08 (82 FR 18704, April 21, 2017), Resolutions C–18–01 and C–18–02 (84 FR 18409, May 1, 2019), and Resolution C–20–02 (86 FR 16303, March 29, 2021).

will be writing regulations that apply to 2022–2024. In addition to establishing an annual catch limit, the regulations for 2021 also imposed an initial trip limit of 20 mt, an intermediate trip limit of 15 mt, and a low 2 mt trip limit on individual fishing vessels that adjusted as catch thresholds were met throughout the year. These catch thresholds adjusted every quarter of the year to provide an adaptive management approach.

While the catch limits, trip limit values, and thresholds to reduce the trip limits would be different, this proposed rule for 2022–2024 proposes a similar scheme to 2021 management in each year. In addition, the proposed rule would maintain an existing requirement for fish buyers to submit, within 24 hours of landing, electronic landing receipts with Pacific bluefin tuna landings in California ports using the California E-tix system. The proposed rule would also maintain the existing in-season action announcement procedures, under which in-season actions to reduce trip limits and close the fishery (*i.e.,* prohibit targeting, retaining, transshipping and landing of Pacific bluefin tuna) once the annual limit is met, it will be announced on the NMFS website, followed by a United States Coast Guard (USCG) Notice to Mariners, and a **Federal Register** Notice published as soon as practicable.

PFMC Recommendations for the Implementation of C–21–05

At its November 2021 meeting, the Pacific Fishery Management Council (PFMC) considered advisory body reports and recommended a scheme similar to what had been implemented for 2021. Because the catch limit in each year would be different, the PFMC recommended different values for the initial and intermediate trip limits. Additionally, based on recent fishery trends by gear-types that catch Pacific bluefin tuna incidentally, a different low trip limit (*i.e.,* 3 mt instead of 2 mt) was recommended. The annual catch and trip limits proposed in this rule are consistent with the PFMC's recommendation and are described in detail in the section titled Proposed Regulations for Pacific Bluefin Tuna in 2022–2024.

Pacific Bluefin Tuna Catch History

While Pacific bluefin tuna catch by U.S. commercial vessels fishing in the Convention Area exceeded 1,000 mt per year in the early 1990s, annual catches have remained below 500 mt for more than a decade. From 2011–2020, catches have ranged from 11 mt to 487 mt, with annual average landings of 210 mt. Average annual Pacific bluefin tuna landings by U.S. commercial vessels fishing in the Convention Area from 2011 to 2020 represent only 1.5 percent of the average annual landings of Pacific bluefin tuna for all fleets fishing in the Convention Area. For information on Pacific bluefin tuna harvests in the Convention Area through 2020, see *http://isc.fra.go.jp/fisheries_statistics/index.html.* For preliminary information for 2021, see *http://www.iattc.org/CatchReportsDataENG.htm.*

Proposed Regulations for Pacific Bluefin Tuna for 2022–2024

This proposed rule would establish catch and trip limits for U.S. commercial vessels that catch Pacific bluefin tuna in the Convention Area and landing receipt submission deadlines for 2022–2024.

Catch Limits

The catch limit for the entire U.S. fleet would be 523 mt in 2022. The biennial limit in 2023–2024 would be 1,017 mt and not to exceed 720 mt in a single year; therefore, the 2023 catch limit would be 720 mt, and the 2024 limit would be the lesser of the amount caught in 2023 subtracted from the biennial limit or 720 mt.

Over-harvest and under-harvest of the previous biennial catch limit would be accounted for in the subsequent biennial catch limit. Any over-harvest of the previous catch limit would be deducted from the subsequent catch limit, and up to 5 percent of any under-harvest of the previous catch limit would be added to the subsequent catch limit. Consequently, the 2023–2024 biennial limit would be adjusted if there is an over-harvest or under-harvest of the 2021–2022 biennial limit. The proposed regulations refer to the 2021–2022 biennial limit for the purpose of clarifying its role in determining the 2023–2024 biennial limit.

NMFS would announce the 2023–2024 biennial limit in a notice published in the **Federal Register** in January or early February 2023. NMFS would announce the 2024 catch limit in a notice published in the **Federal Register** in January or early February 2024. These notices would also be posted on the NMFS website: *https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/pacific-bluefin-tuna-commercial-harvest-status.*

Trip Limits and Landing Receipt Submission Deadlines

At the beginning of each period (semi-annual or quarter), the initial trip limit would be imposed unless at the start of the period, the threshold for the intermediate or lower trip limit is met. Similarly, if the intermediate trip limit has been imposed during the previous period, the intermediate trip limit would remain in effect unless at the start of the next period the threshold to reduce the trip limit to the lower trip limit has been met. In each year, if the annual limit is estimated to be met, the fishery would be closed.

2022

The annual limit would be 523 mt with an initial trip limit of 20 mt. The trip limit would be reduced as follows:

- *January–June:* If cumulative catch is within 323 mt of the annual limit (*i.e.,* cumulative catch reaches 200 mt), the trip limit would be 15 mt. If cumulative catch is within 223 mt of the annual limit (*i.e.,* cumulative catch reaches 300 mt), the trip limit would be 3 mt.
- *July–September:* If cumulative catch is within 273 mt of the annual limit (*i.e.,* cumulative catch reaches 250 mt), the trip limit would be 15 mt. If cumulative catch is within 198 mt of the annual limit (*i.e.,* cumulative catch reaches 325 mt), the trip limit would be 3 mt.
- *October–December:* If cumulative catch is within 223 mt of the annual limit (*i.e.,* cumulative catch reaches 300 mt), the trip limit would be 15 mt. If cumulative catch is within 100 mt of the annual limit (*i.e.,* cumulative catch reaches 423 mt), the trip limit would be 3 mt.

2023

The annual limit would be 720 mt with an initial trip limit of 30 mt. The trip limit would be reduced as follows:

- *January–June:* If cumulative catch is within 320 mt of the annual limit (*i.e.,* cumulative catch reaches 400 mt), the trip limit would be 20 mt. If cumulative catch is within 220 mt of the annual limit (*i.e.,* cumulative catch reaches 500 mt), the trip limit would be 3 mt.
- *July–September:* If cumulative catch is within 290 mt of the annual limit (*i.e.,* cumulative catch reaches 430 mt), the trip limit would be 20 mt. If cumulative catch is within 200 mt of the annual limit (*i.e.,* cumulative catch reaches 520 mt), the trip limit would be 3 mt.
- *October–December:* If cumulative catch is within 250 mt of the annual limit (*i.e.,* cumulative catch reaches 470 mt), the trip limit would be 20 mt. If cumulative catch is within 100 mt of the annual limit (*i.e.,* cumulative catch reaches 620 mt), the trip limit would be 3 mt.

2024

If the annual limit is between 525 and 720 mt, the initial trip limit would 30

mt, and the trip limit would be reduced as follows:

• *January–June:* If cumulative catch is within 320 mt of the annual limit, the trip limit would be 20 mt. If cumulative catch is within 220 mt of the annual limit, the trip limit would be 10 mt. If cumulative catch is within 150 mt of the annual limit, the trip limit would be 3 mt.

• *July–September:* If cumulative catch is within 300 mt of the annual limit, the trip limit would be 20 mt. If cumulative catch is within 200 mt of the annual limit, the trip limit would be 10 mt. If cumulative catch is within 140 mt of the annual limit, the trip limit would be 3 mt.

• *October–December:* If cumulative catch is within 250 mt of the annual limit, the trip limit would be 20 mt. If cumulative catch is within 100 mt of the annual limit, the trip limit would be 3 mt.

If the annual limit is between 400 mt and 524 mt, the initial trip limit would be 20 mt, and the trip limit would be reduced as follows:

• *January–June:* If cumulative catch is within 300 mt of the annual limit, the trip limit would be 15 mt. If cumulative catch is within 200 mt of the annual limit, the trip limit would be 3 mt.

• *July–September:* If cumulative catch is within 250 mt of the annual limit, the trip limit would be 15 mt. If cumulative catch is within 150 mt of the annual limit, the trip limit would be 3 mt.

• *October–December:* If cumulative catch is within 200 mt of the annual limit, the trip limit would be 15 mt. If catch is within 100 mt of the annual limit, the trip limit would be 3 mt.

If the annual limit is between 297–399 mt, the initial trip limit would 15 mt, and the trip limit would be reduced as follows:

• *January–June:* If cumulative catch is within 220 mt of the annual limit, the trip limit would be 3 mt.

• *July–September:* If cumulative catch is within 200 mt of the annual limit, the trip limit would be 3 mt.

• *October–December:* If cumulative catch is within 100 mt of the annual limit, the trip limit would be 3 mt.

If the annual limit is 296 mt or less, the trip limit would be 5 mt for the entire year.

Under California law and regulations, electronic landing receipts (*i.e.,* e-tickets) are required for landings in California and are required to be submitted to the California Department of Fish and Wildlife within three business days (*see* California Fish and Game Code section 8046 and 14 California Code of Regulations § 197). Under this proposed rule, e-tickets would be required to be submitted within 24 hours if any Pacific bluefin tuna is included in a landing into California. This accelerated submission deadline would be required in order to better monitor catch limits.

NMFS would estimate when the overall catch is expected to reach the thresholds to reduce the trip limit (*e.g.,* from 30 mt to 20 mt, from 20 mt to 15 mt, or from 15 mt to 2 mt) or the annual limit based on available fishery information, such as landing receipts. NMFS would then make decisions on in-season actions based on those estimates. NMFS would encourage owners or operators of purse seine vessels to call NMFS at 562–432–1850 in advance of landing with an estimate of how much Pacific bluefin tuna was caught on each trip.

In-Season Action Announcements

In-season actions to reduce trip limits imposed by NMFS would be effective upon the time and date that would appear in a notice on the NMFS website (*https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/pacific-bluefin-tuna-commercial-harvest-status*). In-season actions would also be announced over a USCG Notice to Mariners broadcast three times per day for 4 days on USCG channel 16 VHF. NMFS would then publish a notice of the reduced trip limit in the **Federal Register** as soon as practicable.

In 2022–2024, if NMFS determines that cumulative catch is expected to meet any of the thresholds described previously (based on landing receipts, or other available information) during the applicable months, an intermediate or lower trip limit would be imposed by NMFS using the in-season action procedures described previously.

When NMFS determines that the annual catch limit is expected to be reached in each year (based on landings receipts or other available fishery information), NMFS would prohibit U.S. commercial fishing vessels from targeting, retaining, transshipping or landing Pacific bluefin tuna captured in the Convention Area for the remainder of the calendar year (*i.e.,* fishery closure). NMFS would provide a notice on the NMFS website and the USCG would provide a Notice to Mariners three times per day for 4 days on USCG channel 16 VHF announcing that targeting, retaining, transshipping or landing of Pacific bluefin tuna captured in the Convention Area will be prohibited on a specified effective time and date through the end of that calendar year. Upon that effective date, a commercial fishing vessel of the United States could not be used to target, retain on board, transship, or land Pacific bluefin tuna captured in the Convention Area. However, any Pacific bluefin tuna already on board a fishing vessel on the effective date could be retained on board, transshipped, and/or landed within 14 days of the effective date, to the extent authorized by applicable laws and regulations. NMFS would then publish a notice of the fishery closure in the **Federal Register** as soon as practicable. In the event the trip limit was reduced early or the fishery was closed due to an overestimation of catch, NMFS could reverse immediately the prior in-season action to increase the trip limit or re-open the fishery after landing receipts have been received and the landed catch quantity confirmed. NMFS would announce these actions on the NMFS website and by USCG Notice to Mariners on USCG channel 16 VHF.

Catch Reporting

NMFS would continue to provide updates on Pacific bluefin tuna catches in the Convention Area to the public via the NMFS website: *https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/pacific-bluefin-tuna-commercial-harvest-status.* NMFS would update the NMFS website provided the updates do not disclose confidential information. These updates are intended to help participants in the U.S. commercial fishery plan for reduced trip limits and attainment of the annual limits.

Classification

The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Tuna Conventions Act and other applicable laws, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

Economic Analysis

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. Under the Regulatory Flexibility Act (RFA), the SBA defines a ''small business'' (or ''small entity'') as one with annual revenue that meets or is below an established size standard. On December 29, 2015, NMFS issued a final rule establishing a small business size standard of $11 million in annual gross receipts for all businesses primarily engaged in the commercial

fishing industry (NAICS 11411) for RFA compliance purposes only (80 FR 81194). The $11 million standard became effective on July 1, 2016, and is to be used in place of the U.S. SBA current standards of $20.5 million, $5.5 million, and $7.5 million for the finfish (NAICS 114111), shellfish (NAICS 114112), and other marine fishing (NAICS 114119) sectors of the U.S. commercial fishing industry in all NMFS rules subject to the RFA after July 1, 2016. *Id.* at 81194.

The entities the proposed action would directly affect are all U.S. commercial fishing vessels that may target (*e.g.,* coastal pelagic purse seine vessels) or incidentally catch (*e.g.,* drift gillnet vessels) Pacific bluefin tuna in the Convention Area. In 2020, there were 137 participants in the commercial fishery, whether targeting Pacific bluefin tuna or catching Pacific bluefin tuna incidentally. Not all vessels that have participated in this fishery decide to do so every year. For example, the coastal purse seine fleet participation in the Pacific bluefin tuna fishery has ranged from 5–9 during 2016–2020. These vessels are characterized in greater detail below. U.S. commercial catch of Pacific bluefin tuna from the IATTC Convention Area is primarily made in waters off of California by the coastal pelagic small purse seine fleet, which targets Pacific bluefin tuna opportunistically, and other fleets (*e.g.,* California large-mesh drift gillnet, surface hook-and-line, west coast longline, and Hawaii's pelagic fisheries) that catch Pacific bluefin tuna in small quantities, such as incidentally.

U.S. Coastal Purse Seine Fleet

Since 2006, the average annual revenue per vessel from all finfish fishing activities for the U.S. purse seine fleet that have landed Pacific bluefin tuna has been less than $11 million, whether considering an individual vessel or per vessel average. From 2016–2020, purse seine vessels that caught tuna had an average ex-vessel revenue of about $1,044,000 per vessel per year (based on all species landed). Annually, from 2016 to 2020, the number of small coastal pelagic purse seine vessels that landed Pacific bluefin tuna to the U.S. West Coast ranged from five to nine. Table 1 below summarizes the number of coastal purse seine vessels landing Pacific bluefin tuna in each year 2016–2020, along with total annual landings and revenues.

TABLE 1—NUMBER OF SMALL COASTAL PURSE SEINE VESSELS LANDING PACIFIC BLUEFIN TUNA TO THE U.S. WEST COAST, ALONG WITH ANNUAL LANDINGS AND REVENUES FROM PACIFIC BLUEFIN TUNA, 2016–2020

Year	Number of vessels	Landings (mt)	Ex-vessel revenue
2016	5	315.72	$351,767
2017	8	466.43	516,135
2018	8	11.53	11,378
2019	9	226.11	258,937
2020	6	116.19	126,054

* Landings and ex-vessel revenue are for all small coastal purse seine vessels that landed Pacific bluefin tuna in the year.
Source: Pacific Fisheries Information Network.

The revenue derived from tuna is 11.3 percent of the overall revenue for coastal pelagic purse seine vessels that landed tuna (annually from 2016–2020), with the majority of revenue in recent years from Pacific sardine, market squid, and to a lesser extent yellowfin tuna. In particular, on average (annually 2016–2020) yellowfin tuna made up 65 percent of all tuna landings by this fleet. In the few years prior to implementing a trip limit in 2015 (*i.e.,* 2011–2014), 9 of 13 (*i.e.,* 69 percent) of trips conducted by purse seine vessels landing Pacific bluefin tuna exceeded 30 mt; all exceeded 20 mt. For 2015–2017, during which NMFS implemented a 25-mt trip limit, average catch per trip was 14.2 mt; 23 of 61 trips (*i.e.,* 38 percent) exceeded 20 mt, and 56 percent exceeded 15 mt. During 2018, NMFS imposed a 1-mt trip limit throughout the entire calendar year applicable to all U.S. commercial fishing vessels, except for drift gillnet, which was subject to a 2 mt trip limit, and purse seine vessels very likely did not target Pacific bluefin tuna. During 2019–2020, during which NMFS implemented a 15-mt trip limit, the average catch per trip was 9.8 mt; 19 of 35 trips (*i.e.,* 54 percent) exceeded 10 mt. Vessels meeting the trip limit before completion of a trip or fishing after the trip limit is reduced to 2 mt will likely shift their focus and target other species, such as yellowfin tuna, if available, or coastal pelagic species. This proposed rule is not expected to impose any direct regulatory costs on pelagic purse seine vessels, although vessels would face indirect operational costs if they approach the trip limits or the total catch approaches the annual limit. Because this proposed rule is expected to affect about one- to two-thirds of trips (depending on the initial trip limit as well as whether the trip limit has been reduced) of a fishery that accounts for about two percent of annual revenues, there is not expected to be a significant negative impact to profitability. Revenues and costs, and corresponding profitability, of coastal purse seine vessels are not expected to be significantly altered as a result of this proposed rule.

Other U.S. Fleets That Catch Pacific Bluefin Tuna

Since 2006, the average annual revenue per vessel from all finfish fishing activities for the U.S. fleet with landings of Pacific bluefin tuna in small quantities, such as from incidental catch or hook-and-line, has been less than $11 million. These vessels include drift gillnet, surface hook-and-line, and longline gear-types. The revenues of these vessels are also not expected to be significantly altered by the proposed rule. From 2016 to 2020, between 7 and 14 drift gillnet vessels, 40 to 116 surface hook-and-line vessels, and 1 longline vessel landed Pacific bluefin tuna. During these years, vessels with gears other than purse seine landed an annual average of 55.2 mt of Pacific bluefin tuna, worth approximately $487,300. Of these landings, only one trip out of approximately 1,700 over five years exceeded 3 mt of incidental Pacific bluefin tuna catch, and two additional trips were within 25 percent of the limit. The three vessels that took these trips close to or in excess of the 3 mt limit would be most likely to be impacted by this proposed rule; however, these trips represented less than 1 percent of these vessels' average annual revenue from all species. Furthermore, the proposed rule would increase the lower trip limit from 2 mt to 3 mt to account for a potential increase in incidental catches per trip. As a result, it is anticipated that the proposed reduced trip limits will not

have a significant impact on these vessels. If the fishery is closed before the end of the calendar year, regulatory discards by these fleets are likely. Such a scenario would result in a greater impact to the fleet that catches Pacific bluefin tuna in small quantities, as opposed to the coastal purse seine fleet, which would simply cease targeting of Pacific bluefin tuna. This could result in a greater conservation benefit for the overfished Pacific bluefin stock.

Although there are no disproportionate impacts between small and large business entities because all affected business entities are small, the impacts among the different types of vessel business entities will be different. Implementation of the reduced trip limit for an entire calendar year in this proposed action would impose a greater economic impact on the U.S. coastal purse seine fleet. Prior to the implementation of a 25-mt trip limit in 2015, these vessels landed an average of 41 mt per trip, and were capable of landing over 70 mt in a single trip (based on landings from purse seine vessels landing Pacific bluefin tuna in the EPO from 2011–2014). It is possible that the affected vessels will not target Pacific bluefin tuna if the trip limit is 3 mt or less; however, as observed in 2018 while the trip limit was restricted to 1 mt for purse seine vessels, some purse seine vessels did land Pacific bluefin tuna in small quantities. A total of 523 mt is available to U.S. vessels in 2022, and 1,017 mt in 2023–2024 for both years, combined.

Pursuant to the RFA and NMFS' December 29, 2015, final rule (80 FR 81194), this certification was developed using NMFS' revised size standards. NMFS considers all entities subject to this proposed action, which based on recent participation ranges from 88 to 137 because participation fluctuates substantially from year-to-year, to be small entities as defined by both the former, lower size standards and the revised size standards. Because each affected vessel is a small business, there are no disproportional affects to small versus large entities. Based on profitability analysis above, the proposed action, if adopted, will not have significant adverse economic impacts on these small business entities. As a result, an initial regulatory flexibility analysis is not required and was not prepared for this proposed rule.

Paperwork Reduction Act

This proposed rule does not contain a change to a collection of information requirement for purposes of the Paperwork Reduction Act of 1995 (PRA). The existing collection of information requirements would continue to apply under the following OMB Control Number(s): 0648–0778, Reporting and Notification Requirements in West Coast Pacific Bluefin Tuna Fishery.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

List of Subjects in 50 CFR Part 300

Administrative practice and procedure, Fish, Fisheries, Fishing, Marine resources, Reporting and recordkeeping requirements, Treaties.

Dated: February 25, 2022.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 300 is proposed to be amended as follows:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

■ 1. The authority citation for part 300, subpart C, continues to read as follows:

Authority: 16 U.S.C. 951 *et seq.*

■ 2. In § 300.24, revise paragraph (u) to read as follows:

§ 300.24 Prohibitions.

* * * * *

(u) Use a United States commercial fishing vessel in the Convention Area to target, retain on board, transship, or land Pacific bluefin tuna in contravention of § 300.25(g)(2) through (6).

* * * * *

■ 3. In § 300.25, revise paragraph (g) to read as follows:

§ 300.25 Fisheries management.

* * * * *

(g) *Pacific bluefin tuna (Thunnus orientalis) commercial catch limits in the eastern Pacific Ocean for 2022–2024.*

(1) *Biennial catch limit for 2021–2022.* The biennial catch limit for 2021–2022 is 739 metric tons.

(2) *Biennial catch limit for 2023–2024.* The biennial catch limit for 2023–2024 is either:

(i) 1,017 metric tons increased by the amount, not to exceed 37 metric tons, of Pacific bluefin tuna catch remaining from the 2021–2022 U.S. commercial catch limit; or,

(ii) 1,017 metric tons reduced by the amount of Pacific bluefin tuna caught in excess of the 2021–2022 U.S. commercial biennial catch limit.

(3) *Annual catch and trip limits for 2022.* For the calendar year 2022, all commercial fishing vessels of the United States combined may capture, retain, transship, or land no more than 523 metric tons. A 20-metric ton trip limit will be in effect until any of the following criteria are met:

If the time of year is . . .	And NMFS anticipates the cumulative catch will be . . . (mt)	Then the trip limit will be . . . (mt)
(i) January through June	200	15
	300	3
(ii) July through September	250	15
	325	3
(iii) October through December	300	15
	423	3

(4) *Annual catch and trip limits for 2023.* For the calendar year 2023, all commercial fishing vessels of the United States combined may capture, retain, transship, or land no more than 720 metric tons. A 30-metric ton trip limit will be in effect until any of the following criteria are met:

If the time of year is . . .	And NMFS anticipates the cumulative catch will be . . . (mt)	Then the trip limit will be . . . (mt)
(i) January through June	400	20
	500	3
(ii) July through September	430	20
	520	3
(iii) October through December	470	20
	620	3

(5) *Annual catch and trip limits for 2024.*

(i) If the 2024 catch limit is between 525 and 720 metric tons, a 30-metric ton trip limit will be in effect until any of the following criteria are met:

If the time of year is . . .	And NMFS anticipates the cumulative catch is within . . . (mt of the annual catch limit)	Then the trip limit will be . . . (mt)
(A) January through June	320	20
	220	10
	150	3
(B) July through September	300	20
	200	10
	140	3
(C) October through December	250	20
	100	3

(ii) If the 2024 catch limit is between 400 and 524 metric tons, a 20-metric ton trip limit will be in effect until any of the following criteria are met:

If the time of year is . . .	And NMFS anticipates the cumulative catch is within . . . (mt of the annual catch limit)	Then the trip limit will be . . . (mt)
(A) January through June	300	15
	200	3
(B) July through September	250	15
	150	3
(C) October through December	200	15
	100	3

(iii) If the 2024 catch limit is between 297 and 399 metric tons, a 15-metric ton trip limit will be in effect until any of the following criteria are met:

If the time of year is . . .	And NMFS anticipates the cumulative catch is within . . . (mt of the annual catch limit)	Then the trip limit will be . . . (mt)
(A) January through June	220	3
(B) July through September	200	3
(C) October through December	100	3

(iv) If the 2024 catch limit is 296 metric tons or less, the trip limit will be 5 metric tons for the entire calendar year.

(6) *Closure of the fishery.* After NMFS determines that the annual catch limits under paragraphs (g)(3), (g)(4) and (g)(5) of this section are expected to be reached, NMFS will close the fishery effective upon the date provided in the actual notice, in accordance with paragraph (g)(7) of this section. Upon the effective date in the actual notice, targeting, retaining on board, transshipping or landing Pacific bluefin tuna in the Convention Area shall be prohibited through the end of the calendar year, with the exception that any Pacific bluefin tuna already on board a fishing vessel on the effective date of the notice may be retained on board, transshipped, and/or landed within 14 days after the effective date published in the fishing closure notice, to the extent authorized by applicable laws and regulations.

(7) *Announcement and effective dates of in-season actions.* In-season actions taken under paragraphs (g)(2) through (6) of this section will be by actual notice from posting on the National Marine Fisheries West Coast Region website (*https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/pacific-bluefin-tuna-commercial-harvest-status*) and a

United States Coast Guard Notice to Mariners. The Notice to Mariners will be broadcast three times daily for four days. This action will also be published in the **Federal Register** as soon as practicable. In-season actions will be effective from the time specified in the actual notice of the action (*i.e.,* website posting and United States Coast Guard Notice to Mariners), or at the time the in-season action published in the **Federal Register** is effective, whichever comes first.

(8) *Reversal of in-season actions.* If an in-season action taken under paragraphs (g)(2) through (6) of this section is based on overestimate of actual catch, NMFS will reverse that action in the timeliest possible manner, provided NMFS finds that reversing that action is consistent with the management objectives for the affected species. The fishery will be subject to the change in trip limit or reopened effective on the date provided in the actual notice in accordance with paragraph (g)(7) of this section.

(9) *State of California fish landing receipts.* If landing Pacific bluefin tuna into the State of California, fish landing receipts must be submitted within 24 hours to the California Department of Fish and Wildlife in accordance with the requirements of applicable State regulations.

* * * * *

[FR Doc. 2022–04434 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 220228–0063; RTID 0648–XX078]

Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2022 Allocation of Northeast Multispecies Annual Catch Entitlements

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

ACTION: Proposed rule; request for comments.

SUMMARY: We propose to approve allocations of annual catch entitlements to groundfish sectors for the 2022 fishing year and approve changes to previously approved sector operations plans. This rule also proposes to disapprove four novel sector exemption requests. The action is necessary because sectors must receive allocations in order to operate in fishing year 2022. This action is intended to allow limited access permit holders to continue to operate or form sectors, as authorized under the Northeast Multispecies Fishery Management Plan, and to exempt sectors from certain effort control regulations to improve the efficiency and economics of sector vessels.

DATES: Comments must be received on or before March 21, 2022.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2022–0026, by either of the following methods:

• *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov* and enter NOAA–NMFS–2022–0026 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.

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

Copies of each sector's operations plan and contract, as well as the programmatic environmental assessment for sectors operations in fishing years 2015 to 2020 and other supporting documents are available from the NMFS Greater Atlantic Regional Fisheries Office (GARFO): Contact Kyle Molton at *Kyle.Molton@noaa.gov.* These documents are also accessible via the Federal eRulemaking Portal: *https://www.regulations.gov.*

To review **Federal Register** documents referenced in this rule, you can visit: *https://www.fisheries.noaa.gov/management-plan/northeast-multispecies-management-plan.*

FOR FURTHER INFORMATION CONTACT: Kyle Molton, Fishery Management Specialist, (978) 281–9236.

SUPPLEMENTARY INFORMATION:

Background

The Northeast Multispecies Fishery Management Plan (FMP) defines a sector as ''a group of persons holding limited access Northeast multispecies permits who have voluntarily entered into a contract and agree to certain fishing restrictions for a specified period of time, and which has been granted a TAC(s) [*sic*] in order to achieve objectives consistent with applicable FMP goals and objectives.'' A sector must be comprised of at least three Northeast multispecies permits issued to at least three different persons, none of whom have any common ownership interest in the permits, vessels, or businesses associated with the permits issued [to] the other two or more persons in that sector. Sectors are self-selecting, meaning participation is voluntary, and each sector can choose its members.

The Northeast multispecies sector management system annually allocates a portion of the Northeast multispecies stocks to each sector. These annual sector allocations are known as annual catch entitlements (ACE) and are based on the collective fishing history of a sector's members. Sectors may receive allocations of large-mesh Northeast multispecies stocks with the exception of Atlantic halibut, windowpane flounder, Atlantic wolffish, and ocean pout, which are non-allocated species managed under separate effort controls. ACEs are portions of a stock's annual catch limit (ACL) available to commercial Northeast multispecies vessels. A sector determines how to harvest its ACE.

Because sectors elect to receive an allocation under a quota-based system, the FMP grants sector vessels several universal exemptions from the FMP's effort controls. These universal exemptions apply to: Trip limits on allocated stocks; portions of the Gulf of Maine (GOM) Cod Protection Closures; Northeast multispecies days-at-sea (DAS) restrictions; the requirement to use a 6.5-inch (16.5-cm) mesh codend when fishing with selective gear on Georges Bank (GB); and the requirement to use a 6.5-inch (16.5-cm) mesh codend when fishing under the provisions of the Redfish Exemption Program. The FMP allows the Council to add universal exemptions using the framework adjustment procedure. Sectors may request additional exemptions annually as part of their sector operations plans to increase flexibility and fishing opportunities. Sectors are prohibited from requesting exemptions from permitting restrictions, gear restrictions designed to minimize

habitat impacts, and most reporting requirements.

In addition to the sectors, there are several state-operated permit banks that each receive an allocation based on the fishing history of permits they hold. The final rule implementing Amendment 17 to the FMP allowed a state-operated permit bank to receive an allocation without needing to comply with sector administrative and procedural requirements (77 FR 16942; March 23, 2012). Instead, permit banks are required to submit a list of permits to NMFS, as specified in the permit bank's Memorandum of Agreement between NMFS and the state. These permits are not assigned to active vessels; instead, the allocations associated with the permits may be leased to vessels enrolled in sectors. State-operated permit banks contribute to the total allocation under the sector system.

We have previously approved 16 sectors to operate in fishing years 2021 and 2022 and also approved 19 requested exemptions for sectors (86 FR 22898; April 30, 2021). Because all approved operations plans cover two fishing years, approved sectors may continue operations and the approved exemptions in fishing year 2022. Copies of the operations plans and contracts, the environmental assessment (EA), and other supporting documents are available at: *https://www.fisheries.noaa.gov/species/northeast-multispecies* and from NMFS (see **ADDRESSES**). This action proposes 2022 allocations to sectors based on the specifications proposed by the New England Fishery Management Council in Framework Adjustment 63 to the FMP. This action also proposes several changes to already approved sector operations plans and proposes to deny four requests for novel sector exemptions.

Operations Plan Submissions and Changes

Annually, we solicit operations plan submissions for consideration for approval; however, sectors already approved to operate in fishing years 2021 and 2022 were not required to submit operations plans for 2022. We did not receive any new operations plans for approval for fishing year 2022. As a result, we are not proposing to approve any additional sectors to operate in fishing year 2022 beyond those previously approved.

Although no new operations plans were submitted we did receive several requests to modify existing sector operations plans that we propose to approve. Sectors may request changes to operations plans as needed to implement administrative changes to their operations. Several sectors have requested changes related to electronic monitoring (EM), including adding audit model EM plans to their existing operations plans, updates to methods used to estimate discards, and revised language authorizing the sharing of confidential data to support EM program operations. Additionally, several sectors requested modifications that would add NMFS-approved maximized retention electronic monitoring (MREM) program language to their sector operations plans. The addition of MREM language would allow for a more seamless transition to MREM for sectors vessels should it be approved for operation for all sectors in fishing year 2022. Several sectors also requested operations plan modifications to add a description of a gear conflict reduction agreement that sector members have agreed to in order to limit gear conflicts between sector groundfish and lobster vessels. We propose to approve these changes to existing sector operations plans.

Sector Allocations for Fishing Year 2022

This rule proposes 2022 ACE allocations to all sectors based on their 2021 sector rosters, as sectors have not yet submitted 2022 rosters. The preliminary allocations will be based on the expected 2022 ACL for each stock. Because sectors are operating under 2-year operations plans for fishing years 2021 and 2022, these allocations would allow vessels enrolled in sectors to operate under their existing operations plan, as approved.

For fishing year 2022, we set a deadline for sectors to submit preliminary sector rosters by February 28, 2022, in order to determine rosters for final rulemaking and allocations. Sectors may set a more restrictive enrollment deadline for their members. Any changes in sector rosters will be reflected in ACE allocations in the final rule; roster changes may result in significant changes in sector allocations. Rosters published in the final rule may still not reflect the final ACE allocation for fishing 2022 because all permits enrolled in a sector, and the vessels associated with those permits, have until April 30, 2022, to withdraw from a sector and fish in the common pool for fishing year 2022.

We calculate the sector's allocation for each stock by summing its members' potential sector contributions (PSC) for a stock and then multiplying that total percentage by the available commercial sub-ACL for that stock. Table 1 shows the preliminary projected total PSC for each sector by stock for fishing year 2022. Tables 2 and 3 show an estimate of the preliminary allocations that each sector will be allocated, in pounds and metric tons, respectively, for fishing year 2022, based on their fishing year 2021 rosters. We provide the final allocations, to the nearest pound, to each sector based on their final May 1 rosters. We use these final allocations, along with later adjustments including ACE transfers, reductions for overages, or increases for carryover, to monitor sector catch. The common pool sub-ACLs are also included in each of these tables. The common pool sub-ACL is managed separately from sectors and does not contribute to available ACE for leasing or harvest by sector vessels.

We do not assign a permit separate PSCs for the Eastern GB cod or Eastern GB haddock; instead, we assign each permit a PSC for the GB cod stock and GB haddock stock. Each sector's GB cod and GB haddock allocations are then divided into an Eastern ACE and a Western ACE, based on each sector's percentage of the GB cod and GB haddock ACLs. For example, if a sector is allocated 4 percent of the GB cod ACL, the sector is allocated 4 percent of the commercial Eastern U.S./Canada Area GB cod total allowable catch (TAC) as its Eastern GB cod. The Eastern GB haddock allocations are determined in the same way. These amounts are then subtracted from the sector's overall GB cod and haddock allocations to determine its Western GB cod and haddock ACEs. A sector may only harvest its Eastern GB cod and haddock ACEs in the Eastern U.S./Canada Area. A sector may also ''convert,'' or transfer, its Eastern GB cod or haddock allocation into Western GB allocation and fish that converted ACE outside the Eastern GB area.

We expect to finalize 2021 catch information for sectors in summer 2022. We will allow sectors to transfer fishing year 2021 ACE for two weeks upon our completion of year-end catch accounting to reduce or eliminate any fishing year 2021 overages. If necessary, we will reduce any sector's fishing year 2022 allocation to account for a remaining overage in fishing year 2021. Each year we notify the Council and sector managers of this deadline and announce this decision on our website at: *https://www.fisheries.noaa.gov/species/northeast-multispecies.*

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Table 1 -- Cumulative PSC (Percentage) Each Sector Would Receive by Stock for Fishing Year 2022*

Sector Name	MRI Count	GB Cod	GOM Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	66	12.91201525	0.69970954	1.96267839	0.18099559	0.01093447	0.19005237	1.70866378	0.50303247	1.09848991	0.02003390	8.02535090	1.02747169	0.56965180	1.07558798	3.41104460
Maine Coast Community Sector	100	2.46465820	14.32831077	3.41760008	11.09853612	2.62555258	2.56811874	4.98632158	13.90683769	11.13417790	1.20530346	5.56725060	2.00900077	9.71980227	14.29807630	13.45174502
Maine Permit Bank	11	0.13361161	1.15527371	0.04432773	1.12456784	0.01377701	0.03180705	0.31794656	1.16407704	0.72688466	0.00021715	0.42663133	0.01789123	0.82190541	1.65423037	1.69506266
Mooncusser Sector	48	11.95940509	6.22441724	3.83051665	3.68870155	1.22307304	0.85547320	3.01233271	0.85789918	1.81231812	0.94550207	2.84735133	2.44445581	4.74534752	10.66178384	10.52833852
NEFS 2	127	6.50377730	26.60642444	10.68672011	22.23639211	1.90722660	1.65680176	25.06542516	11.18795860	14.64245378	3.21713432	24.52914050	4.17525707	15.19764105	8.97809039	14.53817798
NEFS 4	58	7.40278746	11.14715279	5.81741902	8.87488520	2.16178984	2.26424835	6.38868785	9.51519683	8.85678156	0.69256896	7.43025795	0.99122070	6.67292713	8.26904075	6.86549108
NEFS 5	22	0.47171697	0.32173996	0.58091379	0.11414072	1.05907256	18.39722054	0.94737902	0.46136022	0.65508997	0.31546201	0.84237741	11.30626214	0.01842240	0.08282167	0.03832046
NEFS 6	23	3.11400760	2.92154892	3.58633261	4.39667574	3.30346794	5.11479613	4.18474608	4.55131759	6.00691065	1.72190154	4.75208259	1.90633969	6.81082532	4.52244826	3.66490102
NEFS 7	7	0.46305698	0.02291312	0.39735538	0.01682579	1.30011492	1.03798542	0.05122608	0.25069186	0.25401118	0.30163925	0.05425034	0.18875853	0.15784019	0.07884075	0.18125420
NEFS 8	52	9.74740165	2.36155604	9.19478219	5.08770917	22.13250390	7.55578310	6.88682924	7.61264285	6.36103710	29.74215982	3.95221384	10.21118534	5.31534068	4.49126659	4.00416803
NEFS 10	29	0.52585353	2.47139968	0.17673209	1.28210628	0.00114846	0.54787117	4.28071114	1.08110214	2.04602336	0.01083157	9.10605344	0.60104219	0.33492866	0.65504499	0.76337372
NEFS 11	43	0.39631081	11.55197634	0.03469810	2.78851224	0.00148374	0.01147434	2.43786953	1.58857268	1.60337452	0.00305958	2.04949811	0.02122336	1.87813755	4.30520429	8.77057673
NEFS 12	22	0.62936609	3.13340099	0.09375956	1.08960389	0.00042969	0.03423699	8.58774919	0.79724602	0.62375273	0.00060545	13.19945544	0.25920606	0.22794000	0.29614103	0.77811802
NEFS 13	70	12.65390016	0.80182096	21.35179272	0.97739231	36.32284531	23.98638456	7.00125506	8.74395988	9.65967443	19.43367782	2.32792940	17.66348486	4.43539316	2.27032027	2.70789206
New Hampshire Permit Bank	4	0.00082216	1.14551884	0.00003406	0.03234889	0.00002026	0.00001788	0.02180780	0.02817787	0.00615970	0.00000324	0.06070515	0.00003630	0.01940213	0.08135666	0.11135242
Sustainable Harvest Sector 1	30	5.57899029	2.98581817	7.55457484	9.03142800	3.19074027	1.07671984	2.83579743	11.36677073	9.28674073	7.82278738	2.56491779	3.04430302	8.25371859	12.69547070	6.46257663
Sustainable Harvest Sector 2	28	3.67707499	1.67621458	1.80758272	1.49630004	5.08889227	4.55761667	5.67454721	2.88513497	2.46063067	8.67082704	4.21283994	8.32194044	1.13510819	1.90338847	1.27911759
Sustainable Harvest Sector 3	58	16.98068153	7.39596460	26.16564167	23.97370662	11.63547821	7.10548269	9.62314826	20.13175298	19.41125647	17.60739462	3.10048367	21.67414282	32.24513087	22.44023779	19.70729108
Common Pool	511	4.38456235	3.04883932	3.29653828	2.50917190	8.02144893	23.00790920	5.98755633	3.36596842	3.35423255	8.28889083	4.95120998	14.13677799	1.44053678	1.24064892	1.04119820

* This table is based on fishing year 2021 sector rosters and will be based on preliminary 2022 sector rosters in the final rule.

Table 2 -- Estimated ACE (in 1,000 lb), by Stock, for Each Sector for Fishing Year 2022*#^

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	46	24	4	287	2,975	28	0	0	26	29	32	0	50	7	120	47	1,063
MCCS	9	5	85	499	5,180	1,726	6	1	76	806	323	15	34	13	2,048	627	4,192
MOON	42	22	37	560	5,806	574	3	0	46	50	53	12	18	16	1,000	468	3,281
MPB	0	0	7	6	67	175	0	0	5	67	21	0	3	0	173	73	528
NEFS 2	23	12	158	1,561	16,199	3,459	4	1	382	649	425	40	152	27	3,203	394	4,530
NEFS 4	26	14	66	850	8,818	1,381	5	1	97	552	257	9	46	6	1,406	363	2,139
NEFS 5	2	1	2	85	881	18	2	6	14	27	19	4	5	72	4	4	12
NEFS 6	11	6	17	524	5,436	684	7	2	64	264	174	21	29	12	1,435	198	1,142
NEFS 7	2	1	0	58	602	3	3	0	1	15	7	4	0	1	33	3	56
NEFS 8	34	18	14	1,343	13,937	791	47	3	105	441	185	369	24	65	1,120	197	1,248
NEFS 10	2	1	15	26	268	199	0	0	65	63	59	0	56	4	71	29	238
NEFS 11	1	1	69	5	53	434	0	0	37	92	47	0	13	0	396	189	2,733
NEFS 12	2	1	19	14	142	169	0	0	131	46	18	0	82	2	48	13	242
NEFS 13	45	23	5	3,120	32,365	152	78	8	107	507	281	241	14	112	935	100	844
NIPB	0	0	7	0	0	5	0	0	0	2	0	0	0	0	4	4	35
SHS 1	20	10	18	1,104	11,451	1,405	7	0	43	659	270	97	16	19	1,739	557	2,014
SHS 2	13	7	10	264	2,740	233	11	2	87	167	71	108	26	53	239	84	399
SHS 3	60	31	44	3,823	39,661	3,729	25	2	147	1,167	564	219	19	138	6,795	985	6,141
Common Pool	15	8	18	482	4,997	390	17	8	91	195	97	103	31	90	304	54	324
Sector Total	337	177	577	14,128	146,582	15,165	197	26	1,434	5,603	2,807	1,139	589	545	20,770	4,333	30,837

*This table is based on fishing year 2021 sector rosters and 2022 catch limits recommended by the Council in Framework 63.

#Numbers are rounded to the nearest thousand pounds. In some cases, this table shows an allocation of 0, but that sector may be allocated a small amount of that stock in tens or hundreds pounds.

^ The data in the table represent potential allocations for each sector.

Table 3 -- Estimated ACE (in metric tons), by Stock, for Each Sector for Fishing Year 2022*#^

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	21	11	2	130	1,349	13	0	0	12	13	14	0	23	3	54	21	482
MCCS	4	2	39	226	2,350	783	3	0	35	366	147	7	16	6	929	285	1,901
MOON	19	10	17	254	2,634	260	1	0	21	23	24	5	8	7	454	212	1,488
MPB	0	0	3	3	30	79	0	0	2	31	10	0	1	0	79	33	240
NEFS 2	10	5	72	708	7,348	1,569	2	0	173	294	193	18	69	12	1,453	179	2,055
NEFS 4	12	6	30	386	4,000	626	2	0	44	250	117	4	21	3	638	165	970
NEFS 5	1	0	1	38	399	8	1	3	7	12	9	2	2	33	2	2	5
NEFS 6	5	3	8	238	2,466	310	3	1	29	120	79	10	13	5	651	90	518
NEFS 7	1	0	0	26	273	1	1	0	0	7	3	2	0	1	15	2	26
NEFS 8	16	8	6	609	6,322	359	21	1	48	200	84	168	11	29	508	89	566
NEFS 10	1	0	7	12	122	90	0	0	30	28	27	0	26	2	32	13	108
NEFS 11	1	0	31	2	24	197	0	0	17	42	21	0	6	0	180	86	1,240
NEFS 12	1	1	8	6	64	77	0	0	59	21	8	0	37	1	22	6	110
NEFS 13	20	11	2	1,415	14,680	69	35	4	48	230	127	109	7	51	424	45	383
NHPB	0	0	3	0	0	2	0	0	0	1	0	0	0	0	2	2	16
SHS 1	9	5	8	501	5,194	637	3	0	20	299	122	44	7	9	789	253	913
SHS 2	6	3	5	120	1,243	106	5	1	39	76	32	49	12	24	109	38	181
SHS 3	27	14	20	1,734	17,990	1,692	11	1	67	529	256	99	9	62	3,082	447	2,786
Common Pool	7	4	8	218	2,267	177	8	4	41	89	44	47	14	41	138	25	147
Sector Total	153	80	262	6,409	66,488	6,879	89	12	651	2,542	1,273	517	267	247	9,421	1,965	13,988

*This table is based on fishing year 2021 sector rosters and 2022 catch limits recommended by the Council in Framework 63.

#Numbers are rounded to the nearest metric ton, but allocations are made in pounds. In some cases, this table shows a sector allocation of 0 metric tons, but that sector may be allocated a small amount of that stock in pounds.

^ The data in the table represent potential allocations for each sector.

Exemptions Previously Granted for Fishing Years 2021 and 2022

Previously Granted Exemptions for Fishing Years 2021 and 2022 (1–18)

We have already granted exemptions from the following requirements for fishing years 2021 and 2022, all of which have been requested and granted in previous years: (1) 120-day block out of the fishery required for Day gillnet vessels; (2) 20-day spawning block out of the fishery required for all vessels; (3) limits on the number of gillnets for Day gillnet vessels outside the GOM; (4) prohibition on a vessel hauling another vessel's gillnet gear; (5) limits on the number of gillnets that may be hauled on GB when fishing under a Northeast multispecies/monkfish DAS; (6) limits on the number of hooks that may be fished; (7) DAS Leasing Program length and horsepower restrictions; (8) prohibition on discarding; (9) gear requirements in the Eastern U.S./Canada Management Area; (10) prohibition on a vessel hauling another vessel's hook gear; (11) the requirement to declare an intent to fish in the Eastern U.S./Canada Special Access Program (SAP) and the Closed Area (CA) II Yellowtail Flounder/Haddock SAP prior to leaving the dock; (12) seasonal restrictions for the Eastern U.S./Canada Haddock SAP; (13) seasonal restrictions for the CA II Yellowtail Flounder/Haddock SAP; (14) sampling exemption; (15) prohibition on combining small-mesh exempted fishery and sector trips in southern New England (SNE); (16) extra-large mesh requirement to target dogfish on trips excluded from at-sea monitoring (ASM) in SNE and Inshore GB; (17) requirement that Handgear A vessels carry a Vessel Monitoring System (VMS) unit when fishing in a single broad stock area; and (18) limits on the number of gillnets for Day gillnet vessels in the GOM. We also approved an exemption from the 6.5-inch (16.5-cm) minimum mesh size requirement for trawl nets to allow a 5.5-inch (14.0-cm) codend on directed redfish trips, however, that exemption was eliminated in 2021 when we approved a new universal sector exemption for redfish as part of Framework Adjustment 61 (86 FR 40353; July 28, 2021). A detailed description of the previously granted exemptions and supporting rationale can be found in the applicable final rules identified in Table 4 below.

TABLE 4—EXEMPTIONS PREVIOUSLY GRANTED FOR FISHING YEARS 2020 AND 2021

Exemptions	Rulemaking	Date of publication	Citation
1–2, 4–9	Fishing Year 2011 Sector Operations Final Rule	April 25, 2011	76 FR 23076
10–11	Fishing Year 2012 Sector Operations Final Rule	May 2, 2012	77 FR 26129
12–14	Fishing Year 2013 Sector Operations Interim Final Rule	May 2, 2013	78 FR 25591
3, 15	Fishing Years 2015–2016 Sector Operations Final Rule	May 1, 2015	80 FR 25143
16	Framework 55 Final Rule	May 2, 2016	81 FR 26412
17	Amendment 18 Final Rule	April 21, 2017	82 FR 18706
18	Fishing Year 2018 Sector Operations Final Rule	May 1, 2018	83 FR 18965

Northeast Multispecies **Federal Register** documents can be found at *http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies/.*

Exemption Requests We Do Not Propose To Approve in Fishing Year 2022

For fishing year 2022, sectors requested a total of four new exemptions, two related to extra-large mesh gillnets and EM, and two related to MREM and existing universal exemptions. We are proposing to deny the new sector exemption requests for fishing year 2022.

Sector Exemptions Related to Extra-Large Mesh Gillnets and Electronic Monitoring

We received two sector exemption requests that would grant exemptions from EM requirements for vessels fishing with gillnets with a minimum mesh size of 10-inch (25.4-cm) or larger. One would exempt vessels from the requirement to operate EM systems on trips using 10-inch (25.4-cm) or larger mesh gillnets in the Inshore Georges Bank and Southern New England Broad Stock Areas. The other would exempt vessels from the requirement to operate EM systems on trips using 10-inch (25.4-cm) or larger mesh gillnets in all broad stock areas.

The exemption applying only to the Inshore Georges Bank and Southern New England Broad Stock Areas would be similar to the operation of vessels using ASM to meet their monitoring requirements. Vessels using exclusively 10-inch (25.4-cm) or larger mesh gillnets in the Inshore Georges Bank and Southern New England Broad Stock Areas are not required to carry an ASM. However, neither exemption is consistent with the sector audit model EM program, which requires the operation of EM systems on all trips, whether or not they are required to carry an ASM. This is necessary to eliminate bias and ensure the appropriate application of EM video review. Exempting vessels from EM requirements in the manner requested under these exemptions would undermine the effectiveness of the EM programs. Additionally, in the case of the exemption request applying to all broad stock areas, there is no equivalent waiver from ASM coverage at this time. Past data reviews that supported removing the ASM requirement for extra-large mesh gillnet trips in the Inshore Georges Bank and Southern New England Broad Stock Areas found higher catches of groundfish in extra-large mesh gillnets in other broad stock areas. As a result, we are proposing to deny both of these exemption requests.

Sector Exemptions Related to Maximized Retention Electronic Monitoring

We received two other novel sector exemption requests that would grant mesh size exemptions to sector vessels fishing under MREM. One would authorize the use of 4.5-inch (11.4-cm) mesh codends by MREM vessels when fishing under the provisions of the Redfish Exemption Program. The other would authorize the use of 5.1-inch (13.0-cm) mesh codends by MREM vessels when fishing on Georges Bank with haddock separator or Ruhle trawl. Both exemptions are based on activities currently authorized under an exempted fishing permit (EFP) that is allowing several vessels to test the use of MREM in the groundfish fishery. Both exemptions would allow MREM vessels fishing under universal sector exemptions to fish with mesh smaller than that otherwise allowed by regulation. The Redfish Exemption Program universal exemption allows trawl vessels to target redfish using a 5.5-inch (14.0-cm) codend under certain conditions, while the other universal exemption allows vessels fishing on Georges Bank with a haddock separator or Ruhle trawl to use a 6.0-inch (15.2-

cm) codend. The sectors requesting these smaller mesh exemptions hope to increase the harvest of Acadian redfish and Georges Bank haddock and suggest that vessels using the exemptions will have minimal bycatch of non-target stocks while being accountable for all catch.

We do not have sufficient information to support approval of these sector exemption requests at this time. While several vessels have been testing the use of the smaller meshes under a MREM EFP, there is still insufficient catch data for an in-depth analysis of catch composition comparing catch by mesh authorized under the universal exemptions and the mesh sizes sectors have requested. Initial findings suggest that there may not be substantial benefits from using smaller mesh and indicate the possibility of higher catch of some non-target stocks, including white hake and ocean pout which are both overfished and in a rebuilding plan. It will likely be necessary to collect additional data, potentially under an EFP or other cooperative research, to more thoroughly evaluate the potential impacts of approving either of these exemptions.

We are also concerned that both of these exemptions would directly modify, for a subset of sector vessels, the provisions of universal sector exemptions developed by the Council. Universal exemptions are management provisions that are set in regulation. Amendment 16 to the FMP provided that listed universal exemptions should be modified or removed under a framework adjustment to the FMP in order to minimize sector and NMFS' administrative burden. It is unclear if the Council intended for GARFO to have the authority to modify universal exemptions, but we maintain that changes to universal exemptions should be made by the Council. This is consistent with the recently adopted universal redfish exemption, which has been in place for less than one year, was developed by the Council with the intent of increasing Council oversight over the redfish exemption. These exemption requests seek to change provisions of the universal exemptions outside the framework adjustment process. As a result of these circumstances we proposing to deny both of these novel sector exemptions.

Classification

The NMFS Assistant Administrator has preliminarily determined that this proposed rule is consistent with the Northeast Multispecies FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed action is exempt from the procedures of Executive Order (E.O.) 12866.

This proposed rule does not contain policies with Federalism or ''takings'' implications as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities.

The proposed rule would allocate ACE to sectors for fishing year 2022 (May 1, 2022, through April 30, 2023) and would make minor modifications to existing sector operations plans. Approved sectors are exempt from certain effort control regulations, like trip limits and days-at-sea, and fish under the sector provisions of the Northeast Multispecies FMP and their sector's harvest rules. This action is expected to have positive impacts on fishing vessels and purchasers of seafood products.

For Regulatory Flexibility Act purposes only, NMFS established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts less than $11 million for all its affiliated operations worldwide. The determination of whether the entity is large or small is based on the average annual revenue for the most recent three years for which data are available (from 2018 through 2020).

To participate in the Northeast Multispecies Sector Program, vessels must possess a limited access multispecies permit and operate as a member of a sector. Therefore, entities holding one or more limited access multispecies permits are the entities that have the potential to be directly impacted by this action. Ownership data collected from permit holders indicates that there are 579 distinct business entities that hold at least one permit impacted by the proposed action. Of these, 577 are categorized as small entities and 2 are categorized as large entities, per NMFS guidelines.

The allocation of fishing year 2022 annual catch entitlement to groundfish sectors will have a positive impact on all 577 entities, as it will allow them to participate in the sector groundfish fishery rather than fish under the common pool effort control regulations, which include limits of days-at-sea, trip limits, gear restrictions, size limits, and closures intended to control overall fishing mortality. In addition, these effort controls would be subject to in-season modifications and fishery closures based on industry-wide landings. Conversely, the ability to participate in the sector fishery would provide increased efficiency and flexibility to fishing businesses.

This action would provide preliminary ACE to previously approved groundfish sectors for fishing year 2022.

The proposed rule will not have a significant economic impact on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

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

Dated: February 28, 2022.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2022–04643 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 87, No. 43
Friday, March 4, 2022

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

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

March 1, 2022.

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

Comments regarding these information collections are best assured of having their full effect if received by April 4, 2022. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service (NASS)

Title: Stocks Reports.

OMB Control Number: 0535–0007.

Summary of Collection: The National Agricultural Statistics Service's primary function is to prepare and issue current, official State and national estimates of crop and livestock production, stocks, disposition, and prices. As part of this function, estimates are made for stocks of off-farm grains and oilseeds, hops, peanuts, potatoes, and rice. Statistics for the set of crops included in this docket are collected because of the large volume produced, high value of production, and significant public interest. General authority for data collection is granted under U.S. Code Title 7, Section 2204. This statute specifies that ''The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . . and shall distribute them among agriculturists.''

Need and Use of the Information: NASS collects information to administer farm program legislation and make decisions relative to the export-import programs. Estimates of stocks provide essential statistics on supplies and contribute to orderly marketing. Farmers and agribusiness firms use these estimates in their production and marketing decisions. Collecting this information less frequently would eliminate data needed by the government, and industry and farmers to keep abreast of changes at the State and national level.

Description of Respondents: Business or other for profit; Farms.

Number of Respondents: 6,330.

Frequency of Responses: Reporting: Monthly; Quarterly; Annually.

Total Burden Hours: 5,062.

National Agricultural Statistics Service

Title: Generic Clearance of Survey Improvement Projects.

OMB Control Number: 0535–0248.

Summary of Collection: The primary function of the National Agricultural Statistics Service is to prepare and issue State and National estimates which include crop and livestock production, economic and environmental inputs, whole farm characteristics and operator demographics (covered by the Census of Agriculture) under the general authority of Title 7 U.S.C. Sec. 2204.

NASS is requesting the renewal of a generic clearance in order to respond quickly to emerging issues and data collection needs. The agricultural industry and economy continue to change, and NASS needs to continuously evaluate its surveys in light of these changes. Respondents continue to change (*e.g.,* response rates decrease over time), technology continues to change (*e.g.,* the Web quickly became a data collection option), and data needs continue to change. In addition, our understanding of how to improve surveys continues to evolve (*e.g.,* the application of cognitive psychology to survey methodology has increased our understanding of surveys). The generic clearance structure allows NASS to meet these information needs using a means that minimizes respondent and administrative burden. Thus, NASS requests an ongoing OMB clearance structure in place to continue to improve the overall quality of its statistical surveys, to lessen the burden it places on respondents, and to shorten the time period between changes that affect surveys and NASS' ability to formulate and update its surveys to address those changes. Prior to each test, NASS will submit to OMB a mini-supporting statement that will describe the details of each specific test, along with a sample of the questions or questionnaire that will be tested.

Need and Use of the Information: The information obtained from these efforts will be used to develop new NASS surveys and improve current ones. Specifically, the information will be used to reduce respondent burden while simultaneously improving the quality of the data collected in these surveys. These objectives are met when respondents are presented with plain, coherent and unambiguous questionnaires that ask for data compatible with respondents' memory and/or current reporting and record keeping practices. The purpose of the survey improvement projects will be to ensure that NASS surveys continuously attempt to meet these standards of excellence.

Improved NASS surveys will inform policy decisions on agriculture, as well

as contributing to increased agency efficiency and reduced survey costs. In addition, methodological findings have broader implications for survey research and may be presented in technical papers at conferences or published in the proceedings of conferences or in journals.

The results of these tests won't be disseminated or used to inform policy, program, or budget decisions.

Description of Respondents: Private Sector; Businesses or other for-profits; Farms.

Number of Respondents: 25,000.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 15,000.

National Agricultural Statistics Service

Title: Quick Response for Cooperator-funded Surveys Generic Clearance.

OMB Control Number: 0535–0264.

Summary of Collection: The primary objectives of the National Agricultural Statistics Service (NASS) are to prepare and issue official State and national estimates of crop and livestock production, disposition and prices, economic statistics, and environmental statistics related to agriculture and to conduct the Census of Agriculture and its follow-on surveys. In addition to the many statistical activities directly related to its mission, the National Agricultural Statistics Service (NASS) will lend technical expertise to other Federal agencies, State governments, land grant universities, and other organizations which have a Memorandum of Understanding with NASS. These entities will be referred to as cooperators. NASS provides support and assistance in the areas of questionnaire & sample design as well as analysis of survey results. NASS would like to include data collection to its list of services, utilizing the existing Cooperative Agreement with the National State Departments of Agriculture (NASDA). The data collection activities in this generic clearance request would be conducted through cooperative agreements with Federal agencies, State departments of agriculture, land-grant universities, or other organizations with which NASS has a Memorandum of Understanding (MOU). The surveys will be conducted under a full-cost recovery basis. These cooperators have sought out NASS's assistance to provide statistics beneficial to agriculture, but are not covered by NASS's annual Congressional appropriation. General authority for conducting cooperative projects is granted under U.S. Code Title 7, Section 450a which states that USDA officials may, ''enter into agreements with and receive funds . . . for the purpose of conducting cooperative research projects. . .'' This authority has been delegated to NASS. Response to all surveys collected under this generic clearance is voluntary.

NASS benefits from these cooperative agreements by: (1) Obtaining additional data to update its list of farm operators; (2) encouraging both parties to coordinate Federal survey activities and activities funded under a cooperative agreement to reduce the need for overlapping data collection and/or spread out respondent burden; and (3) facilitating additional promotion of NASS surveys and statistical reports funded by annual Congressional appropriations. Respondents benefit from these cooperative agreements by: (1) Having their reported data protected by Federal Law (U.S. Code Title 18, Section 1905; U.S. Code Title 7, Section 2276; and Title III of Pub. L. 115–435 codified in 44 U.S.C. Ch. 35 and other applicable Federal laws, (CIPSEA)); (2) having data collection activities for Federal and Cooperative surveys coordinated to minimize respondent burden; and (3) having high-quality agricultural data that are important to a state or region be collected and published.

Need and Use of the Information: NASS would like to conduct up to 10 surveys each year in response to requests from cooperators who have data needs that cannot be met through NASS's annual Congressional appropriations.

NASS would like to include surveys that would cover topics such as:

—Farm management practices,
—Food safety,
—Workplace safety,
—Conservation and land use practices,
—Chemical use management practices,
—Crop quality,
—Agri-tourism, local foods, or other specific agricultural promotion programs.

The summarized and published information will be analyzed by the sponsoring cooperators and stakeholders in agriculture. Results will be used to study

—production agriculture as well as
—various programs and policies to determine their impact on agricultural producers and consumers.

Description of Respondents: Private Sector; Businesses or other for-profits; Farms.

Number of Respondents: 225,000.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 111,512.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–04634 Filed 3–3–22; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

[Docket No. RBS–22–Business–0001]

Notice of Extension of a Currently Approved Information Collection

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Rural Business-Cooperative Service's (RBCS or Agency), an agency within the United States Department of Agriculture, Rural Development, intention to request an extension of a currently approved information collection package for the Meat and Poultry Processing Expansion Program (MPPEP). The MPPEP program promotes competition and gives more and better options to producers by increasing meat and poultry processing capacity.

DATES: Comments on this notice must be received by May 3, 2022 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Pamela Bennett, Regulations Management Division, Innovation Center, U.S. Department of Agriculture. Email: *pamela.bennett@usda.gov.* Telephone: (202) 720–9639.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget's (OMB) regulation (5 CFR part 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) 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)). This notice identifies an information collection that RUS is submitting to OMB for approval. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Rural Business-Cooperative Service, including whether the information will have practical utility; (b) the accuracy of the Rural Business-Cooperative Service's estimate of the burden of the proposed collection of information including validity of the methodology and assumptions used; (c)

ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent by the Federal eRulemaking Portal: Go to *https://www.regulations.gov* and, in the ''Search'' box, type in the Docket No. RBS–22–Business–0001. A link to the Notice will appear. You may submit a comment here by selecting the ''Comment'' button or you can access the ''Docket'' tab, select the ''Notice,'' and go to the ''Browse & Comment on Documents'' Tab. Here you may view comments that have been submitted as well as submit a comment. To submit a comment, select the ''Comment'' button, complete the required information, and select the ''Submit Comment'' button at the bottom. Information on using *Regulations.gov,* including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''FAQ'' link at the bottom.

Title: Meat and Poultry Processing Expansion Program.

OMB Control Number: 0570–0079.

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

Abstract: The Rural Business-Cooperative Service administers the Meat and Poultry Processing Expansion Program. The purpose of the program is to provide more and better options to producers and consumers as well as offer assistance to maintain and improve the food and agricultural supply chain resiliency. This information collection will be used to obtain information necessary to evaluate grant applications to determine the eligibility of the applicant and the project for the program and to qualitatively assess the project's technical and financial merit to determine which projects should be funded.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 2.3 hours per response.

Respondents: Respondents for this data federally recognized tribes, tribal entities, for-profit entities, corporations, non-profit entities, producer-owned cooperatives and corporations, certified benefit corporations and state or local government entities.

Estimated Number of Respondents: 50.

Estimated Number of Responses per Respondent: 18.4.

Estimated Number of Responses: 922.

Estimated Total Annual Burden on Respondents: 2,116 hours.

Copies of this information collection can be obtained from Pamela Bennett, Rural Development Innovation Center, Regulations Management Division, at (202) 720–9639. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Karama Neal,

Administrator, Rural Business-Cooperative Service.

[FR Doc. 2022–04597 Filed 3–3–22; 8:45 am]

BILLING CODE 3410–XY–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Virginia Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of web briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Virginia Advisory Committee (Committee) will hold a web briefing to hear testimony on police accountability in Virginia via WebEx on Monday, April 11, 2022, at 2:00 p.m. Eastern Time.

DATES: The meeting will be held on Friday, April 11, 2022, at 2:00 p.m. Eastern Time.

ADDRESSES:

Online Registration: https://bit.ly/3plk5DC.

Join by Phone: 800–360–9505 USA Toll Free; Access code: 2762 877 8065.

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

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captions will be provided. Individuals requiring reasonable accommodations should contact Sarah Villanueva at *svillanueva@usccr.gov* 10 days prior to the meeting to make their request.

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

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

Agenda

I. Welcome & Roll Call
II. Opening Statement
III. Panel Discussion: Police Oversight and Accountability in Virginia
IV. Q&A
V. Public Comment
VI. Next Steps
VII. Adjournment

Dated: March 1, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–04628 Filed 3–3–22; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Virginia Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of web briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Virginia Advisory Committee (Committee) will hold a web briefing to hear testimony on police accountability in Virginia via WebEx on Wednesday, April 27, 2022, at 12:00 p.m. Eastern Time.

DATES: The meeting will be held on Wednesday, April 27, 2022, at 12:00 p.m. Eastern Time.

ADDRESSES:

Online Registration: https://bit.ly/3Iz0Myd.

Join by Phone: 800–360–9505 USA Toll Free; Access code: 2763 362 5630.

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

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captions will be provided. Individuals requiring reasonable accommodations should contact Sarah Villanueva at *svillanueva@usccr.gov* 10 days prior to the meeting to make their request.

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

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

Agenda

I. Welcome & Roll Call

II. Opening Statement

III. Panel Discussion: Police Oversight and Accountability in Virginia

IV. Q&A

V. Public Comment

VI. Next Steps

VII. Adjournment

Dated: March 1, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–04655 Filed 3–3–22; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Georgia Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a meeting via WebEx on Thursday, April 7, 2022, at 12:00 p.m. Eastern time for the purpose of discussing findings and recommendations from panels I–IV regarding Civil Asset Forfeiture and its Impact on Communities of Color in Georgia.

DATES: The meeting will take place on Thursday, April 7, 2022, from 12:00 p.m.–1:00 p.m. Eastern time.

ADDRESSES:

Online Registration (Audio/Visual): https://bit.ly/3BFzALy.

Telephone (Audio Only): Dial 800–360–9505 USA Toll Free; Access code: 2761 027 1134.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or (312) 353–8311.

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

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

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

Agenda

I. Welcome and Roll Call

II. Approval of Minutes: February 10, 2022

III. Announcements and Updates

IV. Discussion: Civil Asset Forfeiture in Georgia

V. Next Steps

VI. Public Comment

VII. Adjournment

Dated: March 1, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–04653 Filed 3–3–22; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Virginia Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of web briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Virginia Advisory Committee (Committee) will hold a web briefing to hear testimony on police accountability in Virginia via WebEx on Friday, March 25, 2022, at 2:00 p.m. Eastern Time.

DATES: The meeting will be held on Friday, March 25, 2022, at 2:00 p.m. Eastern Time.

ADDRESSES:

Online Registration: https://bit.ly/3prUBEr.

Join by Phone: 800–360–9505 USA Toll Free; Access code: 2762 877 8065.

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

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captions will be provided. Individuals who are deaf, deafblind, and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number. Individuals requiring other reasonable accommodations should contact Sarah Villanueva at *svillanueva@usccr.gov* 10 days prior to the meeting to make their request.

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

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

Agenda

I. Welcome & Roll Call
II. Opening Statement
III. Panel Discussion: Police Oversight and Accountability in Virginia
IV. Q&A
V. Public Comment
VI. Next Steps
VII. Adjournment

Dated: March 1, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–04627 Filed 3–3–22; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, U.S. Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[2/12/2022 through 2/25/2022]

Firm name	Firm address	Date accepted for investigation	Product(s)
Pinnacle Technology Group, Inc	7076 Schnipke Drive, Ottawa Lake, MI 49267.	2/14/2022	The firm manufactures printed circuit boards.
New England Fabricated Metals, Inc	101 Crawford Street, Leominster, MA 01453.	2/25/2022	The firm manufactures sheet metal fabrications.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.8 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Bryan Borlik,

Director.

[FR Doc. 2022–04572 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–71–2021]

Foreign-Trade Zone (FTZ) 38—Spartanburg County, South Carolina; Authorization of Production Activity; Swafford Warehousing, Inc. (Medical Kits), Greer, South Carolina

On November 1, 2021, the South Carolina State Ports Authority, grantee of FTZ 38, submitted a notification of proposed production activity to the FTZ Board on behalf of Swafford Warehousing, Inc., within FTZ 38, in Greer, South Carolina.

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 61756, November 8, 2021). On March 1, 2022, 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: March 1, 2022.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2022–04609 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–810]

Stainless Steel Bar From India: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2020–2021

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that certain producers/exporters subject to this administrative review made sales of stainless steel bar (SS bar) from India at less than normal value (NV). Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable March 4, 2022.

FOR FURTHER INFORMATION CONTACT: Jacob Keller or Konrad Ptaszynski, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4849 or (202) 482–6187, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2021, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on SS bar from India.[1] The period of review is February 1, 2020, through January 31, 2021. On September 30, 2021, we extended the preliminary results of this review to no later than February 25, 2022.[2] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3]

Scope of the Order

The merchandise subject to the *Order* is SS bar from India. For a complete description of the scope of the *Order, see* Preliminary Decision Memorandum.

Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation. Commerce received a timely-filed withdrawal request from to Ambica Steels Limited (Ambica), pursuant to 19 CFR 351.213(d)(1).[4] Because the withdrawal request was timely filed, and no other party requested a review of the company, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding this review of the *Order* with respect to Ambica.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.* A list of the topics discussed in the Preliminary Decision Memorandum is included in the appendix to this notice.

Preliminary Results of the Review

As a result of this review, we preliminarily determine the following weighted-average dumping margins for the period February 1, 2020, through January 31, 2021:

Producer or exporter	Weighted-average dumping margin (percent)
Venus Wire Industries Pvt. Ltd., and its affiliates Hindustan Inox Ltd., Precision Metals and Sieves Manufacturers (India) Pvt. Ltd.[5]	0.00
Laxcon Steels Limited	0.65

Assessment Rates

Upon issuance of the final results in this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries covered by this POR.[6] If a respondent's weighted-average dumping margin is above *de minimis* (*i.e.,* 0.50 percent) in the final results of these reviews, we will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and, where possible, the total entered value of sales. Specifically, Commerce will apply the assessment rate calculation method adopted in Final Modification for Reviews.[7] Where an importer- (or customer-) specific *ad valorem* rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[8]

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

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

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the companies listed above will be that established in the final results of this review, except if the rate is less than 0.50 percent and,

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 17124 (April 1, 2021) (*Initiation Notice*); *see also Antidumping Duty Orders: Stainless Steel Bar from Brazil, India and Japan,* 60 FR 9661 (February 21, 1995) (*Order*).

[2] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2020–2021,'' dated September 30, 2021.

[3] *See* Memorandum, ''Stainless Steel Bar from India: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2020–2021,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* Ambica's Letter, ''Request for Administrative Review of Anti-Dumping Duty of Ambica Steels Limited (''Ambica''),'' dated February 26, 2021.

[5] Collectively these companies are known as the Venus Group.

[6] *See* 19 CFR 351.212(b).

[7] *See Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8103 (February 14, 2012) (*Final Modification for Reviews*).

[8] *See* 19 CFR 351.106(c)(2).

therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not covered in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the less-than-fair-value (LTFV) investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 12.45 percent, the all-others rate established in the LTFV investigation.[9] These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[10]

Verification

On July 12, 2021, Commerce received a request from domestic producers Carpenter Technology Corporation, Crucible Industries LLC, Electralloy, a Division of G.O. Carlson, Inc., North American Stainless, Universal Stainless & Alloy Products, Inc., and Valbruna Slater Stainless, Inc. (collectively, Petitioners) to conduct verification of the responses in this administrative review.[11] As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in the final results. Normally, Commerce verifies information using standard procedures, including an on-site examination of original accounting, financial, and sales documentation. However, due to current travel restrictions in response to the global COVID–19 pandemic, Commerce is unable to conduct on-site verification in this review. Accordingly, we intend to verify the information relied upon in the final results through alternative means in lieu of on-site verification. Commerce will notify interested parties of any additional documentation or information required.

Public Comment

Because Commerce intends to conduct verification after these preliminary results, interested parties will be provided an opportunity to submit written comments (case briefs) at a date to be determined by Commerce and rebuttal comments (rebuttal briefs) within seven days after the time limit for filing case briefs.[12] Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs.[13] Commerce modified certain of its requirements for serving documents containing business proprietary information until further notice.[14] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[15]

Unless the deadline is extended, Commerce intends to issue the final results of this review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Final Results

Commerce intends to issue the final results of this administrative review, including the results of its analysis raised in any written briefs, no later than 120 days after the publication of these preliminary results in the **Federal Register**, unless otherwise extended.[16]

Notification to Importers

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

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

Dated: February 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Partial Rescission of Administrative Review
IV. Scope of the *Order*
V. Affiliation and Collapsing
VI. Discussion of the Methodology
VII. Currency Conversion
VIII. Recommendation

[FR Doc. 2022–04550 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–DS–P

[9] *See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India,* 59 FR 66915, 66921 (December 28, 1994).

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

[11] *See* Petitioners' Letter, ''Petitioners' Request for Verification,'' dated July 12, 2021.

[12] *See* 19 CFR 351.309(c)(l)(ii) and 351.309(d)(l). Interested parties will be notified through ACCESS regarding the deadline for submitting case briefs; *see also* 19 CFR 351.303 (for general filing requirements); *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (collectively, *Temporary Rule*).

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

[14] *See Temporary Rule.*

[15] *See* 19 CFR 351.309(c)(2) and (d)(2) and 19 CFR 351.303 (for general filing requirements).

[16] *See* section 751(a)(3)(A) of the Act.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–074]

Common Alloy Aluminum Sheet From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review; 2020

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of common alloy aluminum sheet (aluminum sheet) from the People's Republic of China (China). The period of review (POR) is January 1, 2020, through December 31, 2020. Interested parties are invited to comment on these preliminary results.

DATES: Applicable March 4, 2022.

FOR FURTHER INFORMATION CONTACT: Natasia Harrison or Harrison Tanchuck, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1240 or (202) 482–7421, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2021, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the countervailing duty (CVD)

order [1] on aluminum sheet from China.[2] On October 20, 2021, Commerce extended the deadline for the preliminary results of this review by 117 days to February 25, 2022.[3]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[4] A list of topics discussed in the Preliminary Decision Memorandum is included as an Appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx/.*

Scope of the Order

The merchandise covered by the *Order* is aluminum sheet from China. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.[5]

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily find that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that confers a benefit to the recipient, and that the subsidy is specific.[6] For a full description of the methodology underlying our preliminary conclusions, including our reliance, in part, on adverse facts available (AFA) pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.

Commerce notes that, in making these findings, it relied, in part, on facts available and, because it finds that the Government of China (GOC) did not respond to the Initial CVD Questionnaire,[7] it therefore, did not provide necessary information, as requested. Based on that, Commerce has determined that the GOC did not act to the best of its ability to respond to Commerce's request for information, and therefore drew an adverse inference where appropriate in selecting from among the facts otherwise available. For further information, *see* ''Use of Facts Otherwise Available and Adverse Inferences'' in the Preliminary Decision Memorandum.

Preliminary Results of Review

In accordance with 19 CFR 351.221(b)(4)(i), we calculated a countervailable subsidy rate for mandatory respondents Jiangsu Alcha Aluminum Co., Ltd. and Alcha International Holdings Limited. We determined the countervailable subsidy rate for Yinbang Clad Material Co., Ltd. based entirely on AFA, in accordance with section 776 of the Act. Because there are no other producers or exporters subject to this review and not selected for individual examination (*i.e.,* non-selected companies), Commerce does not need to establish the rate for non-selected companies in this review.

Commerce preliminarily determines that, during the POR, the following countervailable subsidy rates exist:

Company	Subsidy rate *ad valorem* (percent)
Jiangsu Alcha Aluminum Co., Ltd.[8]/Alcha International Holdings Limited[9]	17.33
Yinbang Clad Material Co., Ltd	* 252.22

* Rate based on AFA.

Disclosure and Public Comment

Commerce will disclose to parties to this review the calculations performed for these preliminary results within five days of the date of publication of this notice.[10] Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.[11] Rebuttals to case briefs may be filed no later than seven days after the case briefs are filed, and all rebuttal comments must be limited to comments raised in the case briefs.[12] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information until further notice.[13]

Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this review are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary for Enforcement and Compliance using Enforcement and Compliance's ACCESS system.[14] Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. Issues addressed at the hearing will be limited to those raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.[15] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Assessment Rate

Consistent with section 751(a)(2)(C) of the Act, upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties

[1] *See Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Order,* 84 FR 2157 (February 6, 2019) (*Order*).

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

[3] *See* Memorandum, ''Common Alloy Aluminum Sheet from the People's Republic of China: Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review; 2020,'' dated October 20, 2021.

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review of Common Alloy Aluminum Sheet from the People's Republic of China; 2020,'' dated concurrently, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *Id.* at section ''Scope of the *Order.*

[6] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5)(A) of the Act regarding specificity.

[7] *See* Commerce's Letter, ''Administrative Review of the Countervailing Duty Order on Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Questionnaire,'' dated May 20, 2021 (Initial CVD Questionnaire).

[8] This rate applies to Jiangsu Alcha Aluminum Co., Ltd. and its cross-owned companies: Baotou Alcha Aluminum Co., Ltd. and Jiangsu Alcha New Energy Materials Co., Ltd.

[9] We are cumulating the benefits from subsidies received by Alcha International Holdings Limited, which exported subject merchandise produced by Jiangsu Alcha Aluminum Co., Ltd., to the United States during the POR, with the benefits from subsidies received by Jiangsu Alcha Aluminum Co., Ltd., during the POR. For further discussion, *see* the Preliminary Decision Memorandum at ''Attribution of Subsides.''

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

[11] *See* 19 CFR 351.309(c).

[12] *See* 19 CFR 351.309(d).

[13] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 29615 (May 18, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

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

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

on all appropriate entries covered by this review. If the assessment rate calculated in the final results is zero or *de minimis,* we will instruct CBP to liquidate all appropriate entries without regard to countervailing duties. We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Rate

Pursuant to section 751(a)(1) of the Act, upon issuance of the final results, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts indicated for each of the respective companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, except where the rate calculated in the final results is zero or *de minimis,* no cash deposit will be required. These cash deposit instructions, when imposed, shall remain in effect until further notice.

Final Results of Review

Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h), unless this deadline is extended.

Notification to Interested Parties

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 19 CFR 351.221(b)(4).

Dated: February 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Diversification of China's Economy
V. Subsidies Valuation
VI. Loan Interest Rate Benchmarks, Discount Rates, and Benchmarks to Determine the Adequacy of Remuneration
VII. Use of Facts Otherwise Available and Adverse Inferences
VIII. Analysis of Programs
IX. Recommendation

[FR Doc. 2022–04608 Filed 3–3–22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–073]

Common Alloy Aluminum Sheet From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that certain companies under review sold subject merchandise at less than normal value during the period of review (POR), February 1, 2020, through January 31, 2021. Interested parties are invited to comment on these preliminary results of this review.

DATES: Applicable March 4, 2022.

FOR FURTHER INFORMATION CONTACT: Frank Schmitt, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4880.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2021, in response to review requests from multiple parties, Commerce initiated an administrative review of the antidumping duty order on common alloy aluminum sheet (CAAS) from the People's Republic of China (China).[1] The POR is February 1, 2020, through January 31, 2021.

On May 18, 2021, Commerce selected one exporter for individual examination as a mandatory respondent, Jiangsu Alcha Aluminum Co., Ltd.[2] In the 2018–2020 administrative review of this antidumping duty order Commerce determined that Jiangsu Alcha Aluminum Co., Ltd., Baotou Alcha Aluminum Co., Ltd. (Baotou Alcha), and Alcha International Holdings Limited (Alcha International) should be treated as a single entity.[3] Additionally, Commerce determined that Jiangsu Alcha Aluminum Group Co., Ltd. (Jiangsu Alcha) is the successor-in-interest to Jiangsu Alcha Aluminum Co., Ltd.[4] Therefore, the mandatory respondent in the current administrative review is the entity of Jiangsu Alcha, Baotou Alcha, and Alcha International (collectively, Alcha).

During the course of this review, Alcha filed responses to Commerce's questionnaires and supplemental questionnaires, and the Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group and its individual members[5] (the domestic industry) commented on those responses. On October 14, 2021, Commerce extended the time limit for completing the preliminary results of this review, until February 25, 2022.[6]

For details regarding the events that occurred subsequent to the initiation of the review, *see* the Preliminary Decision Memorandum.[7] A list of topics discussed in the Preliminary Decision Memorandum is included as an Appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be found at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise covered by the order is common alloy aluminum sheet from China. For a complete description of the

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

[2] *See* Memorandum, ''2020–2021 Antidumping Administrative Review of Common Alloy Aluminum Sheet from the People's Republic of China: Respondent Selection,'' dated May 18, 2021.

[3] *See Common Alloy Aluminum Sheet from the People's Republic of China: Final Results of Antidumping Duty Administrative Review, Final Successor-In-Interest Determination, and Final Determination of No shipments; 2018–2020,* 86 FR 74066 (December 29, 2021).

[4] *Id.*

[5] The individual members of the Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group are: Aleris Rolled Products Inc., Arconic Corporation, Commonwealth Rolled Products, Inc., Constellium Rolled Products Ravenswood, LLC, Jupiter Aluminum Corporation, JW Aluminum Company, and Novelis Corporation.

[6] *See* Memorandum, ''2020–2021 Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from the People's Republic of China: Extension of Deadline for Preliminary Results,'' dated October 14, 2021.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2020–2021 Antidumping Duty Administrative Review of Common Alloy Aluminum Sheet from the People's Republic of China,'' issued concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

scope of the order, *see* the Preliminary Decision Memorandum.

Separate Rates

We preliminarily determine that the information placed on the record by Jiangsu Alcha, Alcha International, and Yinbang Clad Material Co., Ltd. (Yinbang Clad) demonstrates that these companies are eligible for a separate rate. No companies under review have been preliminary determined to be ineligible for a separate rate. For additional information regarding Commerce's preliminary separate rates determinations, *see* the Preliminary Decision Memorandum.

Dumping Margins for Separate Rate Companies

The statute and Commerce's regulations do not address what rate to apply to respondents not selected for individual examination when Commerce limits its examination in an administrative review, pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for non-selected respondents that are not examined individually in an administrative review. Section 735(c)(5)(A) of the Act states that the all-others rate should be calculated by averaging the weighted-average dumping margins for individually examined respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available. Where the rates for the individually examined companies are all zero, *de minimis,* or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use ''any reasonable method'' to establish the all-others rate. In this review, we calculated a rate for Alcha that is not zero, *de minimis,* or based entirely on facts available. Therefore, we have assigned this rate to Yinbang Clad, the only company not selected for individual examination in this review that is eligible for a separate rate.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(B) of the Act. In determining the dumping margins in this review, we calculated export and constructed export prices in accordance with section 772 of the Act. Because Commerce has determined that China is a nonmarket economy country,[8] within the meaning of section 771(18) of the Act, Commerce calculated normal value in accordance with section 773(c) of the Act.

For a full description of the methodology underlying the preliminary results of this review, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We are preliminarily assigning the following dumping margins to the firms listed below for the period February 1, 2020, through January 31, 2021:

Exporter	Weighted-average dumping margin (percent)
Jiangsu Alcha Aluminum Group Co., Ltd./Baotou Alcha Aluminum Co., Ltd./Alcha International Holdings Limited	39.10
Yinbang Clad Material Co., Ltd	39.10

Disclosure and Public Comment

Commerce intends to disclose to parties to the proceeding the calculations performed for these preliminary results of review within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review in the **Federal Register**.[9] Rebuttal briefs may be filed no later than seven days after case briefs are due and may respond only to arguments raised in the case briefs.[10] A table of contents, list of authorities used, and an executive summary of issues should accompany any briefs submitted to Commerce. The summary should be limited to five pages total, including footnotes.[11]

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice in the **Federal Register**.[12] Requests should contain the party's name, address, and telephone number, the number of individuals from the requesting party's firm that will attend the hearing, and a list of the issues the party intends to discuss at the hearing. Oral arguments at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.[13] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date of the hearing.

All submissions must be filed electronically using ACCESS.[14] An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time (ET) on the due date.[15] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information until further notice.[16] Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results of review in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results of this review, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[17] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent),

[8] *See Antidumping Duty Investigation of Certain Aluminum Foil from the People's Republic of China: Affirmative Preliminary Determination of Sales at Less-Than-Fair Value and Postponement of Final Determination,* 82 FR 50858, 50861 (November 2, 2017) (citing Memorandum, ''China's Status as a Non-Market Economy,'' dated October 26, 2017), unchanged in *Certain Aluminum Foil from the People's Republic of China: Final Determination of Sales at Less Than Fair Value,* 83 FR 9282 (March 5, 2018).

[9] *See* 19 CFR 351.309(c)(ii).

[10] *See* 19 CFR 351.309(d).

[11] *See* 19 CFR 351.309(c)(2), (d)(2).

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

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

[14] *See generally* 19 CFR 351.303.

[15] *See* 19 CFR 351.303 (for general filing requirements); *see also Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

[16] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 29615 (May 18, 2020); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

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

Commerce intends to calculate importer/customer-specific assessment rates.[18] Where the respondent reported reliable entered values, Commerce intends to calculate importer/customer-specific *ad valorem* assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer/customer and dividing this amount by the total entered value of the merchandise sold to the importer/customer.[19] Where the respondent did not report entered values, Commerce will calculate importer/customer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer/customer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer/customer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[20] Where an importer/customer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer/customer-specific *ad valorem* assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[21]

For the respondents that were not selected for individual examination in this administrative review, but which qualified for a separate rate, the assessment rate will be based on the weighted-average dumping margin(s) assigned to the respondent(s), as appropriate, in the final results of this review.[22]

Pursuant to Commerce's refinement to its practice, for sales that were not reported in the U.S. sales database submitted by an exporter individually examined during this review, Commerce will instruct CBP to liquidate the entry of such merchandise at the dumping margin for the China-wide entity.[23] Additionally, where Commerce determines that an exporter under review had no shipments of subject merchandise to the United States during the POR, any suspended entries of subject merchandise that entered under that exporter's CBP case number during the POR will be liquidated at the dumping margin for the China-wide entity.

In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

Commerce will instruct CBP to require a cash deposit for antidumping duties equal to the weighted-average amount by which the normal value exceeds U.S. price. The following cash deposit requirements will be effective for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) For the exporters listed in the table above, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review for the exporter (except, if the dumping margin is *de minimis* (*i.e.,* less than 0.5 percent), then the cash deposit rate will be zero for that exporter); (2) for previously investigated or reviewed Chinese and non-Chinese exporters that are not listed in the table above but that have separate rates, the cash deposit rate will continue to be the exporter-specific rate established in the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (*i.e.,* 59.72 percent)[24] and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 351.221(b)(4).

Dated: February 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Sections in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Adjustment Under Section 777A of the Act
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2022–04607 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–DS–P

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

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

[20] *Id.*

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

[22] *See Drawn Stainless Steel Sinks from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review and Preliminary Determination of No Shipments: 2014–2015,* 81 FR 29528 (May 12, 2016), and accompanying IDM at 10–11, unchanged in *Drawn Stainless Steel Sinks from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; Final Determination of No Shipments; 2014–2015,* 81 FR 54042 (August 15, 2016).

[23] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011), for a full discussion of this practice.

[24] *See Common Alloy Aluminum Sheet from the People's Republic of China: Antidumping Duty Order,* 84 FR 2813 (February 8, 2019).

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; Coastal Zone Management Program Administration

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection

requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before May 3, 2022.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *NOAA.PRA@noaa.gov.* Please reference OMB Control Number 0648–0119 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Elizabeth Mountz, Stewardship Division Operations Manager, NOAA's Office for Coastal Management, 1305 East-West Highway, Silver Spring, MD 20910, 202–596–6581, and *Elizabeth.Mountz@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for revision and extension of a currently approved information collection.

In 1972, in response to intense pressure on United States (U.S.) coastal resources, and because of the importance of U.S. coastal areas, the U.S. Congress passed the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.* The CZMA authorized a federal program to encourage coastal states and territories to develop comprehensive coastal management programs. The CZMA has been reauthorized on several occasions, most recently with the enactment of the Coastal Zone Protection Act of 1996 (CZMA as amended). The program is administered by the Secretary of Commerce, who in turn has delegated this responsibility to the National Oceanic and Atmospheric Administration's (NOAA) National Ocean Services (NOS).

The coastal zone management grants provide funds to states and territories to: Implement federally-approved coastal management programs; complete information for the Coastal Zone Management Program (CZMP) Performance Management System; develop multi-year program assessments and strategies to enhance their programs within priority areas under Section 309 of the CZMA; submit documentation as described in the CZMA Section 306A for specific construction, acquisition, and educational projects; submit requests to update their federally-approved programs through amendments or program changes; and develop and submit state coastal nonpoint pollution control programs (CNP) as required under Section 6217 of the Coastal Zone Act Reauthorization Amendments.

The CZM performance report guidance will undergo minor updates that will ensure consistency with NOAA/NOS grants requirements as well as CZMA strategic priorities. The revised CZM performance measure guidance will provide clarification for reporting on competitive and multi-year awards, as well as additional guidance on financial reporting requirements. The CZMA Section 306A guidance will also likely undergo minor updates to address several technical issues that arose from the 2018 guidance update as well as clarify several minor policy issues. However, NOAA does not anticipate any changes to the record keeping requirements or time estimates for collecting the necessary documentation.

II. Method of Collection

Respondents have a choice of electronic or paper formats for submitting program documents, assessment and strategy documents, and other required materials. Grant applications are submitted electronically via *Grants.gov* and performance reports are submitted electronically through NOAA Grants Online. Performance measurement data is submitted through an online database. Methods of submittal for other program documents and required materials include electronic submittal via email or mail.

III. Data

OMB Control Number: 0648–0119.

Form Number(s): None.

Type of Review: Regular submission (revision and extension of a current information collection).

Affected Public: State, Local, or Tribal government.

Estimated Number of Respondents: 34.

Estimated Time per Response: Performance Reports, 27 hours; assessment and strategy documents, 240 hours; Section 306A questionnaire and documentation, 15 hours; amendments and routine program changes, 16 hours; CNP documentation, 320 hours; CZMA Performance Management System, 24 hours.

Estimated Total Annual Burden Hours: 6,280.

Estimated Total Annual Cost to Public: $850 in recordkeeping/reporting costs.

Respondent's Obligation: Required to Obtain or Retain Benefits.

Legal Authority: Coastal Zone Management Act (16 U.S.C. 1451, *et seq.*).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

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

[FR Doc. 2022–04641 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB861]

Marine Mammals; File No. 26260

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Lesley Thorne, Ph.D., School of Marine

and Atmospheric Sciences, Stony Brook University, Stony Brook, NY 11794, has applied in due form for a permit to conduct research on cetaceans.

DATES: Written, telefaxed, or email comments must be received on or before April 4, 2022.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species (APPS) home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 26260 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 26260 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Carrie Hubard or Amy Hapeman, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

The applicant proposes to collect photo-identification, morphometric, distribution, behavioral, and passive acoustic data on cetaceans in the New York Bight using vessels, unmanned aircraft systems, and acoustic recording devices. As the target species of the research, up to 80 fin (*Balaenoptera physalus*), 30 sei (*B. borealis*), 150 humpback (*Megaptera novaeangliae*), and 150 minke (*B. acutorostrata*) whales may be approached annually. Research would also be conducted on an additional 22 cetacean species. The permit would be valid for 5 years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 25, 2022.

Julia M. Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2022–04559 Filed 3–3–22; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to the Procurement List.

SUMMARY: The Committee is proposing to add product(s) and service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: April 03, 2022.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 785–6404, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the product(s) and service(s) listed below from nonprofit agencies employing persons who are blind or have other severe disabilities. The following product(s) and service(s) are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Product(s)

NSN(s)—Product Name(s): MR 13500—Garlic Press

Designated Source of Supply: CINCINNATI ASSOCIATION FOR THE BLIND AND VISUALLY IMPAIRED, Cincinnati, OH

Contracting Activity: Military Resale-Defense Commissary Agency

Distribution: C-List

Mandatory for: The requirements of military commissaries and exchanges in accordance with the 41 CFR 51–6.4

NSN(s)—Product Name(s): MR 10825—Emergency Triangle Work Light, Includes Shipper 20825

Designated Source of Supply: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC

Contracting Activity: Military Resale-Defense Commissary Agency

Distribution: C-List

Mandatory for: The requirements of military commissaries and exchanges in accordance with the 41 CFR 51–6.4

Service(s)

Service Type: Grounds Maintenance Service

Mandatory for: US Geological Survey, Leetown Science Center, Keameysville, WV

Designated Source of Supply: Every Citizen Has Opportunities, Inc., Leesburg, VA

Contracting Activity: US GEOLOGICAL SURVEY, US GEOLOGICAL SURVEY

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2022–04612 Filed 3–3–22; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2022–SCC–0029]

Agency Information Collection Activities; Comment Request; Transition and Postsecondary Programs for Students With Intellectual Disabilities (TPSID) Evaluation Protocol

AGENCY: Office of Postsecondary Education (OPE), 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 May 3, 2022.

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–2022–SCC–0029. 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 Shedita Alston, (202) 453–7090.

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: Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) Evaluation Protocol.

OMB Control Number: 1840–0825.

Type of Review: Revision of a currently approved collection.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 40.

Total Estimated Number of Annual Burden Hours: 792.

Abstract: In October 2020, the Institute for Community Inclusion (ICI), UMass Boston received a five-year cooperative agreement from the Office of Postsecondary Education to serve as the National Coordinating Center (NCC) for colleges and universities implementing inclusive higher education programs for students with intellectual disabilities, including 22 newly-funded model demonstration projects aimed at creating inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities known as Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSIDs).

To reduce respondent burden, the NCC has streamlined and simplified the previously approved evaluation system for the TPSID programs. The NCC will enhance the collection and analyses of longitudinal follow-up data from the new 22 TPSID model programs via an already developed and previously OMB approved evaluation system for the TPSID programs. The revised data collection system is part of an evaluation effort. The system will collect program data at the institutions from TPSID program staff via an online, secure data management system.

Dated: February 28, 2022.

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. 2022–04543 Filed 3–3–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Submission for Office of Management and Budget (OMB) review: Comment request.

SUMMARY: The Department of Energy (DOE) has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of the *Applications for Loans Under the Advanced Technology Vehicles Manufacturing Incentive Program,* OMB Control Number 1910–5137.

DATES: Comments regarding this collection must be received on or before April 4, 2022. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 881–8585.

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: Requests for additional information or copies of the information collection instrument and instructions should be directed to Knight Elsberry, *LPO.PaperworkReductionAct.Comments@hq.doe.gov,* (202) 287–6646. The information collection instrument (10 CFR part 611) can be viewed at *www.ecfr.gov/current/title-10/chapter-II/subchapter-H/part-611#sp10.4.611.a* in conjunction with the guidance at *www.energy.gov/sites/default/files/2019/05/f62/Guidance_for_Potential_ATVM_Applicants_May2019.pdf.*

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) *OMB No.:* 1910–5137; (2) *Information Collection Request Title:* Applications for Loans under the Advanced Technology Vehicles Manufacturing Incentive Program; (3) *Type of Request:* Extension; (4) *Purpose:* This information collection package covers collection of information necessary to evaluate applications for loans submitted under Section 136 of the Energy Independence and Security Act of 2007, as amended (''EISA'') (42 U.S.C. 17013). Applications for loans submitted to DOE under Section 136 of EISA must contain certain information. This information will be used to analyze whether a project is eligible for a loan and to evaluate the application under criteria specified in the interim final regulations implementing Section 136 of EISA, located at 10 CFR part 611. The collection of this information is critical to ensure that the government has sufficient information to determine whether applicants meet the eligibility requirements to qualify for a DOE loan and to provide DOE with sufficient information to evaluate an applicant's project using the criteria specified in 10

CFR part 611; (5) *Annual Estimated Number of Respondents:* 40; (6) *Annual Estimated Number of Total Responses:* 40; (7) *Annual Estimated Number of Burden Hours:* 5,300; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* $1,083,000.

Statutory Authority: Section 136 of the EISA authorizes the collection of information.

Signing Authority

This document of the Department of Energy was signed on February 28, 2022, by Jigar Shah, Executive Director, Loan Programs Office, 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 March 1, 2022.

Treena V. Garrett,

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

[FR Doc. 2022–04595 Filed 3–3–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL22–33–000; QF90–73–013.

Applicants: EF KENILWORTH, INC., EF Kenilworth LLC.

Description: EF Kenilworth LLC submits Request for Waiver of the Efficiency Standard for A Topping-Cycle Cogeneration Facility.

Filed Date: 2/24/22.

Accession Number: 20220224–5202.

Comment Date: 5 p.m. ET 3/17/22.

Docket Numbers: EL22–34–000.

Applicants: Office of the Ohio Consumers' Counsel, v. American Electric Power Service Corporation, American Transmission Systems, Inc. and Duke Energy Ohio, LLC.

Description: Office of the Ohio Consumers' Counsel, v. American Electric Power Service Corporation, American Transmission Systems, Inc. and Duke Energy Ohio, LLC.

Filed Date: 2/24/22.

Accession Number: 20220224–5221.

Comment Date: 5 p.m. ET 3/16/22.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20–2594–002.

Applicants: Vermont Transco LLC.

Description: Compliance filing: Filing to Revise Effective Date for Order No. 864 to be effective 1/27/2020.

Filed Date: 2/25/22.

Accession Number: 20220225–5123.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–648–001.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: Tariff Amendment: Response to Deficiency Letter for Amendment to RS 259 to be effective 12/16/2021.

Filed Date: 2/24/22.

Accession Number: 20220224–5151.

Comment Date: 5 p.m. ET 3/17/22.

Docket Numbers: ER22–847–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Amendment of ISA SA No. 6312, Queue No. AE2–297 in Docket No. ER22–847 to be effective 12/21/2021.

Filed Date: 2/24/22.

Accession Number: 20220224–5139.

Comment Date: 5 p.m. ET 3/17/22.

Docket Numbers: ER22–1111–000.

Applicants: ITC Midwest LLC.

Description: § 205(d) Rate Filing: Filing of Amended and Restated Construction Agreement with Northeast Missouri to be effective 4/26/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5000.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1112–000.

Applicants: Public Service Company of New Mexico.

Description: § 205(d) Rate Filing: Service Agreement Nos. 598–601 to be effective 1/31/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5059.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1113–000.

Applicants: Midcontinent Independent System Operator, Inc., Union Electric Company.

Description: § 205(d) Rate Filing: Midcontinent Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: 2022–02–25_Ameren Missouri Attachment O–AMO Depreciation Rates to be effective 3/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5072.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1114–000.

Applicants: Public Service Company of New Mexico.

Description: § 205(d) Rate Filing: Modifications to Rate Schedule No. 144 to be effective 3/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5076.

Comment Date: 5 p.m. ET 3/7/22.

Docket Numbers: ER22–1115–000.

Applicants: ISO New England Inc., Versant Power.

Description: § 205(d) Rate Filing: ISO New England Inc. submits tariff filing per 35.13(a)(2)(iii: Versant Power; Revisions to Schedule 21–EM to Reflect Name Change to be effective 1/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5080.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1116–000.

Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF-Seminole Revised Rate Schedule No. 226 to be effective 6/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5085.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1117–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: 2022 Depreciation Update to be effective 1/1/2021.

Filed Date: 2/25/22.

Accession Number: 20220225–5086.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1118–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2022–02–25_SA 2985 MidAmerican-MidAmerican 3rd Rev GIA (J499 J1008) to be effective 2/18/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5097.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1119–000.

Applicants: New York Independent System Operator, Inc., Niagara Mohawk Power Corporation.

Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: Joint 205: EPC Agreement among NYISO, NMPC, NextEra (SA 2688) to be effective 2/18/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5107.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1120–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: Tariff Amendment: Notice of Cancellation of Service

Agreement FERC No. 609 to be effective 2/17/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5116.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1121–000.

Applicants: VETCO.

Description: § 205(d) Rate Filing: Conforming Tariff Filing of VETCO to be effective 1/1/2021.

Filed Date: 2/25/22.

Accession Number: 20220225–5122.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1122–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original WMPA, Service Agreement No. 6374; Queue No. AG1–360 to be effective 1/26/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5163.

Comment Date: 5 p.m. ET 3/18/22.

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: February 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–04522 Filed 3–3–22; 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 Numbers: RP22–598–000.

Applicants: Millennium Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Negotiated & Non-Conforming Svc Agmts—Anchor Shippers to be effective 4/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5078.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–599–000.

Applicants: Tennessee Gas Pipeline Company, L.L.C.

Description: § 4(d) Rate Filing: TGP 2022 Fuel Tracker Filing Docket No RP22–_____ to be effective 4/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5117.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–600–000.

Applicants: Colorado Interstate Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Quarterly LU Update Filing to be effective 4/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5129.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–601–000.

Applicants: Rockies Express Pipeline LLC.

Description: § 4(d) Rate Filing: REX 2022–02–28 Negotiated Rate Agreements to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5046.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–602–000.

Applicants: Eastern Gas Transmission and Storage, Inc.

Description: § 4(d) Rate Filing: EGTS—February 28, 2022 Nonconforming Service Agreements to be effective 4/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5049.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–603–000.

Applicants: Gulf South Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (FPL 41619 to Eco-Energy 54836) to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5054.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–604–000.

Applicants: Gulf South Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Marathon releases eff 3–1–2022) to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5055.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–605–000.

Applicants: Gulf South Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Constellation 54852 to Constellation 54881) to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5056.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–606–000.

Applicants: Vector Pipeline L.P.

Description: § 4(d) Rate Filing: Tariff Clean-Up Filing (2022) to be effective 4/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5057.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–607–000.

Applicants: Cove Point LNG, LP.

Description: § 4(d) Rate Filing: Cove Point—2022 Annual EPCA to be effective 4/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5063.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–608–000.

Applicants: Cove Point LNG, LP.

Description: § 4(d) Rate Filing: Cove Point—2022 Annual Fuel Retainage and Request for Waiver to be effective 4/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5075.

Comment Date: 5 p.m. ET 3/14/22.

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.

Filings in Existing Proceedings

Docket Numbers: RP21–1187–004.

Applicants: Eastern Gas Transmission and Storage, Inc.

Description: Compliance filing: EGTS—February 28, 2022 Rate Case Compliance Filing to be effective 11/1/2021.

Filed Date: 2/28/22.

Accession Number: 20220228–5035.

Comment Date: 5 p.m. ET 3/14/22.

Docket Numbers: RP22–579–000.

Applicants: Stagecoach Pipeline & Storage Company LLC.

Description: Report Filing: Stagecoach Pipeline & Storage Company LLC Informational Filing to be effective N/A.

Filed Date: 2/25/22.

Accession Number: 20220225–5142.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–581–000.

Applicants: Arlington Storage Company, LLC.

Description: Report Filing: Arlington Storage Company, LLC Informational Filing to be effective N/A.

Filed Date: 2/25/22.

Accession Number: 20220225–5145.
Comment Date: 5 p.m. ET 3/9/22.

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 by clicking on the links or 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: *https://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: February 28, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–04602 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21–20–000]

Algonquin Gas Transmission, LLC; Notice of Request for Extension of Time

Take notice that on February 18, 2022, Algonquin Gas Transmission, LLC (Algonquin) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time, until September 27, 2022, to complete the construction of the Stony Point Anomaly MNR Crossing Project (Project), as authorized after the 60-day deadline of Algonquin's prior notice issued by the Commission on December 28, 2020. By that process, Algonquin was initially required to complete and make available for service in one year, by February 27, 2022.

Algonquin states the Project has made substantial progress but experienced extenuating circumstances delaying its completion. Algonquin avers the delays have been a result of (i) complex dewatering conditions at the work site that required enhanced measures, (ii) slower than anticipated tunneling progress due to challenging substrate conditions, and (iii) rainfall and flash flood conditions from Tropical Storm Ida. Algonquin was able to complete the installation of the 26-inch diameter pipeline by December 2021. However, Algonquin was unable to complete the tie-in of these facilities because that would have required an outage of the active pipeline during the winter heating season.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Algonquin's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for Natural Gas Act facilities when such requests are contested before order issuance. For those extension requests that are contested,[1] the Commission will aim to issue an order acting on the request within 45 days.[2] The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.[3] The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act.[4] At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.[5] The OEP Director, or his or her designee, will act on all of those extension requests that are uncontested.

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 Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* 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.

Comment Date: 5:00 p.m. Eastern Time on March 11, 2022.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04553 Filed 3–3–22; 8:45 am]

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[1] Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1) (2019).

[2] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

[3] *Id.* at P 40.

[4] Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

[5] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[P–2320–077]

Erie Boulevard Hydropower, L.P.; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

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

a. *Type of Application:* Request for amendment of license to construct new trashrack structure at the Colton dam.

b. *Project No.:* 2320–077.

c. *Date Filed:* January 14, 2022.

d. *Applicant:* Erie Boulevard Hydropower, L.P.

e. *Name of Project:* Middle Raquette River Hydroelectric Project.

f. *Location:* The project is located on the Raquette River in St. Lawrence County, New York.

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

h. *Applicant Contact:* Mr. Daniel Maguire, PE, Compliance Manager,

Brookfield Renewable, 184 Elm Street, Potsdam, NY 13676, (315) 267–1036.

i. *FERC Contact:* Mr. Steven Sachs, (202) 502–8666, *Steven.Sachs@ferc.gov*.

j. Deadline for filing comments, motions to intervene, and protests is 30 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/doc-sfiling/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P–2320–077. The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant intends to construct a new concrete and steel trashrack structure upstream of the intake on the dam at the Colton development. The trashrack structure would be approximately 75 feet long, would extend from the right side of the intake to the left (west) bank of the reservoir at the access road, and would include a trashrack with a 1-inch clear bar spacing. The applicant intends to replace the existing trashrack, located directly on the intake, with a rack using a 3-inch clear bar spacing. The applicant does not propose any change to project operation as a result of the modifications and would maintain normal reservoir elevations and release the required environmental and recreational flows during construction, which is scheduled to take place from July through September 2022.

l. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Motions To Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''MOTION TO INTERVENE'', or ''PROTEST'' as applicable; (2) set forth in the heading the name of the applicant and the project number(s) of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person intervening or protesting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04557 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. RD22–1–000 and IC22–7–000]

Commission Information Collection Activities (FERC–725K); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of revisions to an information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comments on the requested renewal and revision of FERC–725K (Mandatory Reliability Standard for the SERC Region).

DATES: Comments on the collection of information are due May 3, 2022.

ADDRESSES: Send written comments on FERC–725K to the Commission. You may submit copies of your comments by one of the following methods:

Electronic filing through *http://www.ferc.gov,* is preferred.

- *Electronic Filing:* Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.
- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

○ *Mail via U.S. Postal Service Only Addressed to:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

○ *Hand (including courier) delivery to:* Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions: FERC submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov.* For user assistance, contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *https://www.ferc.gov/ferc-online/overview.*

FOR FURTHER INFORMATION CONTACT: Please contact Ellen Brown who may be reached by email at *DataClearance@FERC.gov,* or telephone at (202) 502–8663.

SUPPLEMENTARY INFORMATION:

Title: FERC–725K, Mandatory Reliability Standard for the SERC Region.

OMB Control No.: 1902–0260.

Type of Request: Request for comment on the revised information collection requirements resulting from Docket No. RD22–1–000 [1] and the three-year extension of FERC–725K.

Abstract: Section 215 of the Federal Power Act (FPA) [2] requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards, which are subject to Commission review and approval. Once approved, the Reliability Standards may be enforced by NERC, subject to Commission oversight, or by the Commission independently.

Reliability Standards that NERC proposes to the Commission may include Reliability Standards that are proposed by a Regional Entity to be effective in that region. In Order No. 672, the Commission noted that:

> As a general matter, we will accept the following two types of regional differences, provided they are otherwise just, reasonable, not unduly discriminatory or preferential and in the public interest, as required under the statute: (1) A regional difference that is more stringent than the continent-wide Reliability Standard, including a regional difference that addresses matters that the continent-wide Reliability Standard does not; and (2) a regional Reliability Standard that is necessitated by a physical difference in the Bulk-Power System.

When NERC reviews a regional Reliability Standard that would be applicable on an interconnection-wide basis and that has been proposed by a Regional Entity organized on an interconnection-wide basis, NERC must rebuttably presume that the regional Reliability Standard is just, reasonable, not unduly discriminatory or preferential, and in the public interest.[3] In turn, the Commission must give ''due weight'' to the technical expertise of NERC and of a Regional Entity organized on an interconnection-wide basis.[4]

As stated in the NERC Petition, in 2008, SERC commenced work on Reliability Standard PRC–006–SERC–01. NERC also began work on revising PRC–006–0 at a continent-wide level. The SERC standard has been developed to be consistent with the NERC UFLS standard. PRC–006–SERC–02 was developed due to periodic review of the standard and PRC–006–1 clearly defines the roles and responsibilities of parties to whom the standard applies.

On February 18, 2022 FERC issued the Delegated Letter Order in Docket No. RD22–1–000 approving the NERC petition's request (*Joint Petition of the North American Electric Reliability Corporation and SERC Reliability Corporation for Approval of Proposed Regional Reliability Standard PRC–006–SERC–03*), which modifies the information collection of FERC–725K. The collection follows the NERC Petition request in Docket No. RD22–1–000 which proposes to update the reliability standard for the SERC region from PRC–006–SERC–02 to PRC–006–SERC–03. As stated in the NERC Petition submitted on December 14, 2021, the updated reliability standard provides additional flexibility for planning coordinators to adjust island boundaries to perform more accurate studies; address the transition of the Florida Reliability Coordinating Council (FRCC) registered entities to SERC following the dissolution of the FRCC on July 1, 2019; and to clarify technical requirements within the UFLS settings that are unique to the Florida peninsula. When FRCC was dissolved and the registered entities located in the Florida peninsula would eventually became subject to SERC's regional Reliability Standard PRC–006–SERC–02.

The PRC–006–1 standard identifies the Planning Coordinator (PC) as the entity responsible for developing underfrequency load shedding (UFLS) schemes within their PC area. The regional standard (PRC–006–SERC–03) adds specificity not contained in the NERC standard for a UFLS scheme in the SERC Region. The added specificity that PRC–006–SERC–03 provides effectively mitigates the consequences of an underfrequency event.

The purpose of regional Reliability Standard PRC–006–SERC–03 is to establish consistent and coordinated requirements for the design, implementation, and analysis of automatic UFLS programs among all SERC applicable entities. The regional Reliability Standard PRC–006–SERC–03 incorporates revisions to: (i) Provide more flexibility for Planning Coordinators to adjust island boundaries in order to perform more accurate and complete studies; (ii) address the transition of Florida Reliability Coordinating Council (''FRCC'') registered entities to SERC following the dissolution of FRCC as a regional entity on July 1, 2019; [5] (iii) clarify a technical term used in the regional Reliability Standard; and (iv) align requirement language with the current continent-wide NERC Reliability Standard, PRC–006–5.

Currently effective regional Reliability Standard PRC–006–SERC–02 was approved by the Commission on October 16, 2017 [6] and became effective for registered entities in the SERC region on January 1, 2018. Following the addition of FRCC's registered entities to SERC in 2019, SERC initiated a project to review PRC–006–SERC–02. SERC's Dynamics Working Group identified the need to revise the regional Reliability Standard to account for UFLS settings that are unique to the Florida peninsula. As part of this project, SERC also identified other opportunities to enhance the regional standard.

SERC proposed to modify its UFLS Standard, PRC–006–SERC–02. Requirements R1 and R7 of the currently effective standard are removed in the updated regional Reliability PRC–006–SERC–03, but the numbering for the remaining Requirements is unchanged in the interest of administrative convenience.[7]

SERC proposed to remove Requirement R1, which says:

> Each Planning Coordinator shall include its SERC subregion as an identified island in the criteria (required by the NERC PRC standard on UFLS) for selecting portions of the BPS that may form islands.[8]

SERC proposed the retirement of Requirement R7, which sets specific data requirements for Planning Coordinators (PCs) to provide SERC. SERC no longer plans to maintain a database of this information; therefore, it proposed to retire R7, that removes the requirement for SERC to maintain a UFLS database. SERC notes that this requirement is no longer needed because the continent-wide UFLS standard requires PCs to maintain a UFLS database.

Type of Respondents: Entities registered with the North American Electric Reliability Corporation within the SERC region.

Estimate of Annual Burden: [9] Our estimate below regarding the number of

[1] Delegated Letter Order approving Joint Petition requesting to update the regional Reliability Standard PRC–006–SERC–03 under RD22–1 (dated 12/14/2021) filed by the North American Electric Reliability Corporation (*https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20220218-3010*).

[2] 16 U.S.C. 824*o*.

[3] 16 U.S.C. 824o(d)(3).

[4] *Id.* § 824o(d)(2).

[5] Letter Order Approving the Joint Petition Requesting Certain Approvals in connection with the Dissolution of FRCC, 167 FERC ¶ 61,095, (2019).

[6] North American Electric Reliability Corporation (NERC), Docket No. RD17–9–000 (Oct. 16, 2017) (delegated letter order).

[7] NERC petition identified on page 8.

[8] NERC petition identified on page 9.

[9] ''Burden'' is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide

Continued

respondents is based on the NERC compliance registry as of January 7, 2022. According to the NERC compliance registry, there are 28 planning coordinators (PC) and 175 generator owners (GO) within the SERC Region. The individual burden estimates are based on the time needed for planning coordinators and generator operators to meet the requirements of both the regional SERC requirement and the national reliability requirements. The estimates include the costs to document and store data, run studies, assess UFLS design, and analyze results from design, development, and updating of the UFLS programs to be compliant with the SERC and NERC standards. Additionally, generator owners must provide a detailed set of data and documentation to SERC within 30 days of a request to facilitate post event analysis of frequency disturbances. These burden estimates are consistent with estimates for similar tasks in other Commission-approved Reliability Standards.

There are two burden tables below, the first showing the reduction in burden following RD22–1–000, and the second showing the estimated burden of the collection. The Commission estimates the annual reporting burden and cost for the Reliability Standard PRC–006–SERC–3 as:

FERC–725K, MODIFICATIONS DUE TO DLO IN DOCKET NO. RD22–1

[Reduction in burden]

Reliability standard and associated requirement	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden & total annual cost (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
PRC–006–SERC–3						
PCs: Provide Documentation and Data to SERC.	28	1	.....	16 hrs.; $1,392	448 hrs.; $38,976	$1,392
Total Reduction due to RD22–1.	.....	.....	.....	.....	448 hrs.; $38,976.	

FERC–725K: MANDATORY RELIABILITY STANDARD FOR THE SERC REGION

[Renewal]

	Number of respondents [10] (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response [11] (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
PCs: Design and Document Automatic UFLS Program.	28	1	28	8 hrs.; $696.00	224 hrs.; $19,488.00	$696.00
GOs: Provide Documentation and Data to SERC.	175	1	175	16 hrs.; $1,392.00	2,800 hrs.; $243,600.00	1,392.00
GOs: Record Retention	175	1	175	4 hrs.; $348.00	700 hrs.; $60,900	348.00
Total	.....	.....	.....	.....	3,724 hrs.; $323,988.	

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04554 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4784–106]

Topsham Hydro Partners Limited Partnership (L.P.); Notice of Settlement Agreement and Soliciting Comments

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

a. *Type of Application:* Settlement Agreement.

b. *Project No.:* 4784–106.

c. *Date filed:* February 18, 2022.

d. *Applicant:* Topsham Hydro Partners Limited Partnership (L.P.).

e. *Name of Project:* Pejepscot Hydroelectric Project.

f. *Location:* On the Androscoggin River in Sagadahoc, Cumberland, and Androscoggin Counties in the village of Pejepscot and the town of Topsham, Maine. The project does not affect federal lands.

g. *Filed Pursuant to:* Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[10] Between previous information collection there is an increase in the number of PCs and GOs which largely reflect entities from the former FRCC and SPP regions now applicable PRC–006–SERC–03.

[11] The estimated hourly cost (salary plus benefits) provided in this section is based on the salary figures and benefits of the average 2021 FERC FTE costs ($180,703 per year, or $87.00 per hour), which we estimate is comparable for salary plus benefits costs of a utilities staff.

h. *Applicant Contact:* Mr. Tom Uncher, Vice President, Topsham Hydro Partners Limited Partnership, 339B Big Bay Rd., Queensbury, NY 12804, Telephone: 1–518–743–2018, *Thomas.Uncher@brookfieldrenewable.com.*

i. *FERC Contact:* Ryan Hansen, telephone (202) 502–8074, and email *ryan.hansen@ferc.gov.*

j. *Deadline for filing comments:* March 16, 2022. Reply comments due March 26, 2022.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–4784–106.

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

k. Topsham Hydro Partners Limited Partnership (L.P.) (Topsham Hydro) filed a Settlement Agreement for Modified Prescription for Fishways executed by and between the licensee and the U.S. Department of Commerce's National Marine Fisheries Service. The purpose of the agreement is to resolve the parties' disagreements over the appropriate terms of a prescription for fishways for anadromous fish at the project under the new license. Topsham Hydro requests that the Commission consider the Settlement Agreement in its environmental analysis of the project relicensing, acknowledge the Offer of Settlement, and incorporate the terms of the agreement which will be reflected in the modified fishway prescription in the new license for the project. The Settlement Agreement provides for both interim and permanent downstream fish passage measures, based on the outcome of studies to be conducted by Topsham Hydro. The Settlement Agreement also includes several measures for upstream passage of anadromous fish; initial modifications to operations of the existing fish lift; effectiveness monitoring of the initial modifications for the target species; potential additional modifications to the existing fish lift in the event that defined performance standards cannot be met; and effectiveness monitoring of the modifications.

l. 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 website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document (*i.e.,* P–4784). At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact FERC Online Support.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04556 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21–492–000]

Rover Pipeline LLC; Notice of Availability of the Environmental Assessment for the Proposed Rover-Brightmark Receipt and Delivery Meter Station Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Rover-Brightmark Receipt and Delivery Meter Station Project, proposed by Rover Pipeline LLC (Rover) in the above-referenced docket. Rover requests authorization to construct and operate a receipt and delivery meter station in Lenawee County, Michigan.

The EA assesses the potential environmental effects of the construction and operation of the Rover-Brightmark Receipt and Delivery Meter Station Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The Project purpose is to allow Rover to receive up to 1,500 dekatherms per day of natural gas from the Brightmark SunRyz Renewable Natural Gas Project and to allow Rover to deliver up to 100 dekatherms per day of natural gas to fuel the Brightmark Renewable Natural Gas facility equipment. The proposed Rover-Brightmark Receipt and Delivery Meter Station Project includes two, 2-inch-diameter hot taps, two tap valves, 65 feet of interconnecting pipe (30 feet of receipt pipe and 35 feet of delivery pipe), two Coriolis Meter Skids, gas quality building, a measurement building, and satellite communications.

The Commission mailed a copy of the *Notice of Availability* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the natural gas environmental documents page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). In addition, the EA may be

accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*), select ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,* CP21–492). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The EA is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the EA may do so. Your comments should focus on the EA's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before 5:00 p.m. Eastern Time on March 28, 2022.

For your convenience, there are three methods you can use to file your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP21–492–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (18 CFR 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at *https://www.ferc.gov/ferc-online/ferc-online/how-guides.*

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04552 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL00–95–315; EL00–98–286.

Applicants: Investigation of Practices of the California Independent System Operator and the California Power Exchange, *San Diego Gas & Electric Company* v. *Sellers of Energy and Ancillary Services.*

Description: California Parties' Notice of Market Participants in Default and Request for Initiation of Commission Enforcement Proceedings.

Filed Date: 2/22/22.

Accession Number: 20220222–5232.

Comment Date: 5 p.m. ET 3/15/22.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20–1958–002.

Applicants: Puget Sound Energy, Inc.

Description: Compliance filing: Amended Order No. 864 Compliance Filing to be effective 1/27/2020.

Filed Date: 2/28/22.

Accession Number: 20220228–5031.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER21–1241–002.

Applicants: ISO New England Inc., New England Power Company.

Description: Compliance filing: ISO New England Inc. submits tariff filing per 35: New England Power Company; ER21–1241—Compliance Filing to Rev. Effective Date to be effective 1/27/2020.

Filed Date: 2/28/22.

Accession Number: 20220228–5094.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER21–1654–002.

Applicants: ISO New England Inc., The Connecticut Light and Power Company.

Description: Compliance filing: ISO New England Inc. submits tariff filing per 35: The Connecticut Light and Power Company; Docket No. ER21–1654 to be effective 1/27/2020.

Filed Date: 2/28/22.

Accession Number: 20220228–5042.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER21–1702–003.

Applicants: ISO New England Inc., Central Maine Power Company.

Description: Compliance filing: ISO New England Inc. submits tariff filing per 35: Central Maine Power; ER21–1702__t to be effective 1/27/2020.

Filed Date: 2/28/22.

Accession Number: 20220228–5217.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER21–2900–004.

Applicants: Duke Energy Florida, LLC, Duke Energy Carolinas, LLC, Duke Energy Progress, LLC.

Description: Compliance filing: Duke Energy Florida, LLC submits tariff filing per 35: Network Contract Demand Compliance Filing to be effective 11/17/2021.

Filed Date: 2/28/22.

Accession Number: 20220228–5194.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–272–001.

Applicants: Gulf Power Company.

Description: Tariff Amendment: Response to Deficiency Letter to be effective 1/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5061.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–273–001.

Applicants: Florida Power & Light Company.

Description: Tariff Amendment: FPL–LCEC RS 317 Response to Deficiency Letter to be effective 1/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5066.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–276–001.

Applicants: Florida Power & Light Company.

Description: Tariff Amendment: FPL–FKEC RS 322 Response to Deficiency Letter to be effective 1/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5070.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–355–000; ER22–355–001.

Applicants: ISO New England Inc.

Description: Informational Filing which contains non-public versions of its Resource Termination Filing and its Motion for Leave to File Answer and Answer of ISO-New England, Inc.

Filed Date: 2/24/22.

Accession Number: 20220224–5231.

Comment Date: 5 p.m. ET 3/17/22.

Docket Numbers: ER22–486–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Response to 1/27/2022 Deficiency Notice re: Docket No. ER22–486–000 to be effective 1/29/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5088.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–643–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: 3881 Southwestern Power Admin & AEP OK—Deficiency Response to be effective 12/1/2021.

Filed Date: 2/28/22.

Accession Number: 20220228–5011.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–644–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: 3882 Southwestern Power Admin&Publ Ser—Deficiency Response to be effective 12/1/2021.

Filed Date: 2/28/22.

Accession Number: 20220228–5018.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1123–000.

Applicants: Elk Hill Solar 1, LLC.

Description: Baseline eTariff Filing: Reactive Power Compensation Filing to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5002.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1124–000.

Applicants: NSTAR Electric Company.

Description: § 205(d) Rate Filing: New England Power Company—Facilities Support Agreement to be effective 2/22/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5034.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1125–000.

Applicants: Basin Electric Power Cooperative.

Description: § 205(d) Rate Filing: Basin Electric Notice of Cancellation of Load Incentive Rate to be effective 3/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5052.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1126–000.

Applicants: Cheyenne Light, Fuel and Power Company.

Description: Informational Filing of 2022 Formula Rate Annual Update of Cheyenne Light, Fuel and Power Company.

Filed Date: 2/25/22.

Accession Number: 20220225–5263.

Comment Date: 5 p.m. ET 3/18/22.

Docket Numbers: ER22–1127–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Service Agreement No. 904 to be effective 2/25/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5121.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1128–000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: § 205(d) Rate Filing: Alabama Power Company submits tariff filing per 35.13(a)(2)(iii: PEHA bn (Pepper Hammock Solar & Storage) LGIA Filing to be effective 2/11/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5136.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1129–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1628R20 Western Farmers Electric Cooperative NITSA NOAs to be effective 2/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5139.

Comment Date: 5 p.m. ET 3/21/22.

Docket Numbers: ER22–1130–000.

Applicants: Midwest Generation, LLC.

Description: § 205(d) Rate Filing: Proposed Revisions to Reactive Service Rate Schedule to be effective 6/1/2022.

Filed Date: 2/28/22.

Accession Number: 20220228–5198.

Comment Date: 5 p.m. ET 3/21/22.

The filings are accessible in the Commission's eLibrary system by clicking on the links or 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: *https://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: February 28, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–04601 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 14803–001 and P–2082–063]

Klamath River Renewal Corporation and PacifiCorp; Notice of Availability of the Draft Environmental Impact Statement for the Surrender, Decommissioning, and Removal of the Lower Klamath Hydroelectric Project

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory

Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for surrender of license and removal of project works for the Lower Klamath Hydroelectric Project No. 14803 and has prepared a draft environmental impact statement (EIS).[1] The project is located on the Klamath River in Klamath County, Oregon, and in Siskiyou County, California. The project occupies approximately 400 acres of federal lands. These federal lands are administered by the U.S. Department of the Interior, Bureau of Land Management (BLM).

The draft EIS contains staff evaluations of the applicant's proposal and the alternatives for surrender of the Lower Klamath Project. The draft EIS documents the views of governmental agencies, non-governmental organizations, affected Indian Tribes, the public, the applicants, and Commission staff.

In this notice, we acknowledge the number of pages in this draft EIS exceeds the final EIS page limits set forth in CEQ's Final Rule for proposals of unusual scope or complexity. Noting the scope and complexity of this proposal, the Director, Office of Energy Projects, as our senior agency official, has authorized this page limit exceedance for both the draft and final EIS.

The Commission provides all interested persons with an opportunity to view and/or print the draft EIS 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), in a Presidential proclamation issued on March 13, 2020. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* or toll-free at (866) 208–3676, or for TTY, (202) 502–8659.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed by April 18, 2022.

Due to concerns with large gatherings related to COVID–19, we do not intend to conduct public meetings for the purpose of receiving comments on the draft EIS. Instead, we are soliciting only written comments.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *https://ferconline.ferc.gov/eFiling.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket numbers P–14803–001 and P–2082–063.

Anyone may intervene in this proceeding based on this draft EIS (18 CFR 380.10). You must file your request to intervene as specified above.[2] You do not need intervenor status to have your comments considered.

For further information, please contact Diana Shannon at (202) 502–6136 or at *diana.shannon@ferc.gov.*

Dated: February 25, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04537 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

[1] On July 16, 2020, the Council on Environmental Quality (CEQ) issued a final rule, *Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act* (Final Rule, 85 FR 43,304), which was effective as of September 14, 2020. Accordingly, this EIS was prepared pursuant to the Final Rule.

[2] Interventions may also be filed electronically via the internet in lieu of paper. See the previous discussion on filing comments electronically.

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 Numbers: RP22–584–000.

Applicants: Florida Gas Transmission Company, LLC.

Description: § 4(d) Rate Filing: New Service Agreement—Seminole to be effective 4/1/2022.

Filed Date: 2/24/22.

Accession Number: 20220224–5080.

Comment Date: 5 p.m. ET 3/8/22.

Docket Numbers: RP22–585–000.

Applicants: Florida Gas Transmission Company, LLC.

Description: § 4(d) Rate Filing: Update Non-Conforming List—Seminole to be effective 4/1/2022.

Filed Date: 2/24/22.

Accession Number: 20220224–5082.

Comment Date: 5 p.m. ET 3/8/22.

Docket Numbers: RP22–586–000.

Applicants: Empire Pipeline, Inc.

Description: Compliance filing: Refund Report Jan–Dec 2021 (Per Settlement in RP18–940) to be effective N/A.

Filed Date: 2/24/22.

Accession Number: 20220224–5123.

Comment Date: 5 p.m. ET 3/8/22.

Docket Numbers: RP22–587–000.

Applicants: Tres Palacios Gas Storage LLC.

Description: Compliance filing: Tres Palacios Gas Storage Docket No. CP12–36 Updated Market Power Analysis to be effective N/A.

Filed Date: 2/24/22.

Accession Number: 20220224–5156.

Comment Date: 5 p.m. ET 3/8/22.

Docket Numbers: RP22–588–000.

Applicants: ANR Pipeline Company.

Description: § 4(d) Rate Filing: ANR Fuel Filing 2022 to be effective 4/1/2022.

Filed Date: 2/24/22.

Accession Number: 20220224–5160.

Comment Date: 5 p.m. ET 3/8/22.

Docket Numbers: RP22–589–000.

Applicants: Viking Gas Transmission Company.

Description: § 4(d) Rate Filing: Annual LMCRA—Spring 2022 to be effective 4/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5019.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–590–000.

Applicants: KPC Pipeline, LLC.

Description: § 4(d) Rate Filing: Fuel Reimbursement Adjustment to be effective 4/1/2022.

Filed Date: 2/25/22.

Accession Number: 20220225–5021.

Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–591–000.

Applicants: Gulf South Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Atlanta Gas 8438 releases eff 3–1–2022) to be effective 3/1/2022.

Filed Date: 2/25/22.
Accession Number: 20220225–5022.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–592–000.
Applicants: Guardian Pipeline, L.L.C.
Description: § 4(d) Rate Filing: EPCR Semi-Annual Adjustment—Spring 2022 to be effective 4/1/2022.
Filed Date: 2/25/22.
Accession Number: 20220225–5023.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–593–000.
Applicants: Millennium Pipeline Company, LLC.
Description: Compliance filing: Annual Report on Operational Transactions 2022 to be effective N/A.
Filed Date: 2/25/22.
Accession Number: 20220225–5027.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–594–000.
Applicants: Midwestern Gas Transmission Company.
Description: § 4(d) Rate Filing: Annual Fuel Retention Percentage Adjustment—2022 Rate to be effective 4/1/2022.
Filed Date: 2/25/22.
Accession Number: 20220225–5028.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–595–000.
Applicants: Viking Gas Transmission Company.
Description: § 4(d) Rate Filing: Semi-Annual Fuel and Loss Retention Adjustment—Spring 2022 to be effective 4/1/2022.
Filed Date: 2/25/22.
Accession Number: 20220225–5031.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–596–000.
Applicants: MoGas Pipeline LLC.
Description: Compliance filing: MoGas NAESB Compliance Filing to be effective 6/1/2022.
Filed Date: 2/25/22.
Accession Number: 20220225–5032.
Comment Date: 5 p.m. ET 3/9/22.

Docket Numbers: RP22–597–000.
Applicants: Northwest Pipeline LLC.
Description: § 4(d) Rate Filing: 2022 Summer Fuel Filing to be effective 4/1/2022.
Filed Date: 2/25/22.
Accession Number: 20220225–5048.
Comment Date: 5 p.m. ET 3/9/22.

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.

The filings are accessible in the Commission's eLibrary system (*https://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: February 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–04518 Filed 3–3–22; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13806–012]

5440 Hydor, Inc.; Ampersand Brooklyn Dam Hydro, LLC; Notice of Transfer of Exemption

1. On January 24, 2022, 5440 Hydro, Inc., exemptee for the 600-Kilowatt Brooklyn Dam Hydroelectric Project No. 13806, filed a letter notifying the Commission that the project was transferred from 5440 Hydro, Inc. to Ampersand Brooklyn Dam Hydro, LLC. The exemption from licensing was originally issued on August 14, 2015.[1] The project is located on the Upper Ammonoosuc River, Coos County, New Hampshire. The transfer of an exemption does not require Commission approval.

2. Ampersand Brooklyn Dam Hydro, LLC is now the exemptee of the Brooklyn Dam Hydroelectric Project No. 13806. All correspondence must be forwarded to: Mr. Amit Pinjani, Asset Manager, Ampersand Brooklyn Dam Hydro, LLC, 717 Atlantic Avenue, Suite 1A, Boston, MA 02111, Email: *amit@ampersandenergy.com.*

Dated: February 25, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04538 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

[1] *5440 Hydro, Inc.,* 152 FERC ¶ 62,113 (2015).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6440–010]

Lakeport Hydroelectric One, LLC; Notice Soliciting Scoping Comments

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

a. *Type of Application:* Subsequent Minor License.
b. *Project No.:* 6440–010.
c. *Date Filed:* August 30, 2021.
d. *Applicant:* Lakeport Hydroelectric One, LLC (Lakeport).
e. *Name of Project:* Lakeport Hydroelectric Project (project).
f. *Location:* On the Winnipesaukee River in Belknap County, New Hampshire. The project does not occupy any federal land.
g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)—825(r).
h. *Applicant Contact:* Ms. Jody Smet, Lakeport Hydroelectric One, LLC c/o Eagle Creek Renewable Energy, LLC, 7315 Wisconsin Avenue, Suite 1100W, Bethesda, MD 20814; Phone at (240) 482–2700, or email at *jody.smet@eaglecreekre.com..*
i. *FERC Contact:* Erin Kimsey at (202) 502–8621, or *erin.kimsey@ferc.gov.*
j. *Deadline for Filing Scoping Comments:* March 26, 2022.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Lakeport Project (P–6440–010).

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

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

l. The existing Lakeport Hydroelectric Project consists of: (1) A 243-foot-long, 12.34-foot-high concrete gravity dam that includes the following sections: (a) A 60-foot-long, 12.34-foot-high east abutment section; (b) 78-foot-long, 4-foot-high section with a sill elevation of 495.22 feet National Geodetic Vertical Datum of 1929 (NGVD29), topped with three 10-foot-high, 18-foot-wide slide gates; (c) an approximately 15-foot-long overflow section with a crest elevation of 505.33 feet NGVD29; (d) an approximately 21-foot-long, 10-foot-wide center pier; (e) a 25-foot-long, 12.33-foot-high stoplog section; and (f) a 44-foot-long, 41.67-foot-wide concrete powerhouse that is integral with the dam and that contains three 200-kW vertical submersible Flygt turbine-generator units located on outdoor concrete pilings for a total installed capacity of 600 kW; (2) a 75-foot-long stone training wall that extends downstream on the western side of the powerhouse; (3) an impoundment (Lake Winnipesaukee) with a surface area of approximately 46,208 acres and a storage capacity of 165,800 acre-feet at an elevation of 504 feet NGVD29; (4) a 2,500-square-foot forebay area; (4) a 7.7-foot-long, 15-foot-high concrete and granite intake structure that is equipped with three 6-foot-diameter, 10-foot-long cylindrical headgates and a trashrack with 2-inch clear bar spacing with a 0.75-inch overlay; (5) a 23-foot-long, 30.5-foot-wide, 20-foot-high concrete and lumber control building adjacent to the powerhouse, on the eastern shoreline; (6) a 200-foot-long, 50-foot-wide tailrace that discharges into the Winnipesaukee River; (7) three 30- to 55-foot-long, 0.48-kilovolt (kV) generator leads, three 0.48/12.4-kV step-up transformers at a substation adjacent to the control building that connect the project to the local utility distribution system; and (8) appurtenant facilities. The average annual energy production of the project from 2015 to 2019, was 2,250 MWh.

Lakeport proposes to prepare a trashrack replacement plan, in consultation with agencies. Lakeport is not proposing any operational changes.

m. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TYY, (202) 502–8659.

n. You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. *Scoping Process:*

Commission staff will prepare either an environmental assessment (EA) or an Environmental Impact Statement (EIS) that describes and evaluates the probable effects, if any, of the licensee's proposed action and alternatives. The EA or EIS will consider environmental impacts and reasonable alternatives to the proposed action. The Commission's scoping process will help determine the required level of analysis and satisfy the National Environmental Policy Act (NEPA) scoping requirements, irrespective of whether the Commission prepares an EA or an EIS. At this time, we do anticipate holding on-site scoping meetings. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued February 24, 2022.

Copies of the SD1 outlining the subject areas to be addressed in the NEPA document were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1–866–208–3676 or for TTY, (202) 502–8659.

Dated: February 24, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04555 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1960–080]

Dairyland Power Cooperative; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

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

a. *Type of Application:* Non-Project Use of Project Lands and Waters.

b. *Project No.:* 1960–080.

c. *Date Filed:* November 1, 2021 as supplemented on February 16, 2022.

d. *Applicant:* Dairyland Power Cooperative.

e. *Name of Project:* Flambeau Hydroelectric Project.

f. *Location:* The Flambeau Hydroelectric Project is located on the Flambeau River in Rusk County, Wisconsin.

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

h. *Applicant Contact:* Tony McKimmy, Dairyland Power Cooperative at (608) 787–1463 or *tony.mckimmy@dairylandpower.com.*

i. *FERC Contact:* Shana High at (202) 502–8674 or *shana.high@ferc.gov.*

j. *Deadline for filing motions to intervene and protests:* March 28, 2022.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–1960–080. Comments emailed to Commission staff are not

considered part of the Commission record.

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

k. *Description of Request:* Dairyland Power Cooperative is requesting Commission approval to permit Jason Rafko to install two seasonal docks that would accommodate 35 total watercraft for use by patrons of Adventures Resort, a restaurant and campground in Tony, WI. The restaurant and campground are located outside the project boundary.

l. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: February 25, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04534 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21–197–000]

Kern River Gas Transmission Company; Notice of Availability of the Final Environmental Impact Statement for the Proposed; Delta Lateral Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a final environmental impact statement (EIS) for the Delta Lateral Project, proposed by Kern River Gas Transmission Company (Kern River) in the above-referenced docket. Kern River requests authorization to construct, own, and operate an approximately 36 mile-long, 24-inch-diameter pipeline; a delivery meter station; and appurtenant facilities, all located in Millard County, Utah. According to Kern River, the Project purpose is to provide firm transportation service of 140,000 dekatherms of natural gas per day from Opal, Wyoming to the Intermountain Power Project, an electrical generating facility in Delta, Utah. Prior to filing its application, Kern River participated in the Commission's Pre-filing Process for this Project under Docket No. PF20–4–000.

The final EIS assesses the potential environmental effects of the construction and operation of the Delta Lateral Project in accordance with the requirements of the National Environmental Policy Act (NEPA) and responds to comments that were received on the Commission's November 4, 2021 draft EIS.[1] As described in the final EIS, the FERC staff concludes that approval of the Project would result in some adverse environmental impacts; however, with the potential exception of climate change impacts, these impacts would be reduced to less-than-significant levels because of the impact avoidance, minimization, and mitigation measures proposed by Kern River and those recommended by staff in the EIS.

The U.S. Department of the Interior, Bureau of Land Management (BLM), participated as a cooperating agency in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. A portion of the Project would be constructed on lands managed by the BLM Fillmore Field Office. The BLM assisted in the preparation of this EIS and may adopt all or portions of the document to satisfy its requirements under NEPA in response to Kern River's application.

The Project would consist of the following specific facilities:

- A 35.84-mile-long, 24-inch-diameter natural gas pipeline;
- a delivery meter station;
- two mainline taps with automated lateral inlet valve assemblies;
- an in-line inspection device launcher and receiver;
- an automated lateral block valve assembly; and
- ancillary facilities.

The Commission mailed a copy of the *Notice of Availability of the Final Environmental Impact Statement for the Proposed Delta Lateral Project* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project areas. The EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the natural gas environmental documents page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). In addition, the EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*), select ''General Search,'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,*

[1] The draft EIS is available on FERC's eLibrary under Accession No. 20211104–3025.

CP21–197). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the *eLibrary* link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

Dated: February 25, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–04535 Filed 3–3–22; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–006]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed February 18, 2022 10 a.m. EST Through February 28, 2022 10 a.m. EST

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search.*

EIS No. 20220021, Draft, USFS, AK, Mendenhall Glacier Visitor Facility Improvements, Comment Period Ends: 04/18/2022, Contact: Monique Nelson 907–209–4090.

EIS No. 20220022, Draft, USFS, OR, Ellis Integrated Vegetation Project, Comment Period Ends: 04/18/2022, Contact: Leslie Taylor 541–427–5324.

EIS No. 20220023, Final, USAF, TX, T–7A Recapitalization at Joint Base San Antonio, Texas, Review Period Ends: 04/04/2022, Contact: Nolan Swick 210–925–3392.

EIS No. 20220024, Draft, BIA, NV, Chuckwalla Solar Projects, Comment Period Ends: 04/18/2022, Contact: Chip Lewis 602–379–6750.

EIS No. 20220025, Draft, FERC, OR, Lower Klamath Project, Comment Period Ends: 04/18/2022, Contact: Office of External Affairs 866–208–3372.

EIS No. 20220026, Final, FERC, UT, Delta Lateral Project, Review Period Ends: 04/04/2022, Contact: Office of External Affairs 866–208–3372.

EIS No. 20220027, Draft, RUS, WI, Badger State Solar Project, Comment Period Ends: 04/18/2022, Contact: Peter Steinour 202–961–6140.

EIS No. 20220028, Final Supplement, FHWA, NH, Newington-Dover, General Sullivan Bridge Spaulding Turnpike Improvements Project, Contact: Jamison Sikora 603–410–4870.

Under 23 U.S.C. 139(n)(2), FHWA has issued a single document that consists of a final supplemental environmental impact statement and supplemental record of decision. Therefore, the 30-day wait/review period under NEPA does not apply to this action.

Dated: February 28, 2022.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2022–04605 Filed 3–3–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX, OMB 3060–0207, OMB 3060–0856; FR ID 74140]

Information Collections Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.'' The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before April 4, 2022.

ADDRESSES: Comments should be sent to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to

comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

OMB Control Number: 3060–XXXX.

Title: Wireless Emergency Alerts (WEA) Handset Displays and False Alert Reporting.

Form No.: N/A.

Type of Review: New information collection.

Respondents: Businesses or other for-profits; State, Local, or Tribal Government and Federal Government.

Number of Respondents and Responses: 23,277 respondents; 167 responses.

Estimated Time per Response: 1 hour–150 hours.

Frequency of Response: On occasion and one-time reporting requirement.

Obligation to Respond: Mandatory and Voluntary. Statutory authority for this information collection is contained in 47 U.S.C. 151, 152, 154(i), 154(o), 301, 303(r), 303(v), 307, 309, 335, 403, 544(g), 606, 613, 1201, 1202, 1203, 1204 and 1206.

Total Annual Burden: 22,815 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There are no assurance of confidentiality associated with this collection of information.

Needs and Uses: This is a new request for approval of an information collection for two new regulations under the Commission's part 10 Wireless Emergency Alert (WEA) rules. No other information collections contained in the Commission's regulations will be impacted by the new rules described herein.

The WEA system is a mechanism under which Commercial Mobile Service (CMS) providers may elect to transmit emergency alerts to the public. The Commission created WEA (previously known as the Commercial Mobile Service Alert System) as required by Congress in the Warning Alert and Response Network (WARN) Act and to satisfy the Commission's mandate to promote the safety of life and property through the use of wire and radio communication.

On January 1, 2021, Congress passed the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (NDAA21). Section 9201 of the NDAA21 required the Commission to complete a rulemaking and adopt rules within 180 days to make certain changes to its WEA regulations, and also to its separate Emergency Alert System (EAS) regulations governing broadcast, cable television, and direct satellite media emergency alerts.

With respect to the WEA rule changes, Section 9201 directed the Commission to ensure that the mobile devices of CMS providers that have elected to participate in WEA cannot opt out of receiving WEA alerts from the Federal Emergency Management Agency (FEMA) Administrator, and to enable reporting by the FEMA Administrator and State, Tribal, or local governments of false WEA alerts. On June 21, 2021, the Commission released its Report and Order in PS Dockets 15–91 and 15–94 (NDAA21 Alerting Order), FCC 21–77, adopting the WEA and EAS changes directed by Congress in the NDAA21. The EAS changes are the subject of a different notice to be published separately.

The NDAA21 Alerting Order implemented Congresses' new directives for WEA, in part, with two new regulations that impose new burdens on respondents: The handset display update, and false alert reporting.

Handset Display Update

In the NDAA21 Alerting Order, the Commission combined the current non-optional class of WEA ''Presidential Alerts'' with FEMA Administrator Alerts into a new renamed alert class named ''National Alerts.'' Participating CMS providers that have chosen to display the phrase ''Presidential Alert'' on their handsets are required to either discontinue the handset's use of that phrase or otherwise change those displays to read ''National Alert'' by July 31, 2022. Network infrastructure that is technically incapable of meeting this requirement, such as legacy devices or networks that cannot be updated to support header display changes, are exempt from this requirement. The handset display changes are necessary to avoid confusion when wireless subscribers receive a non-optional emergency alert from the FEMA Administrator instead of the President.

The handset display update regulation is codified at 47 CFR 10.11(b).

False Alert Reporting

Also in the NDAA21 Alerting Order, the Commission adopted a rule permitting the FEMA Administrator or a State, local, Tribal, or territorial government to voluntarily report WEA false alerts to the FCC Operations Center at *FCCOPS@fcc.gov,* informing the Commission of the event and any relevant details. This rule creates a voluntary mechanism for collection of information so that the Commission can monitor these false alert events which can undermine public confidence in the reliability of emergency alerting and WEA. Email reporting was adopted as a minimally-burdensome way for government entities to report false alerts.

The WEA false alert reporting regulation is codified at 47 CFR 10.520(d)(2).

OMB Control Number: 3060–0207.

Title: Part 11—Emergency Alert System (EAS), Order, FCC 21–77.

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit; Not-for-profit institutions; State, Local, or Tribal Government.

Number of Respondents and Responses: 63,084 respondents; 3,588,845 responses.

Estimated Time per Response: 0.017 hours–112 hours.

Frequency of Response: Annual, on occasion and one-time reporting requirements.

Obligation to Respond: Mandatory and Voluntary. Statutory authority for this information collection is contained in 47 U.S.C. 154(i) and 606 of the Communications Act of 1934, as amended.

Total Annual Burden: 141,414 hours.

Total Annual Cost: No Cost.

Privacy Act Impact Assessment: No Impact(s).

Nature and Extent of Confidentiality: The Commission shares aggregated and individual State EAS Plan data on a confidential basis with other federal agencies and state governmental emergency management agencies that have confidentiality protection at least equal to that provided by the Freedom of Information Act.

Needs and Uses: Part 11 contains rules and regulations addressing the nation's Emergency Alert System (EAS). The EAS provides the President with

the capability to provide immediate communications and information to the general public during periods of national emergency over broadcast television and radio, cable, direct broadcast radio and other EAS Participants, as defined in Section 11.11(a) of the Commission's rules. The EAS also provides state and local governments and the National Weather Service with the capability to provide immediate communications and information to the public concerning emergency situations posing a threat to life and property. Part 11 includes testing requirements to ensure proper and efficient operation of the EAS. State and local use of the EAS, alert processing requirements, and monitoring assignments covering the distribution of EAS alerts within the state, among other things, are required to be described in State EAS Plans that are administered by State Emergency Communications Committees (SECC) and submitted to the FCC annually for approval.

The Order, PS Docket Nos. 15–91 and 15–94, FCC 21–77, pursuant to the directions set forth in Section 9201 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283, 134 Stat. 3388, § 9201 (NDAA21), among other things, (i) requires the Public Safety and Homeland Security Bureau (Bureau) to establish a State EAS Plan Content Checklist composed of the content set forth in section 11.21 of the Commission's rules, (47 CFR 11.21), post the checklist on the FCC's website, and incorporate it as an appendix in ARS user manual; (ii) amend the State EAS Plan requirements in section 11.21 of the Commission's rules to ensure plans are updated annually, require a certification by the SECC Chairperson or Vice-Chairperson that the SECC met (in person, via teleconference, or via other methods of conducting virtual meetings) at least once in the twelve months prior to submitting the annual updated plan, and require that the Bureau approve or reject State EAS Plans submitted for approval within 60 days of receipt; and (iii) require the Bureau to list the approval dates of State EAS Plans submitted on ARS on the Commission's website, and in the event a final decision is made to deny a plan, directly notify the chief executive of the State to which the plan applies of that determination and the reasons for such denial within 30 days of such decision. The Order also amends section 11.45 of the Part 11 rules to enable voluntary reporting to the Commission by the FEMA Administrator and Tribal, State, local or territorial governments of false EAS alerts.

The Commission seeks OMB approval of these rule amendments as a modification of a previously approved information collection. Congress has determined that EAS rule changes are necessary to increase oversight over the distribution of state and local EAS alerts within states, and increase false alert reporting capabilities to help ameliorate confusion or other harmful effects that might result from false EAS alerts. The internal State EAS Plan processing requirements and rule changes adopted in the Order will improve State EAS Plan processing and administration, improving the capabilities and efficacy of EAS as a national system for distributing vital alert information to all Americans, and will do so in a cost-effective manner.

The following information collections contained in Part 11 may be impacted by the rule amendments described herein.

State EAS Plans (47 CFR 11.21)

The establishment of a State EAS Plan Content Checklist for SECCs should have no impact or lessen SECC burdens, and posting it on the FCC's website, and incorporating it as an appendix in the ARS user manual, are routine Bureau activities. The requirement to ensure State EAS Plans are updated annually already was contained in section 11.21, and thus does not represent a new burden.

The amendment to include as a required element in the State EAS Plan, a certification (which will be incorporated into the ARS) by the SECC Chairperson or Vice-Chairperson that the SECC met (in person, via teleconference, or via other methods of conducting virtual meetings) at least once in the twelve months prior to submitting the annual updated plan to review and update their State EAS Plan should promote added diligence in SECC administration of State EAS Plans. The Commission estimates the burden to SECC members in complying with this requirement to be two hours per member.

The rule amendment requiring the Bureau approve or reject State EAS Plans submitted for approval within 60 days of receipt does not impose new burdens on any entity. The Bureau already is charged with reviewing State EAS Plans. The internal requirement that the Bureau list the approval dates of State EAS Plans submitted on ARS on the Commission's website, and in the event a final decision is made to deny a plan, directly notify the chief executive of the State to which the plan applies of that determination and the reasons for such denial within 30 days, does not impose new burdens on any entity. The Bureau already maintains a web page on the Commission's website dedicated to SECC and State EAS Plan information.

False EAS Alert Reporting (47 CFR 11.45)

The amendment enabling the FEMA Administrator and Tribal, State, local or territorial governments to file reports of false EAS alerts provides another mechanism for the Commission to receive information concerning false EAS alerts, does not impose burdens on any entity. Should any permitted government entity voluntarily elect to file a false EAS alert report, the burden associated with this provision amounts to composing an email, which the Commission estimates will take an hour or less to prepare, and falls within the routine activities of government employees. False alert reports help the Commission to identify, investigate, correct and prevent false EAS activations, which enhances the EAS's efficacy and the public trust in the EAS.

OMB Control Number: 3060–0856.

Title: Universal Service—Schools and Libraries Universal Service Support Program Reimbursement Forms.

Form Numbers: FCC Forms 472, 473, and 474.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for-profit institutions, not-for-profit institutions, and state, local or tribal government.

Number of Respondents and Responses: 16,600 respondents; 96,500 responses.

Estimated Time per Response: 1.5 hours.

Frequency of Response: On occasion and annual reporting requirements.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in sections 1, 4(i), 4(j), 201–205, 214, 254, 312(d), 312(f), 403 and 503(b) of the Communications Act of 1934, as amended. 5 U.S.C. 553(b)(3), 601–612; 15 U.S.C. 1, 632; 44 U.S.C. 3506(c)(4); 47 U.S.C. 1, 4(i), 4(j), 201–205, 214, 254, 312(d), 312(f), 403, 503(b).

Total Annual Burden: 144,750 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: If the Commission requests applicants or service providers to submit information that the respondents believe is confidential, respondents may request

confidential treatment of such information under section *47 CFR 0.459* of the Commission's rules.

Needs and Uses: The Commission will submit this information collection to OMB, which is an extension of a currently approved collection, to obtain a full three-year clearance from OMB.

The FCC Form 472 is used by an applicant (also known as the billed entity) to seek reimbursement for the discounts on services paid in full. After receiving an invoice from the service provider, together with an FCC Form 472, USAC is able to verify the eligible service and approved amounts that should be reimbursed and can make the appropriate payment to the applicant. The FCC Form 472 is also used to ensure that each service provider has provided discounted services within the current funding year and that invoices submitted from service providers for the costs of discounted eligible services do not exceed the amount that has been approved.

The FCC Form 473 is used to verify that the service provider is eligible to participate in the schools and libraries universal service support program (E-Rate program) and to confirm that the invoice forms submitted by the service provider are in compliance with the Federal Communications Commission's E-Rate program rules. The FCC Form 473 is also used by USAC to assure that the dollars paid out by the universal service fund go to eligible providers.

The FCC Form 474 is used by an eligible service provider to seek payment for the discounted costs of services it provided to applicants (or billed entities) for eligible services. After receiving an invoice from the service provider, together with an FCC Form 474, USAC is able to verify that the eligible and approved amounts can be paid. The FCC Form 474 is also used to ensure that each service provider has provided discounted services within the current funding year for which it submits an invoice to USAC and that invoices submitted from service providers for the costs of discounted eligible services do not exceed the amount that has been approved.

All of the requirements contained in this information collection are necessary to implement the Congressional mandate for the E-Rate program and reimbursement process.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2022–04649 Filed 3–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1088; FR ID 74384]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it can further reduce the information collection burden for small business concerns with fewer than 25 employees.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before April 4, 2022.

ADDRESSES: Comments should be sent to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page *https://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

OMB Control Number: 3060–1088.

Title: Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991, Report and Order and Third Order on Reconsideration, CG Docket No. 05–338, FCC 06–42.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; and Individuals or households.

Number of Respondents and Responses: 5,340,000 respondents; 6,050,905 responses.

Estimated Time per Response: 3 minutes (.05 hours) to 30 minutes (.50 hours).

Frequency of Response: Annual, monthly, and on occasion reporting requirements; Recordkeeping; and Third party disclosure.

Obligation to Respond: Required to obtain or retain benefits. The authorizing statutes for this information collection are: Telephone Consumer Protection Act of 1991, Public Law 102–243. 105 Stat. 2394 (1991); Junk Fax Prevention Act, Public Law 109–21, 119 Stat. 359 (2005).

Total Annual Burden: 3,670,625 hours.

Total Annual Cost: $1,062,142.

Needs and Uses: On April 5, 2006, the Commission adopted a Report and Order and Third Order on Reconsideration, In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991; Junk Fax Prevention Act of 2005, CG Docket Nos. 02–278 and 05–338, FCC 06–42, which modified the Commission's facsimile advertising rules to implement the Junk Fax Prevention Act. The Report and Order and Third Order on Reconsideration contained information collection requirements pertaining to: (1) Opt-out Notice and Do-Not-Fax Requests Recordkeeping in which the rules require senders of unsolicited facsimile advertisements to include a notice on the first page of the facsimile that informs the recipient of the ability and means to request that they not receive future unsolicited facsimile advertisements from the sender; (2) Established Business Relationship Recordkeeping whereas the Junk Fax Prevention Act provides that the sender, *e.g.,* a person, business, or a nonprofit/institution, is prohibited from faxing an unsolicited advertisement to a facsimile machine unless the sender has an ''established business relationship'' (EBR) with the recipient; (3) Facsimile Number Recordkeeping in which the Junk Fax Prevention Act provides that an EBR alone does not entitle a sender to fax an advertisement to an individual or business. The fax number must also be provided voluntarily by the recipient; and (4) Express Invitation or Permission Recordkeeping where in the absence of an EBR, the sender must obtain the prior express invitation or permission from the consumer before sending the facsimile advertisement.

On October 14, 2008, the Commission released an Order on Reconsideration, FCC 08–239, addressing certain issues raised in petitions for reconsideration and/or clarification filed in response to the Commission's Report and Order and Third Order on Reconsideration (Junk Fax Order), FCC 06–42. In document FCC 08–239, the Commission clarified that: (1) Facsimile numbers compiled by third parties on behalf of the facsimile sender will be presumed to have been made voluntarily available for public distribution so long as they are obtained from the intended recipient's own directory, advertisement, or internet site; (2) Reasonable steps to verify that a recipient has agreed to make available a facsimile number for public distribution may include methods other than direct contact with the recipient; and (3) a description of the facsimile sender's opt-out mechanism on the first web page to which recipients are directed in the opt-out notice satisfies the requirement that such a description appear on the first page of the website.

The Commission believes these clarifications will assist senders of facsimile advertisements in complying with the Commission's rules in a manner that minimizes regulatory compliance costs while maintaining the protections afforded consumers under the Telephone Consumer Protection Act (TCPA).

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2022–04648 Filed 3–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID: 74978]

Privacy Act of 1974; Matching Program

AGENCY: Federal Communications Commission.

ACTION: Notice of a new matching program.

SUMMARY: In accordance with the Privacy Act of 1974, as amended (''Privacy Act''), this document announces a new computer matching program the Federal Communications Commission (''FCC'' or ''Commission'' or ''Agency'') and the Universal Service Administrative Company (USAC) will conduct with the Washington State Department of Social and Health Services, Economic Services Administration (''Department'') (''Agency''). The purpose of this matching program is to verify the eligibility of applicants to and subscribers of Lifeline, and the Affordable Connectivity Program (ACP), both of which are administered by USAC under the direction of the FCC. More information about these programs is provided in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Written comments are due on or before April 4, 2022. This computer matching program will commence on April 4, 2022, and will conclude 18 months after the effective date.

ADDRESSES: Send comments to Linda Oliver, FCC, 45 L Street NE, Washington, DC 20554, or to *Privacy@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Oliver at 202–418–1732 or *Privacy@fcc.gov.*

SUPPLEMENTARY INFORMATION: The Lifeline program provides support for discounted broadband and voice services to low-income consumers. Lifeline is administered by the Universal Service Administrative Company (USAC) under FCC direction. Consumers qualify for Lifeline through proof of income or participation in a qualifying program, such as Medicaid, the Supplemental Nutritional Assistance Program (SNAP), Federal Public Housing Assistance, Supplemental Security Income (SSI), Veterans and Survivors Pension Benefit, or various Tribal-specific federal assistance programs.

In the Consolidated Appropriations Act, 2021, Public Law 116–260, 134 Stat. 1182, 2129–36 (2020) (codified at 47 U.S.C. 1301 nt.), Congress created the Emergency Broadband Benefit Program, and directed use of the National Verifier to determine eligibility based on various criteria, including the qualifications for Lifeline (Medicaid, SNAP, etc.). EBBP provided $3.2 billion in monthly consumer discounts for broadband service and one-time provider reimbursement for a connected device (laptop, desktop computer or tablet). In the Infrastructure Investment and Jobs Act, Public Law 117–58, 135 Stat. 429, 1238–44 (2021) (codified at 47 U.S.C. 1751–52), Congress modified and extended EBBP, provided an additional $14.2 billion, and renamed it the Affordable Connectivity Program (ACP). A household may qualify for the ACP benefit under various criteria, including an individual qualifying for the FCC's Lifeline program.

In a Report and Order adopted on March 31, 2016, (81 FR 33026, May 24, 2016) (*2016 Lifeline Modernization Order*), the Commission ordered USAC to create a National Lifeline Eligibility Verifier (''National Verifier''), including the National Lifeline Eligibility Database (LED), that would match data about Lifeline applicants and subscribers with other data sources to verify the eligibility of an applicant or subscriber. The Commission found that the National Verifier would reduce compliance costs for Lifeline service providers, improve service for Lifeline subscribers, and reduce waste, fraud, and abuse in the program.

The Consolidated Appropriations Act of 2021 directs the FCC to leverage the

National Verifier to verify applicants' eligibility for ACP. The purpose of this matching program is to verify the eligibility of Lifeline and ACP applicants and subscribers by determining whether they receive Medicaid or SNAP benefits administered by the Washington State Department of Social and Health Services, Economic Services Administration.

Participating Agencies

Washington State Department of Social and Health Services, Economic Services Administration.

Authority for Conducting the Matching Program

The authority for the FCC's ACP is Infrastructure Investment and Jobs Act, Public Law 117–58, 135 Stat. 429, 1238–44 (2021) (codified at 47 U.S.C. 1751–52); 47 CFR part 54. The authority for the FCC's Lifeline program is 47 U.S.C. 254; 47 CFR 54.400 through 54.423; Lifeline and Link Up Reform and Modernization, *et al.,* Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 4006–21, paras. 126–66 (2016) (*2016 Lifeline Modernization Order*).

Purpose(s)

The purpose of this modified matching agreement is to verify the eligibility of applicants and subscribers to Lifeline, as well as to ACP and other Federal programs that use qualification for Lifeline as an eligibility criterion. This new agreement will permit eligibility verification for the Lifeline program and ACP by checking an applicant's/subscriber's participation in Medicaid and SNAP in Washington. Under FCC rules, consumers receiving these benefits qualify for Lifeline discounts and also for ACP benefits.

Categories of Individuals

The categories of individuals whose information is involved in the matching program include, but are not limited to, those individuals who have applied for Lifeline and/or ACP benefits; are currently receiving Lifeline and/or ACP benefits; are individuals who enable another individual in their household to qualify for Lifeline and/or ACP benefits; are minors whose status qualifies a parent or guardian for Lifeline and/or ACP benefits; or are individuals who have received Lifeline and/or ACP benefits.

Categories of Records

The categories of records involved in the matching program include, but are not limited to, the last four digits of the applicant's Social Security Number, date of birth, and first and last name. The National Verifier will transfer these data elements to the Washington State Department of Social and Health Services, Economic Services Administration, which will respond either ''yes'' or ''no'' that the individual is enrolled in a qualifying assistance program: Medicaid or SNAP administered by the Washington State Department of Social and Health Services, Economic Services Administration.

System(s) of Records

The records shared as part of this matching program reside in the Lifeline system of records, FCC/WCB–1, Lifeline, which was published in the **Federal Register** at 86 FR 11526 (Feb. 25, 2021).

The records shared as part of this matching program reside in the ACP system of records, FCC/WCB–3, Affordable Connectivity Program, which was published in the **Federal Register** at 86 FR 71494 (Dec. 16, 2021).

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2022–04652 Filed 3–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

TIME AND DATE: Thursday, March 10, 2022 at 10:00 a.m.

PLACE: Hybrid meeting: 1050 First Street NE, Washington, DC (12th floor) and virtual. *Note:* Due to the covid–19 pandemic, the FEC's hearing room remains closed to visitors for the near term as we implement procedures for the public to safely attend. If you would like to access the meeting, see the instructions below.

STATUS: This meeting will be open to the public. To access the virtual meeting, go to the commission's website *www.fec.gov* and click on the banner to be taken to the meeting page.

MATTERS TO BE CONSIDERED:

Draft Advisory Opinion 2022–01: Joan Farr for U.S. Senate OK and KS.

Revised Form 1.

Resubmission: Audit Division Recommendation Memorandum on Mike Braun for Indiana (A19–02).

Management and Administrative Matters.

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Authority: Government in the Sunshine Act, 5 U.S.C. 552b.

Laura E. Sinram,

Acting Secretary and Clerk of the Commission.

[FR Doc. 2022–04687 Filed 3–2–22; 11:15 am]

BILLING CODE 6715–01–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 March 21, 2022.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Sarah Schultz Freilinger, Monona, Iowa, individually, and as trustee of the Blake Schultz 2022 Irrevocable Trust, Des Moines, Iowa; and Stephanie Steele, Luana, Iowa;* to become members of the Schultz Family Control Group, a group acting in concert, to retain voting shares of Luana Bancorporation, and thereby indirectly retain voting shares of Luana Savings Bank, both of Luana, Iowa.

B. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Timothy D. Wiens, Westminster, Colorado; Thomas J. Wiens, Sedalia,*

Colorado; and Vandy Sears, Cheyenne, Wyoming; to become members of the Wiens Family Group, a group acting in concert, to acquire voting shares of FirsTier II Bancorp., Cheyenne, Wyoming, and thereby indirectly acquire voting shares of FirsTier Bank, Kimball, Nebraska.

In addition, Jan Wiens, Westminster, Colorado; T. Jordan Wiens, Broomfield, Colorado; Lindsey Sears, Cheyenne, Wyoming; Diana Wiens and Travis Wiens, both of Sedalia, Colorado; Lauren Bocci, Erie, Colorado; Hannah Nelson, Ellisville, Missouri; Sarah Swor, Chico, Texas; and Terry Wiens, Edmond, Oklahoma; to become members of the Wiens Family Group, and with Timothy D. Wiens and Thomas J. Wiens, to retain voting shares of FirsTier II Bancorp., and thereby indirectly retain shares of FirsTier Bank.

2. *The Alice M. Dittman 2011 Irrevocable Trust, John F. Dittman, as trustee, and Susan G. Dittman, all of Lincoln, Nebraska;* to join the Dittman Family Group, a group acting in concert, to retain voting shares of Cornhusker Growth Corporation, and thereby indirectly retain voting shares of Cornhusker Bank, both of Lincoln, Nebraska

Board of Governors of the Federal Reserve System, March 1, 2022.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2022–04647 Filed 3–3–22; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–367a–e, CMS–10330, CMS–10780, CMS–10524 and CMS–906]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by April 4, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. *Access CMS' website address at website address at: https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicaid Drug Rebate Program Labeler Reporting Format; *Use:* Labelers transmit drug product and pricing data to CMS within 30 days after the end of each calendar month and quarter. CMS calculates the unit rebate amount (URA) and the unit rebate offset amount (UROA) for each new drug application (NDC) and distributes to all State Medicaid agencies. States use the URA to invoice the labeler for rebates and the UROA to report onto CMS–64. The monthly data is used to calculate Federal Upper Limit (FUL) prices for applicable drugs and for states that opt to use this data to establish their pharmacy reimbursement methodology. In this November 2021 iteration, CMS–367d (Manufacturer Contact Form) is being revised to include a signature/date line for the submitter to confirm that the information provide is accurate, and we have additionally updated the entire 367d to a fillable format, per multiple labeler requests. CMS–367e (Quarterly VBP–MBP Data) is a new form that is intended for manufacturers to use (as needed) on a quarterly basis, to transmit pricing data (best prices associated with value-based purchasing (VBP) arrangements) for each of their covered outpatient drugs (CODs) to CMS either via direct file upload to the MDP System or manual on-line entry. The CMS–367e form is optional. We are not proposing any changes to the CMS–367a (Quarterly Pricing), CMS–367b (Monthly Pricing), or CMS–367c (Product Data) forms. *Form Number:* CMS–367a, b, c, d, and e (OMB control number: 0938–0578); *Frequency:* Monthly, quarterly, and on occasion; *Affected Public:* Private sector (Business or other for-profits); *Number of Respondents:* 780; *Total Annual Responses:* 15,020; *Total Annual Hours:* 564,394. (For policy questions regarding this collection contact Andrea Wellington at 410–786–3490.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Notice of Rescission of Coverage and Disclosure Requirements for Patient Protection under the Affordable Care Act; *Use:* Sections 2712 and 2719A of the Public Health Service Act (PHS Act), as added by the Affordable Care Act, contain rescission notice, and patient protection disclosure requirements that are subject to the Paperwork Reduction Act of 1995. The No Surprises Act, enacted as part of

the Consolidated Appropriations Act, 2021, amended section 2719A of the PHS Act to sunset when the new emergency services protections under the No Surprises Act take effect. The provisions of section 2719A of the PHS Act will no longer apply with respect to plan years beginning on or after January 1, 2022. The No Surprises Act re-codified the patient protections related to choice of health care professional under section 2719A of the PHS Act in newly added section 9822 of the Internal Revenue Code, section 722 of the Employee Retirement Income Security Act, and section 2799A–7 of the PHS Act and extended the applicability of these provisions to grandfathered health plans for plan years beginning on or after January 1, 2022. The rescission notice will be used by health plans to provide advance notice to certain individuals that their coverage may be rescinded as a result of fraud or intentional misrepresentation of material fact. The patient protection notification will be used by health plans to inform certain individuals of their right to choose a primary care provider or pediatrician and to use obstetrical/gynecological services without prior authorization. The related provisions are finalized in the 2015 final regulations titled ''Final Rules under the Affordable Care Act for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections'' (80 FR 72192, November 18, 2015) and 2021 interim final regulations titled ''Requirements Related to Surprise Billing; Part I'' (86 FR 36872, July 13, 2021). The 2015 final regulations also require that, if State law prohibits balance billing, or a plan or issuer is contractually responsible for any amounts balanced billed by an out-of-network emergency services provider, a plan or issuer must provide a participant, beneficiary or enrollee adequate and prominent notice of their lack of financial responsibility with respect to amounts balanced billed in order to prevent inadvertent payment by the individual. Plans and issuers will not be required to provide this notice for plan years beginning on or after January 1, 2022. *Form Number:* CMS–10330 (OMB control number: 0938–1094); *Frequency:* On Occasion; *Affected Public:* State, Local, or Tribal Governments, Private Sector; *Number of Respondents:* 2,277; *Total Annual Responses:* 15,752; *Total Annual Hours:* 814. (For policy questions regarding this collection, contact Usree Bandyopadhyay at 410–786–6650.)

3. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Requirements Related to Surprise Billing: Qualifying Payment Amount, Notice and Consent, Disclosure on Patient Protections Against Balance Billing, and State Law Opt-in; *Use:* On December 27, 2020, the Consolidated Appropriations Act, 2021 (Pub. L. 116–260), which included the No Surprises Act, was signed into law. The No Surprises Act provides federal protections against surprise billing and limits out-of-network cost sharing under many of the circumstances in which surprise medical bills arise most frequently. The 2021 interim final regulations ''Requirements Related to Surprise Billing; Part I'' (86 FR 36872, 2021 interim final regulations) issued by the Departments of Health and Human Services, the Department of Labor, the Department of Treasury, and the Office of Personnel Management, implement provisions of the No Surprises Act that apply to group health plans, health insurance issuers offering group or individual health insurance coverage, and carriers in the Federal Employees Health Benefits (FEHB) Program that provide protections against balance billing and out-of-network cost sharing with respect to emergency services, non-emergency services furnished by nonparticipating providers at certain participating health care facilities, and air ambulance services furnished by nonparticipating providers of air ambulance services. The 2021 interim final regulations prohibit nonparticipating providers, emergency facilities, and providers of air ambulance services from balance billing participants, beneficiaries, and enrollees in certain situations unless they satisfy certain notice and consent requirements. The No Surprises Act and the 2021 interim final regulations require group health plans and issuers of health insurance coverage to provide information about qualifying payment amounts to nonparticipating providers and facilities and to provide disclosures on patient protections against balance billing to participants, beneficiaries and enrollees. Self-insured plans opting in to a specified state law are required to provide a disclosure to participants. Certain nonparticipating providers and nonparticipating emergency facilities may provide participants, beneficiaries, and enrollees with notice and obtain their consent to waive balance billing protections, provided certain requirements are met. In addition, certain providers and facilities are required to provide disclosures on patient protections against balance billing to participants, beneficiaries and enrollees. *Form Number:* CMS–10780 (OMB control number: 0938–1401); *Frequency:* On Occasion; *Affected Public:* Individuals, State, Local, or Tribal Governments, Private Sector; *Number of Respondents:* 2,494,683; *Total Annual Responses:* 58,696,352; *Total Annual Hours:* 4,933,110. (For policy questions regarding this collection, contact Usree Bandyopadhyay at 410–786–6650.)

4. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare Program; Prior Authorization Process for Certain Durable Medical Equipment, Prosthetic, Orthotics, and Supplies (DMEPOS); *Use:* Section 1834(a)(15) of the Social Security Act (the Act) authorizes the Secretary to develop and periodically update a list of DMEPOS that the Secretary determines, on the basis of prior payment experience, are frequently subject to unnecessary utilization and to develop a prior authorization process for these items. Pursuant to this authority, CMS published final rules CMS–6050–F and CMS–1713–F.

The information required under this collection is used to determine proper payment and coverage for DMEPOS items. The information requested includes all documents and information that demonstrate the DMEPOS item requested is reasonable and necessary for the beneficiary and meets applicable Medicare requirements. The documentation will be reviewed by trained registered nurses, therapists, or physician reviewers to determine if item(s) or service requested meets all applicable Medicare coverage, coding and payment rules. *Form Number:* CMS–10524 (OMB control number: 0938–1293); *Frequency:* Occasionally; *Affected Public:* Private Sector (Business or other for-profits, Not-for-Profit Institutions); *Number of Respondents:* 273,305; *Total Annual Responses:* 273,305; *Total Annual Hours:* 136,652. (For policy questions regarding this collection contact Stephanie Collins at (410) 786–0959.)

5. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Fiscal Soundness Reporting Requirements (FSRR); *Use:* Title 18 Section 1857(d)(4)(A)(i) requires that contracting organizations such as Medicare Health Plans (including Medicare Advantage (MA) organizations, Medicare-Medicaid Capitated Financial Alignment Demonstrations (MMPs)) and 1876 Cost

Plans), Prescription Drug Plan sponsors (PDPs), and Programs of All-Inclusive Care for the Elderly (PACE) organizations report financial information demonstrating the organization has a fiscally sound operation. The FSRR is designed to capture financial data of these contracting entities. The Division of Finance and Benefits (DFB) within the Medicare Advantage Contract Administration Group (MCAG) of CMS is assigned the responsibility of reviewing ongoing financial performance of the contracting entities.

All contracting organizations must submit audited annual financial statements one time per year. In addition to the audited annual submission, Health Plans with a negative net worth and/or a net loss and the amount of that loss is greater than one-half of the organization's total net worth submit quarterly financial statements for fiscal soundness monitoring. Part D organizations are required to submit three (3) quarterly financial statements. Lastly, PACE organizations are required to file four (4) quarterly financial statements for the first three (3) years in the program. After the first three (3) years, PACE organizations with a negative net worth and/or a net loss and the amount of that loss is greater than one-half of the organization's total net worth must submit quarterly financial statements for fiscal soundness monitoring. *Form Number:* CMS–906 (OMB control number: 0938–0496); *Frequency:* Quarterly and Yearly; *Affected Public:* Private Sector (Business or other for-profits, Not-for-Profit Institutions); *Number of Respondents:* 936; *Total Annual Responses:* 1,958; *Total Annual Hours:* 652. (For policy questions regarding this collection contact Christa M. Zalewski at (410) 786–1971.)

Dated: March 1, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–04644 Filed 3–3–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10108]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by May 3, 2022.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10108 Medicaid Managed Care Regulations

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicaid Managed Care Regulations; *Use:* Information collected includes information about managed care programs, grievances and appeals, enrollment broker contracts, and managed care organizational capacity to provide health care services. Medicaid enrollees use the information collected and reported to make informed choices regarding health care, including how to access health care services and the grievance and appeal system. States use the information collected and reported as part of its contracting process with managed care entities, as well as its compliance oversight role. We use the

information collected and reported in an oversight role of state Medicaid managed care programs.

Among the proposed changes, this iteration also accommodates the use of reporting templates for existing reporting requirements at 42 CFR 438.207(d) for network adequacy and access and § 438.74 for medical loss ratio. The templates are intended to help states by articulating the specific data elements needed and by providing an easy to use format that facilitates CMS' tracking and analysis. The data gathered from these reports will enable CMS to ensure state compliance with regulatory requirements.

Form Number: CMS–10108 (OMB control number: 0938–0920); *Frequency:* Occasionally; *Affected Public:* Individuals or households, Private sector (business or other for-profit and not-for-profit institutions), and State, local or Tribal Government; *Number of Respondents:* 609; *Total Annual Responses:* 13,742,805; *Total Annual Hours:* 1,682,411. (For policy questions regarding this collection contact Amy Gentile at 410–786–3499.)

Dated: March 1, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–04645 Filed 3–3–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–N–0150]

Revocation of Two Authorizations of Emergency Use of In Vitro Diagnostic Devices for Detection and/or Diagnosis of COVID–19; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the revocation of the Emergency Use Authorizations (EUAs) (the Authorizations) issued to Bio-Rad Laboratories for the BioPlex 2200 SARS–CoV–2 IgG, and Quotient Suisse SA for the MosaiQ COVID–19 Antibody Magazine. FDA revoked these Authorizations under the Federal Food, Drug, and Cosmetic Act (FD&C Act). The revocations, which include an explanation of the reasons for each revocation, are reprinted in this document.

DATES: The Authorizations are revoked as of January 11, 2022.

ADDRESSES: Submit written requests for a single copy of the revocations to the Office of Counterterrorism and Emerging Threats, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 1, Rm. 4338, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request or include a Fax number to which the revocations may be sent. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the revocations.

FOR FURTHER INFORMATION CONTACT: Jennifer J. Ross, Office of Counterterrorism and Emerging Threats, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 1, Rm. 4332, Silver Spring, MD 20993–0002, 240–402–8155 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Section 564 of the FD&C Act (21 U.S.C. 360bbb–3) as amended by the Project BioShield Act of 2004 (Pub. L. 108–276) and the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (Pub. L. 113–5) allows FDA to strengthen the public health protections against biological, chemical, nuclear, and radiological agents. Among other things, section 564 of the FD&C Act allows FDA to authorize the use of an unapproved medical product or an unapproved use of an approved medical product in certain situations. On July 1, 2021, FDA issued an EUA to Bio-Rad Laboratories for the BioPlex 2200 SARS–CoV–2 IgG, subject to the terms of the Authorization. Notice of the issuance of this Authorization was published in the **Federal Register** on October 28, 2021 (86 FR 59738), as required by section 564(h)(1) of the FD&C Act. On September 25, 2020, FDA issued an EUA to Quotient Suisse SA for the MosaiQ COVID–19 Antibody Magazine, subject to the terms of the Authorization. Notice of the issuance of this Authorization was published in the **Federal Register** on April 23, 2021 (86 FR 21749), as required by section 564(h)(1) of the FD&C Act. Subsequent updates to the Authorizations were made available on FDA's website. The authorization of a device for emergency use under section 564 of the FD&C Act may, pursuant to section 564(g)(2) of the FD&C Act, be revoked when the criteria under section 564(c) of the FD&C Act for issuance of such authorization are no longer met (section 564(g)(2)(B) of the FD&C Act), or other circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the FD&C Act).

II. EUA Revocation Requests

In a request received by FDA on December 20, 2021, Bio-Rad Laboratories requested revocation of, and on January 11, 2022, FDA revoked, the Authorization for the BioPlex 2200 SARS–CoV–2 IgG. Because Bio-Rad Laboratories notified FDA that Bio-Rad Laboratories has not commercialized the authorized product in the United States and requested FDA revoke the BioPlex 2200 SARS–CoV–2 IgG, FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

In a request received by FDA on December 22, 2021, Quotient Suisse SA requested termination of, and on January 11, 2022, FDA revoked, the Authorization for the MosaiQ COVID–19 Antibody Magazine. Because Quotient Suisse SA notified FDA that Quotient Suisse SA has decided not to continue to commercially support the product and requested FDA terminate the MosaiQ COVID–19 Antibody Magazine, FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

III. Electronic Access

An electronic version of this document and the full text of the revocations are available on the internet at *https://www.regulations.gov/.*

IV. The Revocations

Having concluded that the criteria for revocation of the Authorizations under section 564(g)(2)(C) of the FD&C Act are met, FDA has revoked the EUA of Bio-Rad Laboratories for the BioPlex 2200 SARS–CoV–2 IgG and of Quotient Suisse SA for the MosaiQ COVID–19 Antibody Magazine. The revocations in their entirety follow and provide an explanation of the reasons for each revocation, as required by section 564(h)(1) of the FD&C Act.

BILLING CODE 4164–01–P

U.S. FOOD & DRUG ADMINISTRATION

January 11, 2022

Linda Staswick
Regulatory Affairs Project Manager
Bio-Rad Laboratories
4000 Alfred Nobel Dr.
Hercules, CA 94547

Re: Revocation of EUA202689

Dear Linda Staswick:

This letter is in response to a request from Bio-Rad Laboratories, received December 20, 2021, that the U.S. Food and Drug Administration (FDA) revoke the BioPlex 2200 SARS-CoV-2 IgG – EUA202689 issued on July 1, 2021 and revised September 23, 2021. The BioPlex 2200 SARS-CoV-2 IgG Panel has not been commercialized by Bio-Rad in the U.S.

The authorization of a device for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). Because Bio-Rad has notified FDA that Bio-Rad has not commercialized the authorized product in the U.S. and requested FDA revoke the BioPlex 2200 SARS-CoV-2 IgG – EUA202689, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization. Accordingly, FDA hereby revokes EUA202689 for the BioPlex 2200 SARS-CoV-2 IgG, pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, the BioPlex 2200 SARS-CoV-2 IgG is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,

/s/

Jacqueline A. O'Shaughnessy, Ph.D.
Acting Chief Scientist
Food and Drug Administration

U.S. FOOD & DRUG ADMINISTRATION

January 11, 2022

Michael Campbell
Head of Regulatory Affairs & Quality
Quotient Suisse SA
Route de Crassier 13
Eysins, VD 1262
Switzerland

Re: Revocation of EUA201083

Dear Michael Campbell:

This letter is in response to a request from Quotient Suisse SA, received December 22, 2021, that the U.S. Food and Drug Administration (FDA) terminate the MosaiQ COVID-19 Antibody Magazine – EUA201083 issued on September 25, 2020 and amended April 27, 2021 and September 23, 2021. Quotient Suisse SA decided not to continue to commercially support the MosaiQ COVID-19 Antibody Magazine.

The authorization of a device for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). Because Quotient Suisse SA has notified FDA that Quotient Suisse SA has decided not to continue to commercially support the product and requested FDA terminate the MosaiQ COVID-19 Antibody Magazine – EUA201083, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization. Accordingly, FDA hereby revokes EUA201083 for the MosaiQ COVID-19 Antibody Magazine, pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, the MosaiQ COVID-19 Antibody Magazine is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,

/s/

Jacqueline A. O'Shaughnessy, Ph.D.
Acting Chief Scientist
Food and Drug Administration

Dated: February 28, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–04635 Filed 3–3–22; 8:45 am]

BILLING CODE 4164–01–C

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2020–D–1825 and FDA–2020–D–1136]

Guidance Documents Related to Coronavirus Disease 2019; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of FDA guidance documents related to the Coronavirus Disease 2019 (COVID–19) public health emergency (PHE). This notice of availability (NOA) is pursuant to the process that FDA announced, in the **Federal Register** of March 25, 2020, for making available to the public COVID–19-related guidances. The guidances identified in this notice address issues related to the COVID–19 PHE and have been issued in accordance with the process announced in the March 25, 2020, notice. The guidances have been implemented

without prior comment, but they remain subject to comment in accordance with the Agency's good guidance practices.

DATES: The announcement of the guidances is published in the **Federal Register** on March 4, 2022.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the name of the guidance document that the comments address and the docket number for the guidance (see table 1). Received comments will be placed in the docket(s) and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see § 10.115(g)(5) (21 CFR 10.115(g)(5))).

Submit written requests for single copies of these guidances to the address noted in table 1. Send two self-addressed adhesive labels to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance.

FOR FURTHER INFORMATION CONTACT: Stephen Ripley, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911, or Kimberly Thomas, Center for Drug Evaluation and Research (CDER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6220, Silver Spring, MD 20993–0002, 301–796–2357.

SUPPLEMENTARY INFORMATION:

I. Background

On January 31, 2020, as a result of confirmed cases of COVID–19, and after consultation with public health officials as necessary, the Secretary of Health and Human Services (HHS), pursuant to the authority under section 319 of the Public Health Service Act (42 U.S.C. 247d), determined that a PHE exists and has existed since January 27, 2020, nationwide.[1] On March 13, 2020, there was a Presidential declaration that the COVID–19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020.[2]

In the **Federal Register** of March 25, 2020 (85 FR 16949) (the March 25, 2020, notice) (available at *https://www.govinfo.gov/content/pkg/FR-2020-03-25/pdf/2020-06222.pdf*), FDA announced procedures for making available FDA guidances related to the COVID–19 PHE. These procedures, which operate within FDA's established good guidance practices regulations, are intended to allow FDA to rapidly disseminate Agency recommendations and policies related to COVID–19 to industry, FDA staff, and other stakeholders. The March 25, 2020, notice stated that due to the need to act quickly and efficiently to respond to the COVID–19 PHE, FDA believes that prior public participation will not be feasible or appropriate before FDA implements COVID–19-related guidances. Therefore, FDA will issue COVID–19-related guidances for immediate implementation without prior public comment (see section 701(h)(1)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(h)(1)(C)) and § 10.115(g)(2)). The guidances are available on FDA's web pages entitled

[1] Secretary of Health and Human Services, ''Determination that a Public Health Emergency Exists'' (originally issued on January 31, 2020, and subsequently renewed), available at: *https://www.phe.gov/emergency/news/healthactions/phe/Pages/default.aspx.*

[2] Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID–19) Outbreak (March 13, 2020), available at: *https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/.* On February 24, 2021, there was a Presidential Declaration continuing the national emergency concerning the COVID–19 pandemic beyond March 1, 2021. See Continuation of the National Emergency Concerning the Coronavirus Disease 2019 (COVID–19) Pandemic (February 24, 2021), available at *https://www.federalregister.gov/documents/2021/02/26/2021-04173/continuation-of-the-national-emergency-concerning-the-coronavirus-disease-2019-covid-19-pandemic.*

''COVID–19-Related Guidance Documents for Industry, FDA Staff, and Other Stakeholders'' (available at *https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/covid-19-related-guidance-documents-industry-fda-staff-and-other-stakeholders*) and ''Search for FDA Guidance Documents'' (available at *https://www.fda.gov/regulatory-information/search-fda-guidance-documents*).

The March 25, 2020, notice further stated that, in general, rather than publishing a separate NOA for each COVID–19-related guidance, FDA intends to publish periodically a consolidated NOA announcing the availability of certain COVID–19-related guidances that FDA issued during the relevant period, as included in table 1. This notice announces COVID–19-related guidances that are posted on FDA's website.

II. Availability of COVID–19-Related Guidance Documents

Pursuant to the process described in the March 25, 2020, notice, FDA is announcing the availability of the following COVID–19-related guidances:

TABLE 1—GUIDANCES RELATED TO THE COVID–19 PUBLIC HEALTH EMERGENCY

Docket No.	Center	Title of guidance	Contact information to request single copies
FDA–2020–D–1825	CBER	Investigational COVID–19 Convalescent Plasma (Revised January 7, 2022).	Office of Communication, Outreach and Development, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002, 1–800–835–4709 or 240–402–8010; email *ocod@fda.hhs.gov.*
FDA–2020–D–1136	CDER	COVID–19 Public Health Emergency Policy on COVID–19-Related Sanitation Tunnels (February 2022).	*druginfo@fda.hhs.gov.* Please include the docket number FDA–2020–D–1136 and complete title of the guidance in the request.

Although these guidances have been implemented immediately without prior comment, FDA will consider all comments received and revise the guidances as appropriate (see § 10.115(g)(3)).

These guidances are being issued consistent with FDA's good guidance practices regulation (§ 10.115). The guidances represent the current thinking of FDA. They do not establish any rights for any person and are not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

III. Paperwork Reduction Act of 1995

A. CBER Guidance

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information (listed in table 2). Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in the following FDA regulations and guidance have been approved by OMB as listed in the following table:

TABLE 2—CBER GUIDANCE AND COLLECTIONS

COVID–19 guidance title	CFR cite referenced in COVID–19 guidance	Another guidance title referenced in COVID–19 guidance	OMB control No(s).
Investigational COVID–19 Convalescent Plasma (Updated: January 7, 2022).	21 CFR part 312		0910–0014
	21 CFR parts 606 and 630		0910–0116
		Form FDA 3926	0910–0814

B. CDER Guidance

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information (listed in table 3). Therefore, clearance by OMB under the PRA is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in the following FDA regulations and guidances have been approved by OMB as listed in the following table:

TABLE 3—CDER GUIDANCES AND COLLECTIONS

COVID–19 guidance title	CFR cite referenced in COVID–19 guidance	Another guidance referenced in COVID–19 guidance	OMB control No(s).
COVID–19 Public Health Emergency Policy on COVID–19-Related Sanitation Tunnels (February 2022).	21 CFR part 312	—Enforcement Policy for Sterilizers, Disinfectant Devices, and Air Purifiers During the Coronavirus Disease 2019 (COVID–19) Public Health Emergency (March 2020). —COVID–19 Public Health Emergency: General Considerations for Pre-IND Meeting Requests for COVID–19 Related Drugs and Biological Products (May 2020).	0910–0001 0910–0014

IV. Electronic Access

Persons with access to the internet may obtain COVID–19-related guidances at:

- FDA web page entitled ''COVID–19-Related Guidance Documents for Industry, FDA Staff, and Other Stakeholders,'' available at *https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/covid-19-related-guidance-documents-industry-fda-staff-and-other-stakeholders;*
- FDA web page entitled ''Search for FDA Guidance Documents'' available at

https://www.fda.gov/regulatory-information/search-fda-guidance-documents; or

- *https://www.regulations.gov.*

Dated: February 28, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–04637 Filed 3–3–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Advisory Committee on Seniors and Disasters and National Advisory Committee on Individuals With Disabilities and Disasters; Notice of Meeting

AGENCY: Office of the Assistant Secretary for Preparedness and Response (ASPR), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: The National Advisory Committee on Seniors and Disasters (NACSD) and the National Advisory Committee on Individuals With Disabilities and Disasters (NACIDD), or Committees, were established by sections 2811B and 2811C, respectively, of the Public Health Service (PHS) Act, as amended by the Pandemic and All Hazards Preparedness and Advancing Innovation Act (PAHPAIA) of 2019. The Committees are governed by the provisions of the Federal Advisory Committee Act (FACA) and the General Services Administration FACA Final Rule. The Committees evaluate issues and programs and provide findings, advice, and recommendations to the Secretary of HHS to support and enhance all-hazards public health and medical preparedness, response, and recovery. The NACSD provides focus on the unique needs of older adults, while the NACIDD focuses on helping HHS meet the needs of people with disabilities (PWD). The Secretary of HHS has formally delegated authority to operate the NACSD and the NACIDD to ASPR.

DATES: The NACSD and NACIDD will conduct a joint, virtual, inaugural public meeting on March 30, 2022. The newly appointed members of the two advisory committees will be sworn in as Special Government Employees, followed by presentations and discussion of challenges, opportunities, and priorities for national public health and medical preparedness, response, and recovery specific to the needs of older adults and PWD in disasters. On April 1, 2022, the NACIDD will hold a second public meeting session dedicated specifically to addressing the needs of PWD; on April 6, 2022, the NACSD will hold a second public meeting session specifically to the needs of older adults. Agendas for all meeting and meeting registration links will be available on the Committees respective web page, *https://www.phe.gov/nacsd* and *https://www.phe.gov/nacidd.*

ADDRESSES: Members of the public may attend the meetings via a toll-free phone number or Zoom teleconference, which requires pre-registration. The meeting links to pre-register will be posted on *https://www.phe.gov/nacsd* and *https://www.phe.gov/nacidd.* Members of the public may provide written comments or submit questions for consideration via email to the NACSD (*NACSD@hhs.gov*) or the NACIDD (*NACIDD@hhs.gov*). Members of the public are also encouraged to provide comments after the meetings.

FOR FURTHER INFORMATION CONTACT: Dr. Maxine Kellman, NACSD Designated Federal Official, 202–260–0447, *NACSD@hhs.gov;* Tabinda Burney, NACIDD Designated Federal Official, 202–699–1779, *NACIDD@hhs.gov.* Office of the Assistant Secretary for Preparedness and Response (ASPR), Department of Health and Human Services (HHS), Washington, DC.

SUPPLEMENTARY INFORMATION: The NACSD and the NACIDD invite those who are involved in or represent academia, professional groups, advocacy organizations, or U.S. state, tribal, territorial, or local government to request up to four minutes to address the committees via Zoom. Requests to provide remarks during the public meetings must be sent via email to the NACSD (*NACSD@hhs.gov*) or the NACIDD (*NACIDD@hhs.gov*) at least 15 days prior to the meeting along with a brief description of the topic. We would specifically like to request inputs from the public on challenges, opportunities, and strategic priorities for national public health and medical preparedness, response, and recovery specific to the needs of people with disabilities and/or older adults before, during, and after disasters. Presenters who are selected for the public meetings will have audio only for up to four minutes during the meeting. Slides, documents, and other presentation material sent along with the request to speak will be provided to the committee members separately. Please indicate additionally whether the presenter will be willing to take questions from the committee members (at their discretion) immediately following their presentation (for up to four additional minutes).

Dawn O'Connell,

Assistant Secretary for Preparedness and Response.

[FR Doc. 2022–04651 Filed 3–3–22; 8:45 am]

BILLING CODE 4150–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Collaborative Islet Transplant Registry Special Emphasis Panel.

Date: March 15, 2022.

Time: 2:30 p.m. to 4:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: National Institutes of Health/NIDDK, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Peter J. Kozel, Ph.D., Chief, Training and Mentored Research Section, Scientific Review Branch, Division of Extramural Activities, 6707 Democracy Blvd., Room 7009, Bethesda, MD 20892, *kozelp@mail.nih.gov*, 301–594–4721.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04623 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: HIV/AIDS Behavioral.
Date: March 24, 2022.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Ananya Paria, DHSC, MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1007H, Bethesda, MD 20892, (301) 827–6513, *pariaa@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Vascular Cognitive Impairment and Stroke in Aging.
Date: March 24, 2022.
Time: 11:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Pat Manos, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, 301–408–9866, *manospa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–21–089 SPF Macaque Colonies.
Date: March 25, 2022.
Time: 1:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Shiv A. Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5220, MSC 7852, Bethesda, MD 20892, 301–443–5779, *prasads@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Risk Prevention and Health Behavior.
Date: March 31, 2022.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Janetta Lun, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1007E, Bethesda, MD 20892, (301) 435–5877, *janetta.lun@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: HIV/AIDS Related Behavioral Research.
Date: March 31, 2022.
Time: 10:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Sarah Vidal, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 710Q, Bethesda, MD 20892, (301) 480–5359, *sarah.vidal@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–MH–22–105: Expanding Differentiated Care Approaches for Adolescents Living With HIV.
Date: April 5, 2022.
Time: 2:30 p.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Mark P. Rubert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–806–6596, *rubertm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–21–017: NIH Director's Transformative Research Awards.
Date: April 7, 2022.
Time: 9:00 a.m. to 9:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: James J. Li, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5148, MSC 7849, Bethesda, MD 20892, 301–806–8065, *lijames@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Respiratory Sciences.
Date: April 7–8, 2022.
Time: 9:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Ghenima Dirami, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4122, MSC 7814, Bethesda, MD 20892, (240) 498–7546, *diramig@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Drug Discovery and Development.
Date: April 7, 2022.
Time: 1:00 p.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Gagan Pandya, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, RM 3200, MSC 7808, Bethesda, MD 20892, (301) 435–1167, *pandyaga@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neuromodulation, Neurodegeneration and Plasticity.
Date: April 8, 2022.
Time: 1:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Vanessa S. Boyce, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 4185, MSC 7850, Bethesda, MD 20892, (301) 402–3726, *boycevs@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: February 28, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04533 Filed 3–3–22; 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: National Institute of Environmental Health Sciences Special Emphasis Panel; Career Development & Pathway to Independence in Biomedical/Clinical Research Review.

Date: March 22, 2022.

Time: 10:30 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Science, 530 Davis Drive, Keystone Building, Durham, NC 27709 (Virtual Meeting).

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–30/Room 3171, Research Triangle Park, NC 27709, 984–287–3340, *worth@niehs.nih.gov.*

Name of Committee: National Institute of Environmental Health Sciences Special Emphasis Panel; Career Development in Environmental Health Sciences.

Date: March 23, 2022.

Time: 10:30 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Science, 530 Davis Drive, Keystone Building, Durham, NC 27709 (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.*

Name of Committee: National Institute of Environmental Health Sciences Special Emphasis Panel: NIEHS Research Intensive Short Courses and Educational Opportunities.

Date: March 23, 2022.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Science, 530 Davis Drive, Keystone Building, Durham, NC 27709 (Virtual Meeting).

Contact Person: Laura A. Thomas, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, National Institute of Environmental Health Sciences, Research Triangle Park, NC 27709, 984–287–3328, *laura.thomas@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: February 28, 2022.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04600 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 on Aging Special Emphasis Panel; Animal Models of Aging.

Date: March 28, 2022.

Time: 10:00 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kimberly Firth, Ph.D., National Institutes of Health, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *firthkm@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04615 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK SEP for IBDGC Research Centers (U01) and Data Coordinating Centers (U24).

Date: March 25, 2022.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: National Institutes of Health/NIDDK, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Cheryl Nordstrom, Ph.D., MPH, Scientific Review Officer, NIDDK/Scientific Review Branch, National Institutes of Health, 6707 Democracy Blvd., Room 7013, Bethesda, MD 20892, 301–402–6711, *cheryl.nordstrom@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04624 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Vascular Regulation and Diseases.
Date: March 29, 2022.
Time: 1:00 p.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Ai-Ping Zou, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4118, MSC 7814, Bethesda, MD 20892, (301) 408–9497, *zouai@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Neuroimaging, Neuropsychiatric Disorders, and Developmental Neurobiology.
Date: March 30, 2022.
Time: 9:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institute of Health, 6701 Rockledge Dr., Bethesda, MD 20817 (Virtual Meeting).
Contact Person: Lai Yee Leung, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1011D, Bethesda, MD 20892, (301) 435–1042, *leungl2@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–OD19–029: The Intersection of Sex and Gender Influences on Health and Disease.
Date: March 30–31, 2022.
Time: 10:00 a.m. to 8:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Elaine Sierra-Rivera, Ph.D., Scientific Review Officer, EMNR IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6182, MSC 7892, Bethesda, MD 20892, (301) 435–2514, *riverase@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Traumatic Brain Injury, Hemorrhage and Fluid Dynamics.
Date: March 30, 2022.
Time: 1:00 p.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Pat Manos, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, (301) 408–9866, *manospa@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04619 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; High Impact, Interdisciplinary Science in Kidney Disease (RC2).
Date: March 18, 2022.
Time: 2:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: NIDDK, NIH, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Ann A. Jerkins, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7119, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–2242, *jerkinsa@niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: February 25, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04625 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 on Aging Special Emphasis Panel; Infrastructure Development.
Date: March 24, 2022.
Time: 2:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Dario Dieguez, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institutes of Health, National Institute on Aging, Bethesda, MD 20814, (301) 827–3101, *dario.dieguez@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04620 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK KUH U2C/TL1 Special Emphasis Panel.

Date: March 23–25, 2022.

Time: 9:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: National Institutes of Health/NIDDK, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Peter J. Kozel, Ph.D., Chief, Training and Mentored Research Section, Scientific Review Branch, Division of Extramural Activities, 6707 Democracy Blvd., Room 7009, Bethesda, MD 20892, *kozelp@mail.nih.gov,* 301–594–4721.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 1, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–04622 Filed 3–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0107]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0052

AGENCY: Coast Guard, DHS.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0052, Nondestructive Testing of Certain Cargo Tanks on Unmanned Barges; without change.

Our ICR describes the information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before May 3, 2022.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2022–0107] to the Coast Guard using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public participation and request for comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: COMMANDANT (CG–6P), ATTN: PAPERWORK REDUCTION ACT MANAGER, U.S. COAST GUARD, 2703 MARTIN LUTHER KING JR. AVE SE, STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology.

In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2022–0107], and must be received by May 3, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

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

Information Collection Request

Title: Nondestructive Testing of Certain Cargo Tanks on Unmanned Barges.

OMB Control Number: 1625–0052.

Summary: The Coast Guard uses the results of nondestructive testing to evaluate the suitability of older pressure-vessel-type cargo tanks of unmanned barges to remain in service. Such a tank, on an unmanned barge, 30 years old or older is subjected to nondestructive testing once every ten years.

Need: Under 46 U.S. C. 3703, the Coast Guard is responsible for ensuring safe shipment of liquid dangerous cargoes and has promulgated regulations for certain barges to ensure the meeting of safety standards.

Forms: None.

Respondents: Owners of tank barges.
Frequency: Every 10 years.
Hour Burden Estimate: The estimated burden remains 104 hours a year.
Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: February 24, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–04575 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0108]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0070

AGENCY: Coast Guard, DHS.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0070, Vessel Identification System; without change. Our ICR describes the information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before May 3, 2022.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2022–0108] to the Coast Guard using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public participation and request for comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology.

In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2022–0108], and must be received by May 3, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

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

Information Collection Request

Title: Vessel Identification System.
OMB Control Number: 1625–0070.
Summary: The Coast Guard established a nationwide vessel identification system (VIS) and centralized certain vessel documentation functions. VIS provides participating States and Territories with access to data on vessels numbered by States and Territories. Participation in VIS is voluntary.
Need: 46 U.S. C. 12501 mandates the establishment of a VIS. 33 CFR part 187 prescribe the requirements of VIS.
Forms: None.
Respondents: Governments of States and Territories.
Frequency: Occasionally.
Hour Burden Estimate: The estimated burden remains 5,792 hours a year.
Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: February 24, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–04576 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0106]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0047

AGENCY: Coast Guard, DHS.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0047, Plan Approval and Records for Vital System Automation; without change. Our ICR describes the

information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before May 3, 2022.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2022–0106] to the Coast Guard using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public participation and request for comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology.

In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2022–0106], and must be received by May 3, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

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

Information Collection Request

Title: Plan Approval and Records for Vital System Automation.

OMB Control Number: 1625–0047.

Summary: This collection pertains to the vital system automation on commercial vessels that is necessary to protect personnel and property on board U.S.-flag vessels.

Need: 46 U.S.C. 3306 authorizes the Coast Guard to promulgate regulations for the safety of personnel and property on board vessels. Various sections within parts 61 and 62 of Title 46 of the Code of Federal Regulations contain these rules.

Forms: None.

Respondents: Owners, operators, shipyards, designers, and manufacturers of certain vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has decreased from 68,475 hours to 67,275 hours a year, due to a decrease in the estimated annual number of responses.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: February 24, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–04574 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0110]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0071

AGENCY: Coast Guard, DHS.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0071, Recreational Boat Potential Safety Defect Report; without change.

Our ICR describes the information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before May 3, 2022.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2022–0110] to the Coast Guard using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public participation and request for comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995;

44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology.

In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2022–0110], and must be received by May 3, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

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

Information Collection Request

Title: Recreational Boat Potential Safety Defect Report.

OMB Control Number: 1625–0071.

Summary: The collection of information provides a means for consumers and public (recreational boat owners, law enforcement, boating law administrators, marine inspectors, passengers/occupants, general public) who believe a recreational boat or designated associated equipment contain substantial risk defects or fail to comply with Federal safety standards to report the deficiencies to the Coast Guard for investigation and possible remedy.

Need: 46 U.S.C. 4310 gives the Coast Guard the authority to require manufacturers of recreational boats and certain items of designated associated equipment to notify owners and remedy: (1) Defects that create a substantial risk of personal injury to the public; and (2) failures to comply with applicable Federal safety standards.

Forms: CG–5578, Recreational Boat Potential Safety Defect Report.

Respondents: Owners and users of recreational boats and items of designated associated equipment.

Frequency: One time.

Hour Burden Estimate: The estimated burden has decrease from 12.04 hours to 7.84 hours a year, this is due to a decrease in the estimated annual number of responses.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: February 24, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–04578 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0109]

Information Collection Request to Office of Management and Budget; OMB Control Number: 1625–0074

AGENCY: Coast Guard, DHS.

ACTION: Sixty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Coast Guard intends to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0074, Direct User Fees for Inspection or Examination of U.S. and Foreign Commercial Vessels; without change. Our ICR describes the information we seek to collect from the public. Before submitting this ICR to OIRA, the Coast Guard is inviting comments as described below.

DATES: Comments must reach the Coast Guard on or before May 3, 2022.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2022–0109] to the Coast Guard using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public participation and request for comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: COMMANDANT (CG–6P), ATTN: PAPERWORK REDUCTION ACT MANAGER, U.S. COAST GUARD, 2703 MARTIN LUTHER KING JR. AVE. SE, STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the

quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology.

In response to your comments, we may revise this ICR or decide not to seek an extension of approval for the Collection. We will consider all comments and material received during the comment period.

We encourage you to respond to this request by submitting comments and related materials. Comments must contain the OMB Control Number of the ICR and the docket number of this request, [USCG–2022–0109], and must be received by May 3, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

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

Information Collection Request

Title: Direct User Fees for Inspection or Examination of U.S. and Foreign Commercial Vessels.

OMB Control Number: 1625–0074.

Summary: This collection requires the submission of identifying information such as a vessel's name and identification number, and of the owner's choice whether or not to pay fees for future years. A written request to the Coast Guard is necessary.

Need: The Omnibus Budget Reconciliation Act of 1990 [Pub. L. 101–508, 104 Stat. 1388], which amended 46 U.S.C. 2110, requires the Coast Guard to collect user fees from inspected vessels. To properly collect and manage these fees, the Coast Guard must have current information on identification. This collection helps to ensure that we get that information and manage it efficiently.

Forms: None.

Respondents: Owners of vessels.

Frequency: Annually.

Hour Burden Estimate: The estimated burden has increased from 2,999 hours to 3,086 hours a year, due to an increase in the estimated annual number of responses.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: February 24, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–04577 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0043]

Recertification of Prince William Sound Regional Citizens' Advisory Council

AGENCY: Coast Guard, DHS.

ACTION: Notice of recertification.

SUMMARY: The Coast Guard announces the recertification of the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) as an alternative voluntary advisory group for Prince William Sound, Alaska. This certification allows the PWSRCAC to monitor the activities of terminal facilities and crude oil tankers under an alternative composition, other than prescribed, the Prince William Sound Program established by the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990.

DATES: This recertification is effective for the period from March 1, 2022 through February 28, 2023.

FOR FURTHER INFORMATION CONTACT: For information about this document, call or email LT Ben Bauman, Seventeenth Coast Guard District (dpi), by phone at (907) 463–2809 or email at *Benjamin.A.Bauman@uscg.mil.*

SUPPLEMENTARY INFORMATION:

Background and Purpose

The Coast Guard published guidelines on December 31, 1992 (57 FR 62600), to assist groups seeking recertification under the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990 (33 U.S.C. 2732) (the Act). The Coast Guard issued a policy statement on July 7, 1993 (58 FR 36504), to clarify the factors that the Coast Guard would be considering in making its determination as to whether advisory groups should be certified in accordance with the Act, and the procedures which the Coast Guard would follow in meeting its certification responsibilities under the Act. Most recently, on September 16, 2002 (67 FR 58440), the Coast Guard changed its policy on recertification procedures for regional citizen's advisory council by requiring applicants to provide comprehensive information every three years. For each of the two years between the triennial application procedures, applicants submit a letter requesting recertification that includes a description of any substantive changes to the information provided at the previous triennial recertification. Further, public comment is only solicited during the triennial comprehensive review.

The Alyeska Pipeline Service Company pays the PWSRCAC $3.7 million annually in the form of a long-term contract. In return for this funding, the PWSRCAC must annually show that it ''fosters the goals and purposes'' of OPA 90 and is ''broadly representative of the communities and interests in the vicinity of the terminal facilities and Prince William Sound.'' The PWSRCAC is an independent, nonprofit organization founded in 1989. Though it receives federal oversight like many independent, nonprofit organizations, it is not a federal agency. The PWSRCAC is a local organization that predates the passage of OPA 90. The existence of the PWSRCAC was specifically recognized in OPA 90 where it is defined as an ''alternative voluntary advisory group.'' Alyeska Pipeline Service Company funds the PWSRCAC, and the Coast Guard ensures the PWSRCAC operates in a fashion that is broadly consistent with OPA 90.

Recertification

By letter dated February 28, 2022, the Commander, Seventeenth Coast Guard District, certified that the PWSRCAC qualifies as an alternative voluntary advisory group under 33 U.S.C. 2732(o). This recertification terminates on February 28, 2023.

Dated: February 28, 2022.

Nathan A. Moore,

Rear Admiral, U.S. Coast Guard, Commander, Seventeenth Coast Guard District.

[FR Doc. 2022–04636 Filed 3–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0077]

Customs-Trade Partnership Against Terrorism (CTPAT) and CTPAT Trade Compliance Program; Correction

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; revision of an existing collection of information; correction.

SUMMARY: On February 18, 2022, U.S. Customs and Border Protection (CBP) published a document in the **Federal Register** requesting comments from the public and affected agencies on revisions to the information collection, in accordance with the Paperwork Reduction Act of 1995 (PRA), that is part of Customs-Trade Partnership Against Terrorism (CTPAT) and the CTPAT Trade Compliance Program. The document contained information about the CTPAT Portal that was in the process of being updated to meet current modern computing standards and to allow for updates to the minimum-security criteria. Due to unforeseen developmental delays, CBP is pausing proposed updates to these internal systems. This document corrects the February 18, 2022 document to remove inaccurate references in light of the paused updates, and to add certain types of CTPAT program participants that were inadvertently omitted from the list in the Abstract.

FOR FURTHER INFORMATION CONTACT: Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, telephone number 202–325–0056, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: On February 18, 2022, U.S. Customs and Border Protection (CBP) published in the **Federal Register** (87 FR 9371) a document requesting comments from the public and affected agencies on revisions to the information collection, in accordance with the Paperwork Reduction Act of 1995 (PRA), that is part of Customs-Trade Partnership Against Terrorism (CTPAT) and the CTPAT Trade Compliance Program. The document contained information about the CTPAT Portal that was in the process of being updated to meet current modern computing standards and to allow for updates to the minimum-security criteria. Those updates would enhance operational efforts and allow for the expansion of new features not possible in the current version of the Portal's platform. Due to unforeseen developmental delays, CBP is pausing the proposed update of these internal systems. As a result, certain parts of the CTPAT program description contained in the February 18, 2022 document are inaccurate. This correction is being issued to remove all inaccurate information regarding the program that was published in the February 18, 2022 document.

Additionally, third-party logistics providers and Mexican long-haul highway carriers were inadvertently omitted from the list of eligible CTPAT program participants in the Abstract section of the document. This document corrects that omission by adding these two types of parties in the list of eligible CTPAT program participants in the Abstract.

Any future updates to the Portal and/or new requests for information, will continue to be posted when the need arises and, if, or when, the CTPAT Portal is able to resume its needed updates to modernize the platform.

Correction

In the **Federal Register** of February 18, 2022, in FR document 2022–03503, starting on page 9372, in the second column, under the subheading Overview of This Information Collection, revise the Abstract to read as follows:

''The CTPAT Program comprises two different program divisions: CTPAT Security and CTPAT Trade Compliance. The CTPAT Security program is designed to safeguard the world's trade industry from terrorists and smugglers by prescreening its participants. The CTPAT Security program applies to U.S. and nonresident Canadian importers, U.S. exporters, customs brokers, consolidators, port and terminal operators, carriers of cargo in/on air, sea and land, third-party logistics providers, Mexican long-haul highway carriers, and Canadian and Mexican manufacturers. However, the Trade Compliance program division is available for U.S. and nonresident Canadian importers only.

The CTPAT Security program application requests an applicant's contact and business information, including the number of company employees, the number of years in business, and a list of company officers. This collection of information is authorized by the SAFE Port Act (Pub. L. 109–347).

The CTPAT Trade Compliance program is an optional component of the CTPAT program and adds trade compliance aspects to the supply chain security aspects of the CTPAT Security program. The CTPAT Security program is a prerequisite to applying to the CTPAT Trade Compliance program. Current CTPAT importers are given the opportunity to receive additional benefits in exchange for a commitment to assume responsibility for monitoring their own compliance by applying to the CTPAT Trade Compliance program. After a company has completed the security aspects of the CTPAT Security program and is in good standing, it may opt to apply to the CTPAT Trade Compliance component. The CTPAT Trade Compliance program strengthens security by leveraging the CTPAT supply chain requirements, identifying low-risk trade entities for supply chain security, and increasing the overall efficiency of trade by segmenting risk and processing by account.

The CTPAT Trade Compliance program is open to U.S. and nonresident Canadian importers that have satisfied both the CTPAT supply chain security and trade compliance requirements.

The CTPAT Trade Compliance program application includes questions about the following:

- Primary Point of Contact including name, title, email address, and phone number
- Business information including Company Name, Company Address, Company phone number, Company website, Company type (private or public), CBP Bond information, Importer of Record Number, and number of employees
- Information about the applicant's Supply Chain Security Profile
- Trade Compliance Profile and Internal Control Operating Procedures of the applicant
- Broker information
- Training material for Supply Chain Security and Trade Compliance
- Risk Assessment documentation and results
- Period testing documentation and results
- Prior disclosure history
- Partner Government Agency affiliation information

After an importer obtains CTPAT Trade Compliance membership, the importer will be required to submit an Annual Notification Letter to CBP confirming that it is continuing to meet the requirements of the program. This letter should include: Personnel changes that affect the CTPAT Trade Compliance program; organizational and procedural changes; a summary of risk assessment and self-testing results; a summary of post-entry amendments and/or disclosures made to CBP; and any importer activity changes within the last 12-month period.''

Dated: March 1, 2022.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2022–04642 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4635–DR; Docket ID FEMA–2022–0001]

Washington; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Washington (FEMA–4635–DR), dated January 5, 2022, and related determinations.

DATES: This amendment was issued January 27, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Washington is hereby amended to include Public Assistance for the following areas among the areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of January 5, 2022.

Clallam, Island, Jefferson, Lewis, San Juan, Skagit, and Whatcom Counties, the Hoh Indian Tribe, Lummi Tribe of the Lummi Reservation, Nooksack Indian Tribe of Washington, Quileute Tribe, and the Swinomish Indian Community for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04591 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4480–DR; Docket ID FEMA–2022–0001]

New York; Amendment No. 9 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of New York (FEMA–4480–DR), dated March 20, 2020, and related determinations.

DATES: This change occurred on February 16, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, David Warrington, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Chad M. Gorman as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04581 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4493–DR; Docket ID FEMA–2022–0001]

Puerto Rico; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the Commonwealth of Puerto Rico (FEMA–4493–DR), dated March 27, 2020, and related determinations.

DATES: This change occurred on February 16, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, David Warrington, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Chad M. Gorman as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially

Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04583 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4635–DR; Docket ID FEMA–2022–0001]

Washington; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Washington (FEMA–4635–DR), dated January 5, 2022, and related determinations.

DATES: The amendment was issued January 27, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this declared disaster is now November 5, 2021, through and including December 2, 2021.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04590 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4634–DR; Docket ID FEMA–2022–0001]

Colorado; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Colorado (FEMA–4634–DR), dated December 31, 2021, and related determinations.

DATES: The declaration was issued December 31, 2021.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated December 31, 2021, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Colorado resulting from wildfires and straight-line winds beginning on December 30, 2021, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Colorado.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and assistance for debris removal and emergency protective measures (Categories A and B), including direct Federal assistance, under the Public Assistance program in the designated areas, Hazard Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate subject to completion of Preliminary Damage Assessments (PDAs).

Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance, Hazard Mitigation, and Other Needs Assistance under section 408 will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Nancy M. Casper, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Colorado have been designated as adversely affected by this major disaster:

Boulder County for Individual Assistance.

Boulder County for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

All areas within the State of Colorado are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04587 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4513–DR; Docket ID FEMA–2022–0001]

Virgin Islands; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the territory of the U.S. Virgin Islands (FEMA–4513–DR), dated April 2, 2020, and related determinations.

DATES: This change occurred on February 16, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, David Warrington, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Chad M. Gorman as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04584 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4637–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4637–DR), dated January 14, 2022, and related determinations.

DATES: This amendment was issued February 3, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Tennessee is hereby amended to include Public Assistance program for the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of January 14, 2022.

Cheatham, Davidson, Dickson, Gibson, Henderson, Henry, Lake, Obion, Stewart, Sumner, and Weakley Counties for Public Assistance (already designated for Individual Assistance).

Decatur and Dyer Counties for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04594 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4634–DR; Docket ID FEMA–2022–0001]

Colorado; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Colorado (FEMA–4634–DR), dated December 31, 2021, and related determinations.

DATES: This amendment was issued February 9, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Colorado is hereby amended to include permanent work under the Public Assistance program for the area determined to have been adversely affected by the event declared a major disaster by the President in his declaration of December 31, 2021.

Boulder County for permanent work [Categories C–G] (already designated for Individual Assistance and assistance for debris removal and emergency protective measures [Categories A and B], including direct federal assistance, under the Public Assistance program).

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04588 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4628–DR; Docket ID FEMA–2022–0001]

Virginia; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the Commonwealth of Virginia (FEMA–4628–DR), dated October 26, 2021, and related determinations.

DATES: This change occurred on February 4, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Catharine O. Fan, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Timothy S. Pheil as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04585 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4637–DR; Docket ID FEMA–2022–0001]

Tennessee; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Tennessee (FEMA–4637–DR), dated January 14, 2022, and related determinations.

DATES: The declaration was issued January 14, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 14, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Tennessee resulting from severe storms, straight-line winds, and tornadoes during the period of December 10 to December 11, 2021, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Tennessee.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance under section 408 will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Myra M. Shird, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Tennessee have been designated as adversely affected by this major disaster:

Cheatham, Davidson, Dickson, Gibson, Henderson, Henry, Lake, Obion, Stewart, Sumner, Weakley, and Wilson Counties for Individual Assistance, including the Individuals and Households Program, Crisis Counseling Program, Disaster Unemployment Assistance, and Disaster Legal Services.

All areas within the State of Tennessee are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04592 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4488–DR; Docket ID FEMA–2022–0001]

New Jersey; Amendment No. 9 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of New Jersey (FEMA–4488–DR), dated March 25, 2020, and related determinations.

DATES: This change occurred on February 16, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, David Warrington, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Chad M. Gorman as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04582 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4629–DR; Docket ID FEMA–2022–0001]

Connecticut; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Connecticut (FEMA–4629–DR), dated October 30, 2021, and related determinations.

DATES: This amendment was issued February 2, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Connecticut is hereby amended to include the Public Assistance program for the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of October 30, 2021.

Fairfield and Litchfield Counties for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04586 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4635–DR; Docket ID FEMA–2022–0001]

Washington; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Washington (FEMA–4635–DR), dated January 5, 2022, and related determinations.

DATES: The amendment was issued January 27, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident for this declared disaster has been changed to severe storms, straight-line winds, flooding, landslides, and mudslides.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04589 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4638–DR; Docket ID FEMA–2022–0001]

Alaska; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Alaska (FEMA–4638–DR), dated January 15, 2022, and related determinations.

DATES: The declaration was issued January 15, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 22, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Alaska resulting from severe storms, straight-line winds, flooding, landslides, and mudslides during the period of October 29 to November 1, 2021, is of sufficient severity and magnitude to warrant a major disaster declaration under

the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Alaska.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas J. Dargan, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Alaska have been designated as adversely affected by this major disaster:

Kenai Peninsula Borough for Public Assistance.

All areas within the State of Alaska are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–04593 Filed 3–3–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–2022–0046]

Homeland Security Advisory Council

AGENCY: The Office of Partnership and Engagement (OPE), The Department of Homeland Security (DHS).

ACTION: Notice of partially closed Federal advisory committee meeting.

SUMMARY: The Homeland Security Advisory Council (HSAC or Council) will meet in person on Monday, March 21, 2022 (the meeting). The meeting will be partially closed to the public. Due to the National Emergency concerning the Novel Coronavirus Disease (COVID–19) pandemic, members of the public may join the public portion of the meeting by teleconference.

DATES: The meeting will take place from 9:30 a.m. to 12:35 p.m. ET on Monday, March 21, 2022. The meeting will be closed to the public from 10:10 a.m. to 12:10 p.m. ET. The meeting will be open to the public from 9:30 a.m. to 10:00 a.m. ET. The meeting may end early if the Council has completed its business. If the time of the meeting changes due to the National Emergency concerning the COVID–19 pandemic, those members of the public who have signed up to participate in the open session of the meeting will receive an updated schedule as soon as it becomes available.

Public Participation: Members of the public will be in listen-only mode. The public may register to participate in the open session of this meeting via teleconference through the following procedures. Each person must provide their full legal name and email address no later than 5:00 p.m. ET on Thursday, March 17, 2022 to the individual listed in the **FOR FURTHER INFORMATION CONTACT** section. The conference call details will be provided to interested members of the public after the public registration period closes and prior to the start of the meeting. For information on services for individuals with disabilities, or to request special assistance, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section as soon as possible. Written public comments prior to the meeting must be received by 5:00 p.m. ET on Thursday, March 17, 2022, and must be identified by Docket No. DHS–2022–0046. Written public comments after the meeting must be identified by Docket No. DHS–2022–0046 and may be submitted by one of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: HSAC@hq.dhs.gov.* Include Docket No. DHS–2022–0046 in the subject line of the message.
- *Mail:* Jason Mayer, Executive Director of Homeland Security Advisory Council, Office of Partnership and Engagement, Mailstop 0385, Department of Homeland Security, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20528.

Instructions: All submissions received must include the words ''Department of Homeland Security'' and ''DHS–2022–0046,'' the docket number for this action. Comments received will be posted without alteration at *https://www.regulations.gov,* including any personal information provided. You may wish to review the Privacy and Security Notice which is available via a link on the homepage of *https://www.regulations.gov.*

Docket: You may provide your comments and read comments received by the Council, by going to *https://www.regulations.gov,* searching ''DHS–2022–0046,'' and selecting ''Open Docket Folder.''

FOR FURTHER INFORMATION CONTACT: Jason Mayer at *HSAC@hq.dhs.gov* or at (202) 282–8000.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under Section 10(a) of the Federal Advisory Committee Act (FACA), Public Law 92–463 (5 U.S.C. Appendix), which requires a portion of each FACA committee meeting to be open to the public unless the President, or the head of the agency to which the advisory committee reports, determines that a portion of the meeting may be closed to the public in accordance with 5 U.S.C. 552b(c).

The Council provides organizationally independent, strategic, timely, specific, actionable advice, and recommendations to the Secretary of Homeland Security on matters related to homeland security. The Council consists of senior executives from government, the private sector, academia, law enforcement, and non-governmental organizations.

The Council will meet in an open session between 9:30 a.m. to 10:00 a.m. ET. During the open session, the Council will swear in new members and discuss its future scope of work.

The Council will meet in a closed session from 10:10 a.m. to 12:10 p.m. ET to participate in a sensitive discussion with DHS Secretary Alejandro N. Mayorkas regarding DHS operations.

Basis for Partial Closure: In accordance with Section 10(d) of FACA, the

Secretary of Homeland Security has determined this meeting must be closed during this session as the disclosure of the information relayed would be detrimental to the public interest for the following reasons:

The Council will participate in a sensitive operational discussion containing For Official Use Only and Law Enforcement Sensitive information. This discussion will include information regarding threats facing the United States and how DHS plans to address those threats. The session is closed pursuant to 5 U.S.C. 552b(c)(9)(B) because the disclosure of this information could significantly frustrate implementation of proposed agency actions.

Jason D. Mayer,

Executive Director, Homeland Security Advisory Council, Department of Homeland Security.

[FR Doc. 2022–04654 Filed 3–3–22; 11:15 am]

BILLING CODE 9112–FN–P

DEPARTMENT OF HOMELAND SECURITY

[DOCKET NUMBER—DHS–2021–0052]

Agency Information Collection Activities: Office of the Citizenship and Immigration Services Ombudsman Request for Case Assistance (DHS Form 7001)

AGENCY: Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments; extension of a currently approved collection, 1601–0004.

SUMMARY: The Department of Homeland Security will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. DHS previously published this information collection request (ICR) in the **Federal Register** on December 16, 2021, for a 60-day public comment period. There were two non-germane comments received by DHS. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until 30 days after the date of publication in the **Federal Register**. This process is conducted in accordance with 5 CFR 1320.1.

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 information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

SUPPLEMENTARY INFORMATION: The Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) was created under section 452 of the Homeland Security Act of 2002 (Pub. L. 107–296) to: (1) Assist individuals and employers in resolving problems with U.S. Citizenship and Immigration Services (USCIS); (2) to identify areas in which individuals and employers have problems in dealing with USCIS; and (3) to the extent possible, propose changes in the administrative practices of USCIS to mitigate problems. This form is used by an individuals and employers who are experiencing problems with USCIS during the processing of an immigration benefits.

The CIS Ombudsman collects and processes requests for case assistance electronically on the DHS Form 7001 through the Case Assistance Analytics and Data Integration (CAADI) system.

- *Paper form:* Per Paperwork Reduction Act (PRA) requirements, a fillable PDF version of the form is also provided on the CIS Ombudsman's website. The PDF form may be printed and emailed or mailed to the CIS Ombudsman's office as indicated on the form. It is noted on the form that using the paper method may delay the processing time.
- *Electronic form:* After approval of the revisions to the form as detailed below, the online form will be updated and posted on the CIS Ombudsman's website at *https://www.dhs.gov/case-assistance* for electronic submission of the form.

Summary of proposed form changes:

a. *To save time for the customer:*

a. New and improved instructions make clear when it is appropriate to submit a request for case assistance and who can submit a request.

b. New instructions were added to the beginning of each section of the form; previously they were listed on a separate page.

b. *To reduce processing time:*

a. Form sections were re-ordered (see below) and expanded to obtain more information up front and in a logical order.

b. Enhanced instructions clarify the supporting documentation needed to reduce the number of times customers are asked to provide additional documentation.

The revised DHS Form 7001 includes these re-ordered and named sections; 4 new sections are indicated in bold:

1. Actions Taken with USCIS for Resolution
2. Reasons for Requesting Case Assistance
3. Applications/Petitions Filed
4. Type of Benefit Sought
5. Name of Applicant or Petitioner
6. Contact Information
7. Identification
8. Supporting Documentation
9. Consent for Applicant/Petitioner
10. Consent for Attorney/Accredited Representative
11. Consent for Family Member Applicants
12. Beneficiary Information for Employment-Based Petitions
13. How did you learn about the CIS Ombudsman's casework services?

OMB is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting the electronic submission of responses.

Analysis

Agency: Department of Homeland Security (DHS).

Title: Office of the Citizenship and Immigration Services Ombudsman Request for Case Assistance (DHS Form 7001).

OMB Number: 1601–0004.

Frequency: Renewed Tri-Annually.

Affected Public: Members of the Public.

Number of Respondents: 18,000.

Estimated Time per Respondent: 1 Hour.

Total Annual Reporting Burden Hours: 18,000.

Robert Dorr,

Executive Director, Business Management Directorate.

[FR Doc. 2022–04656 Filed 3–3–22; 8:45 am]

BILLING CODE 9112–FL–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7056–N–08]

60-Day Notice of Proposed Information Collection: Revitalization Area Designation and Management; OMB Control No. 2502–0566

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* May 3, 2022.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Revitalization Area Designation and Management.

OMB Approval Number: 2502–0566.

Type of Request: Extension.

Form Numbers: None.

Description of the need for the information and proposed use: The Department accepts request from state, local, or tribal governments, or HUD-approved Nonprofit organizations to designate a Revitalization Area by sending a written Requesting Letter to HUD. Revitalization Areas are intended to promote community revitalization through expanded homeownership opportunities within the revitalization areas.

Respondents: State, local, or tribal governments, and HUD-approved Nonprofit organizations.

Estimated Number of Respondents: 8.

Estimated Number of Responses: 8.

Frequency of Response: On occasion.

Average Hours per Response: 2.5 hours.

Total Estimated Burdens: 20.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Janet M. Golrick,

Acting Chief of Staff for Housing, HUD.

[FR Doc. 2022–04603 Filed 3–3–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–LE–2022–N011; FF09L00200–FX–LE18110900000; OMB Control Number 1018–0129]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Captive Wildlife Safety Act

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before April 4, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or by email to *Info_Coll@fws.gov.* Please reference ''1018–0129'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Madonna L. Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. Individuals who are hearing or speech impaired may call the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320, all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

On October 25, 2021, we published in the **Federal Register** (86 FR 58922) a notice of our intent to request that OMB approve this information collection. In

that notice, we solicited comments for 60 days, ending on December 27, 2021. We received the following comments in response to that notice:

Comment 1: Comment submitted via email from Jean Public, dated October 26, 2021: The commenter urged protection for all animals but did not address the information collection requirements.

Agency Response to Comment 1: No response required.

Comment 2: Comment submitted via *https://www.regulations.gov* from Aaliya (no last name provided), dated November 7, 2021: The commenter feels that the burden associated with the information collection is understandable, and that the information required is necessary and significantly relevant.

Agency Response to Comment 2: No response required.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies 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 especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Captive Wildlife Safety Act (CWSA; Pub. L. 108–191, 16 U.S.C. 3371 note, and 16 U.S.C. 3372 note) amended the Lacey Act (16 U.S.C. 3371 *et seq.;* 18 U.S.C. 42–43) by making it illegal to import, export, buy, sell, transport, receive, or acquire, in interstate or foreign commerce, live lions, tigers, leopards, snow leopards, clouded leopards, cheetahs, jaguars, or cougars, or any hybrid combination of any of these species, unless certain exceptions are met. The CWSA was signed into law in 2003, and enforcement began on September 17, 2007. There are several exemptions to the prohibitions of the CWSA, including accredited wildlife sanctuaries. There is no requirement for wildlife sanctuaries to submit applications to qualify for the accredited wildlife sanctuary exemption. Wildlife sanctuaries themselves will determine if they qualify. As a matter of routine, we do not inspect or follow up on wildlife sanctuaries unless we have cause for concern. To qualify, they must meet all of the following criteria:

- Obtain approval by the U.S. Internal Revenue Service (IRS) as a corporation that is exempt from taxation under section 501(a) of the IRS Code of 1986 (Pub. L. 99–514), which is described in sections 501(c)(3) and 170(b)(1)(A)(vi) of that code.
- Do not engage in commercial trade in the prohibited wildlife species, including offspring, parts, and products.
- Do not propagate the prohibited wildlife species.
- Allow no direct contact between the public and the prohibited wildlife species.

The basis for this information collection is the recordkeeping requirement that we place on accredited wildlife sanctuaries. We require accredited wildlife sanctuaries to maintain complete and accurate records of any possession, transportation, acquisition, disposition, importation, or exportation of the prohibited wildlife species as defined in the CWSA (see title 50 of the Code of Federal Regulations (CFR) at part 14, subpart K). Records must be up to date and include: (1) Names and addresses of persons to or from whom any prohibited wildlife species has been acquired, imported, exported, purchased, sold, or otherwise transferred; and (2) dates of these transactions. Accredited wildlife sanctuaries must:

- Maintain these records for 5 years.
- Make these records accessible to Service officials for inspection at reasonable hours.
- Copy these records for Service officials, if requested.

Title of Collection: Captive Wildlife Safety Act, 50 CFR 14.250–14.255.

OMB Control Number: 1018–0129.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Accredited wildlife sanctuaries.

Total Estimated Number of Annual Respondents: 750.

Total Estimated Number of Annual Responses: 750.

Estimated Completion Time per Response: 1 hour.

Total Estimated Number of Annual Burden Hours: 750.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: Ongoing.

Total Estimated Annual Nonhour Burden Cost: $300.

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.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2022–04521 Filed 3–3–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–MB–2021–0161; FF09M13100, FXMB12330900000 (223); OMB Control Number 1018–0135]

Agency Information Collection Activities; Electronic Federal Duck Stamp Program

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before May 3, 2022.

ADDRESSES: Send your comments on the information collection request (ICR) by one of the following methods (please reference ''1018–0135'' in the subject line of your comments):

- *Internet (preferred): https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–MB–2021–0161.
- *Email: Info_Coll@fws.gov.*
- *U.S. Mail:* Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Madonna L. Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. Individuals who are hearing or speech impaired may call the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA, 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d)(1), all information collections require approval by the Office of Management and Budget (OMB). We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies 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 especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: On March 16, 1934, Congress passed, and President Franklin D. Roosevelt signed, the Migratory Bird Hunting Stamp Act (16 U.S.C. 718a *et seq.*). Popularly known as the Duck Stamp Act, it requires all migratory waterfowl hunters 16 years of age or older to buy a Federal migratory bird hunting and conservation stamp (Federal Duck Stamp) annually. The stamps are a vital tool for wetland conservation. Ninety-eight cents out of every dollar generated by the sale of Federal Duck Stamps goes directly to purchase or lease wetland habitat for protection in the National Wildlife Refuge System. The Federal Duck Stamp program is one of the most successful conservation programs ever initiated and is a highly effective way to conserve America's natural resources. Besides serving as a hunting license and a conservation tool, a current year's Federal Duck Stamp also serves as an entrance pass for national wildlife refuges where admission is charged. Duck Stamps and products that bear stamp images are also popular collector's items.

The Electronic Duck Stamp Act of 2005 (Pub. L. 109–266) required the Secretary of the Interior to conduct a 3-year pilot program, under which States could issue electronic Federal Duck Stamps. This pilot program is now permanent with the passage of the Permanent Electronic Duck Stamp Act of 2013 (Pub. L. 113–239). Anyone, regardless of State residence, is able to purchase an electronic Duck Stamp through any State that participates in the program. The electronic stamp is issued as a temporary permit and is valid from the date of purchase through up to 45 days after the date of purchase, and thus is available for immediate use by the purchaser while he or she waits to receive the actual physical stamp in the mail. Upon receipt of the physical stamp or after the temporary permit expires, whichever comes first, the purchaser must carry the signed physical Federal Duck Stamp while hunting or to gain fee-free access to national wildlife refuges.

Eight States participated in the pilot. At the end of the pilot, we provided a report to Congress outlining the successes of the program. The program improved public participation by increasing the ability of the public to obtain required Federal Duck Stamps.

Under our authorities in 16 U.S.C. 718 *et seq.,* we continued the Electronic Duck Stamp Program in the eight States that participated in the pilot. Currently, the expanded program includes 28 States. Several additional States have indicated interest in participating, and we have had requests to continue to expand the program by continuing to invite the remaining eligible State fish and wildlife agencies to apply to participate. Interested States must submit an application (FWS Form 3–2341). We will use the information provided in the application to determine a State's eligibility to participate in the program and willingness to comply with the temporary permit requirements of issuing an electronic stamp. Information includes, but is not limited to:

- Information verifying the current systems the State uses to sell hunting, fishing, and other associated licenses and products.
- Applicable State laws, regulations, or policies that authorize the use of electronic systems to issue licenses.
- Examples and explanations of the codes the State proposes to use to create and endorse the unique identifier for the individual to whom each stamp is issued.
- Mockup copy of the printed version of the State's proposed electronic stamp, including a description of how attention will be drawn to the 45-day validity of the temporary electronic stamp, customer support information, and identifying features of the licensee to be specified on the temporary permit.
- Description of any fee the State will charge for issuance of an electronic stamp.
- Description of the process the State will use to account for and transfer the amounts collected by the State that are required to be transferred under the program.
- Manner in which the State will transmit electronic stamp customer data.

Each State approved to participate in the program must provide the following information, on a regular basis (not to exceed 7 days post purchase), to the Service-approved stamp distribution company, to enable that company to issue the physical stamp within the required 45-day period:

- Full name (first, middle, last, and any prefixes/suffixes), and complete mailing address of each individual who purchases an electronic stamp from the State.
- Date of e-stamp purchase.

We do not plan to make any substantive changes to the application form (FWS Form 3–2341); however, we updated the formatting of the form to be compliant with the requirements of Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), and to conform with formatting requirements of the Department of the Interior and the Service. No substantive changes were made to the information collected from States. Upon request, a copy of the draft form is available by sending a request to the Service Information Collection Clearance Officer at *Info_Coll@fws.gov.*

Title of Collection: Electronic Federal Duck Stamp Program.

OMB Control Number: 1018–0135.

Form Number: FWS Form 3–2341.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State fish and wildlife agencies.

Total Estimated Number of Annual Respondents: 6 respondents for applications and 33 respondents for fulfillment reports.

Total Estimated Number of Annual Responses: 6 responses for applications and 1,353 responses for fulfillment reports.

Estimated Completion Time per Response: 40 hours for applications and 1 hour for fulfillment reports.

Total Estimated Number of Annual Burden Hours: 240 hours for applications and 1,353 hours for fulfillment reports, totaling 1,593 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: One time for applications, and an average of once every 9 days per respondent for fulfillment reports.

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.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2022–04520 Filed 3–3–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[223A2100DD/AAKC001030/A0A501010.999900253G]

Draft Environmental Impact Statement for the Proposed Chuckwalla Solar Projects, Clark County, Nevada

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of availability.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA), as the lead Federal agency, with the Bureau of Land Management (BLM), Bureau of Reclamation (BOR), National Park Service (NPS), Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), Department of the Air Force (DAF), Nevada Department of Wildlife (NDOW), and the Moapa Band of Paiute Indians (Moapa Band) as cooperating agencies, intends to file a draft environmental impact statement (DEIS) with the EPA for the proposed Chuckwalla Solar Projects (Projects). The DEIS evaluates four photovoltaic (PV) solar energy generation and storage projects on the Moapa River Indian Reservation (Reservation) and generation interconnection (gen-tie) lines along with the use of existing access roads and an existing gen-tie line located on the Reservation, Reservation lands managed by BLM, BLM lands, and private land. This notice also announces that the DEIS is now available for public review and that public meetings will be held to solicit comments on the DEIS.

DATES: In order to be fully considered, written comments on the DEIS must arrive no later than 45 days after EPA publishes its Notice of Availability in the **Federal Register**.

Meeting dates: The dates and times of the virtual public meetings will be published in the *Las Vegas Review-Journal* and *Moapa Valley Progress* and on the following website 15 days before the public meetings: *www.chuckwallasolarprojectsEIS.com.*

ADDRESSES: You may mail, email, hand carry or telefax written comments to Mr. Chip Lewis, Regional Environmental Protection Officer, BIA Western Regional Office, Branch of Environmental Quality Services, 2600 North Central Avenue, 4th Floor Mail Room, Phoenix, Arizona 85004–3008. Comment may also be sent via email to: *chip.lewis@bia.gov* or on the Projects website at *www.ChuckwallaSolarProjectsEIS.com.* Please see the **SUPPLEMENTARY INFORMATION** section of this notice for directions on submitting comments. The public meetings can be joined online through the Projects website at *www.ChuckwallaSolarProjectsEIS.com.*

FOR FURTHER INFORMATION CONTACT: Mr. Chip Lewis, BIA Western Regional Office, Branch of Environmental Quality Services at 602–379–6750 or Mr. Garry Cantley at 602–379–6750. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: The proposed Federal action, taken under 25 U.S.C. 415, is the BIA's approval of a solar energy ground lease and associated agreements entered into by the Moapa Band with EDF Renewables Development, Inc. (Applicant). The agreements provide for construction, operation and maintenance (O&M), and eventual decommissioning of the four PV electricity generation and battery storage facilities located entirely on the Reservation and specifically on lands held in trust for the Moapa Band, in Clark County Nevada.

The PV electricity generation and battery storage facilities would be located on up to 6,500 acres of tribal trust land (1,977 acres for Project 1A, 689 acres for Project 1B, 1,573 acres for Project 2, and 2,016 acres for Project 3) and would have a combined capacity of up to 700 megawatts (MW)—200 MW for 1A, 50 MW for 1B, 200 MW for 2 and 250 MW for 3. The four solar Projects include the solar fields, access roads, temporary water pipeline and connection with an existing transmission gen-tie line.

Projects 1A and 1B would be built at the same time and would take up to 20 months. Construction of Projects 2 and 3 would each also take up to 20 months. The electricity generation and storage facilities are expected to be operated for up to 35 years under the terms of the leases, with time for construction and decommissioning. Major onsite facilities include multiple blocks of solar PV panels mounted on fixed tilt or tracking systems, pad mounted inverters and transformers, battery storage, access roads, and O&M facilities. Water will be

needed during construction for dust control and a minimal amount will be needed during operations for administrative and sanitary water use and for panel washing. The water supply required for the Projects would be leased from the Moapa Band. Access to the Projects will be provided via North Las Vegas Boulevard from the I–15/US 93 interchange.

The purposes of the proposed Projects are, among other things, to: (1) Provide a long-term, diverse, and viable economic revenue base and job opportunities for the Moapa Band; (2) assist Nevada to meet their State renewable energy needs; and (3) allow the Moapa Band, in partnership with the Applicant, to optimize the use of the lease site while maximizing the potential economic benefit to the Moapa Band.

The BIA and BLM will use the EIS to make decisions on the land lease and right-of-way applications under their respective jurisdiction; the BOR will use the document to make a decision regarding the approval of an interconnection agreement, the NPS and EPA may use the document to make decisions under its authorities; the Moapa Band may use the DEIS to make decisions under its Environmental Policy Ordinance; and the USFWS may use the DEIS to support its decision under the Endangered Species Act.

Directions for Submitting Comments: Please include your name, return address and the caption: ''DEIS Comments, Proposed Chuckwalla Solar Projects'' on the first page of your written comments. You may also submit comments verbally during one of the virtual public meeting presentations or provide written comments to the address listed above in the **ADDRESSES** section.

To help protect the public and limit the spread of the COVID–19 virus, virtual public meetings will be held, where team members will provide a short presentation and remain available to discuss and answer questions. The PowerPoint presentation will be posted to the project website prior to the virtual meetings. Those who cannot live stream the presentation would be able to access the meeting presentation on the website and could join by telephone. Additionally, the live presentation will be recorded and made accessible for viewing throughout the comment period. The first public meeting will be held in the afternoon by video and telephone conference and the second public meeting will be held in the evening by video and telephone conference. The dates, times, and access information for the virtual meetings will be included in notices to be published in the *Las Vegas Review-Journal* and *Moapa Valley Progress* and on the project website at *www.chuckwallasolarprojectsEIS.com* 15 days before the meetings.

Locations Where the DEIS is Available for Review: The DEIS will be available for review at: BIA Western Regional Office, 2600 North Central Avenue, 12th Floor, Suite 210, Phoenix, Arizona; BIA Southern Paiute Agency, 180 North 200 East, Suite 111, St. George, Utah; and the BLM Southern Nevada District Office, 4701 North Torrey Pines Drive, Las Vegas, Nevada. The DEIS is also available online at: *www.chuckwallasolarprojectsEIS.com.*

To obtain an electronic copy of the DEIS, please provide your name and address in writing or by voicemail to Mr. Chip Lewis or Mr. Garry Cantley. Their contact information is listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Individual paper copies of the DEIS will be provided only upon request.

Public Comment Availability: Written comments, including names and addresses of respondents, will be available for public review at the BIA Western Regional Office, at the mailing address shown in the **ADDRESSES** section during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: This notice is published in accordance with section 1503.1 of the Council on Environmental Quality regulations (40 CFR 1500 *et seq.*) and the Department of the Interior Regulations (43 CFR part 46) implementing the procedural requirements of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), and in accordance with the exercise of authority delegated to the Principal Deputy Assistant Secretary—Indian Affairs by part 209 of the Department Manual.

Bryan Newland,

Assistant Secretary—Indian Affairs.

[FR Doc. 2022–04545 Filed 3–3–22; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNM910000 L07772200.XX0000 223L1109AF]

Call for Nominations for Bureau of Land Management New Mexico Resource Advisory Councils

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The purpose of this notice is to request public nominations for the Bureau of Land Management's (BLM) Northern New Mexico Resource Advisory Council (RAC) and Southern New Mexico RAC that have vacant positions and/or members whose terms are scheduled to or have expired. 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 April 4, 2022.

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: Allison Sandoval, BLM New Mexico State Office, 301 Dinosaur Trail, Santa Fe, NM 87508, email: *aesandoval@blm.gov,* or by telephone at (505) 954–2019. Persons who use a telecommunications device for the deaf (TDD) may call the Telecommunications Relay Service (TRS) at 7–1–1 to contact the above individual during normal business hours. The TRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. 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 through the establishment of 10- to 15-member citizen-based advisory councils that are managed in accordance 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. This is an additional call for nominations. If you have already applied in 2020 or 2021, and your nomination is still being considered, you do not need to reapply. Nominees must be residents of the State of New Mexico. 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/1120-019_0.pdf*

—Letters of reference from represented interests or organizations; and

—Any other information that addresses the nominee's qualifications.

Simultaneous with this notice, the BLM will issue press releases providing additional information for submitting nominations.

Nominations and completed applications for RACs should be sent to the appropriate BLM offices listed below:

New Mexico

Northern New Mexico RAC

Jillian Aragon, BLM Farmington Field Office, 6251 College Boulevard, Suite A, Farmington, NM 87402; Phone: (505) 564–7722.

Southern New Mexico RAC

William Wight, BLM Las Cruces District Office, 1800 Marquess Street, Las Cruces, NM 88005; Phone: (575) 525–4444.

(Authority: 43 CFR 1784.4–1)

Melanie G. Barnes,

Acting New Mexico State Director.

[FR Doc. 2022–04606 Filed 3–3–22; 8:45 am]

BILLING CODE 4310–FB–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–678 and 731–TA–1584 (Preliminary)]

Barium Chloride From India; Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of barium chloride from India, provided for in subheading 2827.39.45 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (''LTFV'') and to be subsidized by the government of India.[2]

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce (''Commerce'') of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Background

On January 12, 2022, Chemical Products Corp., Cartersville, Georgia, filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured and threatened with material injury by reason of subsidized imports of barium chloride from India and LTFV imports of barium chloride from India. Accordingly, effective January 12, 2022, the Commission instituted countervailing duty investigation No. 701–TA–678 and antidumping duty investigation No. 731–TA–1584 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 19, 2022 (87 FR 2901). The Commission conducted its conference on February 2, 2022. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on February 28, 2022. The views of the Commission are contained in USITC Publication 5295 (March 2022), entitled *Barium Chloride from India: Investigation Nos. 701–TA–678 and 731–TA–1584 (Preliminary).*

By order of the Commission.

Issued: February 28, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–04564 Filed 3–3–22; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 87 FR 7094 and 87 FR 7100 (February 8, 2022).

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–679–680 and 731–TA–1585–1586 (Preliminary)]

Sodium Nitrite From India and Russia

Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of sodium nitrite from India and Russia, provided for in subheading 2834.10.10 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (''LTFV'') and to be subsidized by the governments of India and Russia.[2]

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce (''Commerce'') of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Background

On January 13, 2022, Chemtrade Chemicals U.S. LLC, Parsippany, New Jersey filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of sodium nitrite from India and Russia and LTFV imports of sodium nitrite from India and Russia. Accordingly, effective January 13, 2022, the Commission instituted countervailing duty investigation Nos. 701–TA–679–680 and antidumping duty investigation Nos. 731–TA–1585–1586 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 21, 2022 (87 FR 3333). The Commission conducted its conference on February 3, 2022. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on February 28, 2022. The views of the Commission are contained in USITC Publication 5294 (March 2022), entitled *Sodium Nitrite from India and Russia: Investigation Nos. 701–TA–679–680 and 731–TA–1585–1586 (Preliminary).*

By order of the Commission.

Issued: February 28, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–04569 Filed 3–3–22; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 87 FR 7108 (February 8, 2022); 87 FR 7122 (February 8, 2022).

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of an Existing Mandatory Safety Standard

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice includes the summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 4, 2022.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2022–0007 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2022–0007.
2. *Fax:* 202–693–9441.
3. *Email: petitioncomments@dol.gov.*
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452.

Attention: S. Aromie Noe, Acting Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment, in keeping with the Department of Labor's COVID–19 policy. Special health precautions may be required.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *petitionsformodification@dol.gov* (email), or 202–693–9441 (facsimile). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor (Secretary) determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or
2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.
3. In addition, sections 44.10 and 44.11 of 30 CFR establish the

requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2022–001–M.

Petitioner: American Mine Services, LLC, 11808 Highway 93, Boulder, CO 80303.

Mine: Joliet Mine, MSHA ID No. 11–03153, located in Will County, Illinois.

Regulation Affected: 30 CFR 49.6(1)(a), Equipment and Maintenance Requirements.

Modification Request: The petitioner requests a modification of the existing standard, 30 CFR 49.6(1)(a), as it relates to equipment and maintenance requirements. The request for modification applies to the application of the standard to allow American Mine Services, LLC (AMS) to continue to provide a rescue station at the mine with only six self-contained breathing apparatuses instead of the twelve prescribed in the standard and continue the contract with the Lafarge Mine Rescue Team that has twelve apparatuses.

The petitioner states:

(a) The primary mine rescue team consists of AMS, 150 Union members, and Bluff City personnel, and the Lafarge Aggregates Illinois, Inc. team serves as the backup. The mine currently has a mine rescue station with 6 readily available self-contained apparatuses. The onsite mine rescue station contains all other required equipment and meets all other requirements of 30 CFR 49.6. The Joliet mine has and will continue to maintain a written contract with Lafarge Aggregates Illinois to serve as the second rescue team for the mine.

(b) Lafarge Aggregates Illinois has 12 readily available self-contained apparatuses at the mine rescue station where that rescue team is stationed.

(c) The availability of 18 self-contained breathing apparatuses with the onsite mine rescue team and station will at all times guarantee no less than the same measure of protection for miners afforded by the standard. It is due to these circumstances that AMS requests approval for modification to CFR 49.6(a)(1) and continue to operate in the same manner that has been present since the start of the contract with Bluff City in 2020.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the applicable standard

Song-ae Aromie Noe,

Acting Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2022–04528 Filed 3–3–22; 8:45 am]

BILLING CODE 4520–43–P

NUCLEAR REGULATORY COMMISSION

[NRC–2022–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of March 7, 14, 21, 28, April 4, 11, 2022.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public.

Week of March 7, 2022

There are no meetings scheduled for the week of March 7, 2022.

Week of March 14, 2022—Tentative

There are no meetings scheduled for the week of March 14, 2022.

Week of March 21, 2022—Tentative

There are no meetings scheduled for the week of March 21, 2022.

Week of March 28, 2022—Tentative

There are no meetings scheduled for the week of March 28, 2022.

Week of April 4, 2022—Tentative

There are no meetings scheduled for the week of April 4, 2022.

Week of April 11, 2022—Tentative

There are no meetings scheduled for the week of April 11, 2022.

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Wesley Held at 301–287–3591 or via email at *Wesley.Held@nrc.gov.* The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at *Anne.Silk@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at *Wendy.Moore@nrc.gov* or *Betty.Thweatt@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: March 2, 2022.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator Office of the Secretary.

[FR Doc. 2022–04782 Filed 3–2–22; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2022–0042]

Service Contract Inventory

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing this notice to advise the public of the availability of its Fiscal Year (FY) 2020 Service Contract Inventory and FY 2019 Service Contract Inventory Analysis. The NRC's FY 2020 Service Contract Inventory is included as part of a Government-wide service contract inventory. The inventory includes covered service contracts that were awarded in FY 2020. The FY 2019 Inventory Analysis provides information on specific contract actions that were analyzed as part of the NRC's FY 2019 Service Contract Inventory.

DATES: March 4, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0042 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0042. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the ''For Further Information Contact'' section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209 or 301–415–4737, or by email to *PDR.Resource@nrc.gov*. The FY 2019 Service Contract Inventory Analysis can be found in ADAMS under Accession No. ML21356A579. The FY 2017 Service Contract Inventory Analysis was published on the NRC's public website at the following location: *https://www.nrc.gov/about-nrc/contracting.html*.

• *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

• *Availability of the Service Contract Inventory:* The NRC's FY 2020 Service Contract Inventory data is included in a Government-wide service contract inventory that was published at the following location: *https://www.acquisition.gov/service-contract-inventory*.

FOR FURTHER INFORMATION CONTACT: Jill Daly, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–8079 or email: *Jill.Daly@nrc.gov*.

SUPPLEMENTARY INFORMATION: In accordance with Section 743 of Division C of the FY 2010 Consolidated Appropriations Act, Public Law 111–117, the NRC is publishing this notice to advise the public of the availability of its FY 2018 Service Contract Inventory and FY 2017 Service Contract Inventory Analysis.

The inventory provides information on service contracts with a value of $150,000.00 or more that were awarded in FY 2020. The inventory includes the following:

1. A description of the services purchased;
2. The role the contracted services played in achieving agency objectives;
3. The dollar amount obligated for the services under the contract, and the funding source for the contract;
4. The contract type and date of the award;
5. The name of the contractor and place of performance;
6. The dollar amount invoiced for services under the contract;
7. The number and work location of contractor and first-tier subcontractor employees, expressed as full-time equivalents for direct labor, compensated under the contract;
8. Whether the contract is a personal services contract; and
9. Whether the contract was awarded on a non-competitive basis.

The FY 2019 Inventory Analysis provides information on specific service contract actions that were analyzed as part of the NRC's FY 2019 Service Contract Inventory.

The purpose of the analysis is to determine if contract labor is being used in an effective and appropriate manner and if the mix of federal employees and contractors in the agency is effectively balanced.

Dated: February 28, 2022.

For the Nuclear Regulatory Commission.

Eleni Jernell,

Division Director, Acquisition Management Division, Office of Administration.

[FR Doc. 2022–04523 Filed 3–3–22; 8:45 am]

BILLING CODE 7590–01–P

PEACE CORPS

Information Collection Request; Submission for OMB Review

AGENCY: Peace Corps.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register** on February 17, 2021, at 86 FR 9957, allowing a for a 60-day comment period. The Peace Corps did not receive any public comments. The purpose of this notice is to allow 30 days for public comment.

DATES: Submit comments on or before April 4, 2022.

ADDRESSES: Comments should be addressed to Virginia Burke, FOIA/Privacy Act Officer. Virginia Burke can be contacted by phone 202–692–1887 or email at *pcfr@peacecorps.gov*. Email comments must be made in text and not in attachments.

FOR FURTHER INFORMATION CONTACT: Virginia Burke at Peace Corps address above.

SUPPLEMENTARY INFORMATION:

Title of Information Collection: Donation Form.

OMB Control Number: 0420–0564.

Type of Request: Reinstatement, with change, of a previously approved collection for which approval has expired.

Form Number: PC–2143.

Affected Public: Individuals.

Respondents Obligation to Reply: Voluntary.

Respondents: Potential, current, and Returned Volunteers, and associated members of the public.

Burden to the Public:

• Donation Form.

(a) *Estimated Number of Applicants:* 13,000.

(b) *Frequency of Response:* One time.

(c) *Estimated Average Burden per Response:* 10 Minutes.

(d) *Estimated Total Reporting Burden:* 2,167 Hours.

(e) *Estimated Annual Cost to Respondents:* 0.00.

General Description of Collection: These are the forms used by members of the public to donate to the Peace Corps. Information collected allows for donations to made in honor or memory of a Peace Corps Volunteer, or allows for a Returned Peace Corps Volunteer to donate to a specific project or Post. The information pulled from the donation form is used internally and on a daily basis by the Peace Corps Office of Strategic Partnerships (OSP) to coordinate and oversee the development and implementation of partnerships to support the agency's three goals and enhance programs through every stage of the Volunteer life cycle, communication with prospective and current donors.

Request For Comment: Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC, on Februray 28, 2022.

Virginia Burke,

FOIA/Privacy Act Officer, Management.

[FR Doc. 2022–04548 Filed 3–3–22; 8:45 am]

BILLING CODE 6051–01–P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from March 1, 2021 to March 31, 2021.

FOR FURTHER INFORMATION CONTACT: Julia Alford, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at *www.gpo.gov/fdsys/*. OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

Schedule A

No Schedule A Authorities to report during March 2021.

Schedule B

04. Department of State (Sch. B, 213.3204)

(g) Not to exceed 100 positions in the Bureau of Intelligence and Research (INR) at the GS–5 through GS–15 levels in the following occupational series GS–0080 Security Administration, GS–0110 Economics, GS–0130 Foreign Affairs, GS–0132 Intelligence, GS–0150 Geography, GS–0343 Management and Program Analysis, GS–1083 Technical Writing and Editing, GS–1370 Cartography, and GS–1530 Statistics. This authority may be used to make time-limited appointments of up to 48 months. No new appointments may be made after March 31, 2023 or when INR transitions to appointments under 50 U.S.C. 3024(v) whichever comes first.

Schedule C

The following Schedule C appointing authorities were approved during March 2021.

Agency name	Organization name	Position title	Authorization No.	Effective date
DEPARTMENT OF AGRICULTURE	Office of Small and Disadvantaged Business Utilization.	Director	DA160124	03/18/2021
DEPARTMENT OF COMMERCE	Office of Business Liaison	Special Assistant	DC210093	03/26/2021
	Office of Legislative and Intergovernmental Affairs.	Director of Legislative and Intergovernmental Affairs.	DC210088	03/09/2021
	Office of the Chief of Staff	Director of Scheduling and Advance.	DC210092	03/18/2021
		Confidential Assistant	DC210096	03/26/2021
	Office of the Deputy Secretary	Special Assistant	DC210094	03/26/2021
	Office of the Secretary	Special Assistant	DC210091	03/18/2021
DEPARTMENT OF DEFENSE	Office of the Secretary of Defense	Deputy White House Liaison	DD210210	03/10/2021
DEPARTMENT OF EDUCATION	Office of Communications and Outreach.	Confidential Assistant(2)	DB210076	03/25/2021
			DB210077	03/31/2021
DEPARTMENT OF ENERGY	Office of Public Affairs	Speechwriter	DE210091	03/10/2021
	Office of the Secretary	Deputy Chief of Staff	DE210092	03/12/2021
	Office of the Assistant Secretary for Congressional and Intergovernmental Affairs.	Deputy Assistant Secretary for House Affairs.	DE210090	03/22/2021
ENVIRONMENTAL PROTECTION AGENCY.	Office of Public Affairs	Special Advisor for Digital Strategy	EP210086	03/24/2021
FEDERAL TRADE COMMISSION	Office of the Chairman	Director, Office of Public Affairs	FT210007	03/15/2021
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Substance Abuse and Mental Health Services Administration.	Senior Advisor	DH210143	03/02/2021
	Office of the Assistant Secretary for Public Affairs.	Deputy Speechwriter	DH210139	03/03/2021
	Office of Global Affairs	Senior Advisor, Human Rights and Gender Equity.	DH210141	03/03/2021
	Office of the Assistant Secretary for Preparedness and Response.	Special Assistant	DH210142	03/03/2021
		Senior Policy Advisor	DH210148	03/04/2021
	Office of the Secretary	Director of Scheduling and Advance.	DH210150	03/16/2021
DEPARTMENT OF HOMELAND SECURITY.	Cybersecurity and Infrastructure Security Agency.	Senior Advisor for Public Affairs	DM210209	03/11/2021
	Federal Emergency Management Agency.	Special Assistant Chief of Staff	DM210258	03/30/2021
	Office of Legislative Affairs	Legislative Affairs Director	DM210213	03/16/2021
	Office of Partnership and Engagement.	Executive Director, Homeland Security Advisory Council.	DM210214	03/10/2021
	Office of Public Affairs	Director of Strategic Communications.	DM210223	03/30/2021
	Office of Strategy, Policy, and Plans.	Policy Advisor	DM210211	03/16/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
	United States Customs and Border Protection.	Senior Advisor to Commissioner	DM210220	03/08/2021
	United States Immigration and Customs Enforcement.	Assistant Director, Office of Public Affairs.	DM210179	03/10/2021
	Office of the Secretary	Deputy White House Liaison	DM210181	03/11/2021
		Director of Legislative Affairs	DM210224	03/11/2021
		Director of Trips and Advance	DM210225	03/12/2021
		Special Assistant, White House Liaison.	DM210253	03/30/2021
		Deputy Secretary's Briefing Book Coordinator.	DM210256	03/30/2021
		Secretary's Briefing Book Coordinator.	DM210259	03/30/2021
	United States Citizenship and Immigration Services.	Senior Advisor, External Affairs	DM210240	03/22/2021
	United States Customs and Border Protection.	Advisor to the Chief of Staff	DM210239	03/22/2021
	United States Immigration and Customs Enforcement.	Deputy Chief of Staff	DM210175	03/12/2021
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Public Affairs	Director of Speechwriting	DU210054	03/18/2021
DEPARTMENT OF THE INTERIOR	Secretary's Immediate Office	Speechwriter	DI210046	03/11/2021
		Deputy Press Secretary	DI210108	03/26/2021
DEPARTMENT OF JUSTICE	Office of the Attorney General	Confidential Assistant	DJ210097	03/03/2021
		Special Assistant	DJ210098	03/03/2021
DEPARTMENT OF LABOR	Office of the Secretary	Advisor for Private Sector Engagement.	DL210076	03/24/2021
	Office of Public Affairs	Speechwriter	DL210077	03/24/2021
NATIONAL CREDIT UNION ADMINISTRATION.	Office of the Board	Staff Assistant	CU200004	03/03/2021
		Senior Policy Advisor	CU210004	03/03/2021
	Office of the Chairman	Chief of Staff	CU210003	03/03/2021
		Confidential Assistant	CU210005	03/03/2021
		Director, Office of External Affairs and Communications/Deputy Chief of Staff.	CU210006	03/09/2021
NATIONAL LABOR RELATIONS BOARD.	Office of the Board Members	Director Congressional and Public Affairs Officer.	NL210002	03/02/2021
		Press Secretary	NL210003	03/02/2021
OFFICE OF MANAGEMENT AND BUDGET.	Office of E-Government and Information Technology.	Senior Advisor for Technology and Delivery (Cybersecurity).	BO210062	03/02/2021
OFFICE OF PERSONNEL MANAGEMENT.	Office of Communications	Deputy Director	PM210044	03/09/2021
	Office of the Congressional, Legislative and Intergovernmental Affairs.	Deputy Director	PM210048	03/23/2021
OFFICE OF SCIENCE AND TECHNOLOGY POLICY.	Office of Science and Technology Policy.	Director of Communications	TS210005	03/02/2021
DEPARTMENT OF STATE	Office of the Chief of Protocol	Assistant Chief of Protocol (Diplomatic Partnerships).	DS210145	03/16/2021
DEPARTMENT OF TRANSPORTATION.	Office of Executive Secretariat	Special Assistant	DT210062	03/04/2021
	Office of Public Affairs	Deputy Director for Public Affairs	DT210063	03/04/2021
		Speechwriter (2)	DT210065	03/25/2021
			DT210066	03/31/2021
	Office of the Deputy Secretary	Special Assistant for Scheduling	DT210067	03/31/2021
	Office of the Secretary	Director of Advance	DT210064	03/12/2021
DEPARTMENT OF THE TREASURY.	Secretary of the Treasury	Senior Advisor to the Deputy Secretary.	DY210076	03/12/2021
	Office of the Assistant Secretary (Legislative Affairs).	Special Assistant	DY210078	03/12/2021
DEPARTMENT OF VETERANS AFFAIRS.	Office of the Secretary and Deputy	Special Assistant to the Deputy Chief of Staff/White House Liaison.	DV210056	03/23/2021

The following Schedule C appointing authorities were revoked during March 2021.

Agency name	Organization name	Position title	Authorization No.	Effective date
COMMODITY FUTURES TRADING COMMISSION.	Office of Public Affairs	Public Affairs and Digital Engagement Strategist.	CT200001	03/05/2021
	Office of the Chairperson	Senior Advisor	CT190006	03/12/2021
DEPARTMENT OF AGRICULTURE	Office of the Under Secretary for Farm Production and Conservation.	Senior Advisor	DA210055	03/27/2021
	Office of the Under Secretary for Rural Development.	Senior Advisor	DA210058	03/27/2021
	Office of Communications	Director of Scheduling and Advance.	DA210059	03/13/2021
		Scheduler	DA210063	03/13/2021
DEPARTMENT OF THE INTERIOR	Secretary's Immediate Office	Senior Counselor to the Secretary (3).	DI210029	03/13/2021
			DI210032	03/13/2021
			DI210035	03/13/2021
		Senior Advisor to the Secretary	DI210061	03/13/2021
DEPARTMENT OF VETERANS AFFAIRS.	Office of the Secretary and Deputy	White House Liaison	DV210028	03/13/2021
DEPARTMENT OF THE ARMY	Office of the Secretary	Special Assistant to the Chief of Staff, Secretary of the Army.	DW210011	03/14/2021
DEPARTMENT OF EDUCATION	Office of the General Counsel	Senior Counsel	DB210034	03/31/2021
DEPARTMENT OF JUSTICE	Executive Office for United States Attorneys.	Secretary	DJ190082	03/12/2021
DEPARTMENT OF STATE	Office of the Secretary	Assistant Chief of Protocol (Diplomatic Partnerships).	DS210137	03/16/2021
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.	Office of General Counsel	Executive Staff Assistant	EE190006	03/19/2021
OFFICE OF PERSONNEL MANAGEMENT.	Office of Communications	Deputy Director	PM210033	03/08/2021
	Office of Congressional, Legislative, and Intergovernmental Affairs.	Deputy Director	PM210031	03/22/2021
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.	Office of Commissioners	Counsel	SH210003	03/23/2021
DEPARTMENT OF STATE	Office of the Secretary	Senior Advisor	DS210086	03/24/2021
		Deputy Assistant Secretary (9)	DS210073	03/27/2021
			DS210126	03/27/2021
			DS210106	03/27/2021
			DS210041	03/27/2021
			DS210065	03/27/2021
			DS210039	03/27/2021
			DS210059	03/27/2021
			DS210107	03/27/2021
			DS210122	03/27/2021
		Principal Deputy Director	DS210048	03/27/2021
		Senior Advisor	DS210047	03/27/2021
		Senior Policy Advisor	DS210091	03/27/2021
		Spokesperson	DS210095	03/27/2021
SOCIAL SECURITY ADMINISTRATION.	Office of Retirement and Disability Policy.	Senior Advisor to the Deputy Commissioner.	SZ180021	03/27/2021

(Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.)

Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

[FR Doc. 2022–04616 Filed 3–3–22; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from May 1, 2021 to May 31, 2021.

FOR FURTHER INFORMATION CONTACT: Julia Alford, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at *www.gpo.gov/fdsys/*. OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

Schedule A

No Schedule A Authorities to report during May 2021.

Schedule B

No Schedule B Authorities to report during May 2021.

Schedule C

The following Schedule C appointing authorities were approved during May 2021.

Agency name	Organization name	Position title	Authorization No.	Effective date
DEPARTMENT OF AGRICULTURE.	Office of the Assistant Secretary for Congressional Relations.	Legislative Advisor	DA210105	05/03/2021
	Natural Resources Conservation Service.	Chief of Staff	DA210108	05/06/2021
		Senior Advisor	DA210114	05/27/2021
	Office of the Chief Information Officer.	Senior Advisor for Data and Technology.	DA210112	05/14/2021
	Office of the Deputy Secretary	Special Assistant	DA210109	05/06/2021
	Office of the Secretary	Deputy Director of Scheduling and Advance.	DA210110	05/06/2021
		Advance Lead	DA210113	05/27/2021
DEPARTMENT OF COMMERCE	Minority Business Development Agency.	Senior Advisor	DC210130	05/20/2021
	Office of Policy and Strategic Planning.	Special Assistant	DC210114	05/06/2021
	Office of the Assistant Secretary for Economic Development.	Special Advisor	DC210113	05/06/2021
	Office of the Chief of Staff	Senior Advisor (2)	DC210117	05/06/2021
			DC210129	05/20/2021
	Office of the Secretary	Special Assistant	DC210115	05/20/2021
	Office of White House Liaison	Special Assistant	DC210128	05/20/2021
CONSUMER PRODUCT SAFETY COMMISSION.	Office of Commissioners	Special Assistant (Legal)	PS210001	05/17/2021
DEPARTMENT OF DEFENSE	Office of the Secretary of Defense	Special Assistant	DD210201	05/11/2021
	Office of the Under Secretary of Defense (Personnel and Readiness).	Special Assistant	DD210185	05/27/2021
	Office of the Under Secretary of Defense (Policy).	Special Assistant (2)	DD210228	05/10/2021
			DD210227	05/11/2021
		Senior Advisor	DD210234	05/25/2021
	Washington Headquarters Services.	Chief of Staff	DD210229	05/19/2021
DEPARTMENT OF EDUCATION	Office of the Secretary	Director of Scheduling	DB210095	05/03/2021
	Office of the General Counsel	Senior Counsel	DB210096	05/06/2021
	Office for Civil Rights	Senior Counsel	DB210097	05/13/2021
	Office of Communications and Outreach.	Special Assistant	DB210099	05/24/2021
	Office of Career Technical and Adult Education.	Special Assistant	DB210101	05/24/2021
DEPARTMENT OF ENERGY	Office of the Assistant Secretary for Congressional and Intergovernmental Affairs.	Legislative Advisor	DE210137	05/09/2021
		Special Assistant	DE210149	05/19/2021
	Office of the Assistant Secretary for Electricity.	Chief of Staff	DE210138	05/12/2021
	Office of the Assistant Secretary for Energy Efficiency and Renewable Energy.	Special Assistant	DE210120	05/19/2021
		Deputy Chief of Staff	DE210152	05/20/2021
	Office of the Assistant Secretary for Fossil Energy.	Special Assistant	DE210107	05/19/2021
	Office of the Assistant Secretary for International Affairs.	Chief of Staff	DE210148	05/13/2021
		Special Assistant	DE210121	05/19/2021
	Office of Management	Special Assistant for Advance	DE210124	05/19/2021
		Scheduler	DE210145	05/19/2021
	Office of Policy	Special Assistant	DE210139	05/20/2021
	Office of Public Affairs	Speechwriter	DE210144	05/12/2021
		Deputy Director	DE210147	05/13/2021
		Press Secretary	DE210128	05/19/2021
	Office of the Secretary	White House Liaison	DE210101	05/19/2021
		Special Assistant to the Secretary	DE210111	05/19/2021
		Deputy White House Liaison	DE210115	05/19/2021
	Under Secretary for Science	Special Assistant	DE210129	05/19/2021
ENVIRONMENTAL PROTECTION AGENCY.	Office of Public Affairs	Public Affairs Specialist	EP210089	05/16/2021
	Office of the Associate Administrator for Policy.	Deputy Associate Administrator for Policy.	EP210090	05/17/2021
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.	Federal Mine Safety and Health Review Commission.	Confidential Assistant	FR210001	05/18/2021
	Office of the Chairman	Confidential Assistant	FR210002	05/28/2021
GENERAL SERVICES ADMINISTRATION.	Office of the Administrator	Senior Advisor to the Administrator (Equity).	GS210033	05/14/2021
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Health Resources and Services Administration.	Special Assistant	DH210174	05/04/2021
	Office of Intergovernmental and External Affairs.	Special Assistant	DH210176	05/04/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
	Office of the Assistant Secretary for Legislation.	Senior Advisor and Congressional Liaison.	DH210177	05/04/2021
	Office of the Assistant Secretary for Public Affairs.	Director of Speechwriting	DH210175	05/06/2021
	Office of the Secretary	Advance Representative (2)	DH210178	05/06/2021
			DH210179	05/06/2021
		Policy Advisor	DH210182	05/28/2021
DEPARTMENT OF HOMELAND SECURITY.	Cybersecurity and Infrastructure Security Agency.	Special Advisor to the Executive Assistant Director for Infrastructure Security.	DM210319	05/13/2021
		Director of Public Affairs	DM210337	05/14/2021
	Office of Legislative Affairs	Director of Legislative Affairs, Oversight.	DM210342	05/17/2021
	Office of Public Affairs	Social Media Director	DM210323	05/04/2021
	Office of Strategy, Policy, and Plans.	Special Assistant to the Assistant Secretary.	DM210330	05/13/2021
		Policy Advisor (Counter Terrorism and Threat Prevention)(2).	DM210335	05/13/2021
			DM210336	05/14/2021
	Office of the General Counsel	Special Assistant to the Chief of Staff.	DM210321	05/05/2021
	Office of the Secretary	Counselor for Regulations	DM210294	05/06/2021
		Scheduler to the Secretary	DM210352	05/26/2021
		Senior Advance Officer	DM210353	05/26/2021
		Special Assistant to the Secretary	DM210334	05/13/2021
		Special Projects Coordinator	DM210327	05/14/2021
	United States Immigration and Customs Enforcement.	Assistant Director of Congressional Relations.	DM210351	05/28/2021
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Public and Indian Housing.	Special Policy Advisor	DU210072	05/14/2021
DEPARTMENT OF JUSTICE	Office of National Security Division	Senior Counsel	DJ210133	05/06/2021
	Office of Legal Policy	Senior Counsel	DJ210141	05/24/2021
	Office of Legislative Affairs	Confidential Assistant	DJ210135	05/11/2021
		Chief of Staff and Senior Counsel	DJ210136	05/13/2021
	Office of Public Affairs	Public Affairs Specialist	DJ210140	05/24/2021
	Office of the Associate Attorney General.	Chief of Staff	DJ210132	05/05/2021
DEPARTMENT OF LABOR	Employment and Training Administration.	Special Assistant	DL210087	05/19/2021
	Mine Safety and Health Administration.	Special Assistant	DL210089	05/20/2021
	Office of the Secretary	Special Assistant	DL210091	05/19/2021
	Office of Workers Compensation Programs.	Special Assistant	DL210086	05/24/2021
	Women's Bureau	Chief of Staff	DL210094	05/27/2021
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.	Office of Communications	Media Relations Specialist	NN210033	05/10/2021
NATIONAL ENDOWMENT FOR THE ARTS.	National Endowment for the Arts	Director of Strategic Priorities and Projects.	NA210011	05/04/2021
OFFICE OF MANAGEMENT AND BUDGET.	Office of the Director	Special Assistant (2)	BO210069	05/04/2021
			BO210068	05/06/2021
	Office of E-government and Information Technology.	Senior Advisor for Delivery (United States Digital Service) (2).	BO210070	05/13/2021
			BO210071	05/13/2021
OFFICE OF NATIONAL DRUG CONTROL POLICY.	Office of Public Affairs	Public Affairs Specialist (Press Secretary).	QQ210009	05/20/2021
UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.	Overseas Private Investment Corporation.	Special Assistant	PQ210010	05/03/2021
SECURITIES AND EXCHANGE COMMISSION.	Office of Public Affairs	Writer-Editor	SE210017	05/19/2021
		Supervisory Public Affairs Specialist.	SE210019	05/19/2021
SMALL BUSINESS ADMINISTRATION.	Office of Communications and Public Liaison.	Director of Communications	SB210031	05/06/2021
		Senior Speechwriter	SB210034	05/28/2021
	Office of Congressional and Legislative Affairs.	Deputy Associate Administrator (Senate).	SB210035	05/28/2021
		Deputy Associate Administrator (House).	SB210036	05/28/2021
	Office of the Administrator	Director of Scheduling	SB210029	05/04/2021
		Special Assistant	SB210032	05/19/2021
DEPARTMENT OF STATE	Bureau of Arms Control, Verification, And Compliance.	Senior Advisor	DS210237	05/14/2021
	Bureau of Global Public Affairs	Special Advisor	DS210226	05/06/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
	Bureau of International Organizational Affairs.	Deputy Assistant Secretary	DS210235	05/06/2021
	Bureau of Legislative Affairs	Legislative Management Officer	DS210233	05/11/2021
	Bureau of Population, Refugees and Migration.	Senior Advisor (2)	DS210224	05/04/2021
			DS210227	05/04/2021
	Office of Policy Planning	Special Assistant	DS210221	05/04/2021
		Senior Advisor	DS210222	05/04/2021
		Assistant Chief of Protocol (Ceremonials).	DS210218	05/04/2021
		Deputy Chief of Protocol (2)	DS210219	05/04/2021
			DS210220	05/10/2021
	Office of the Counselor	Special Assistant	DS210215	05/04/2021
	Office of the Deputy Secretary	Senior Advisor	DS210238	05/14/2021
	Office of the Deputy Secretary for Management and Resources.	Senior Advisor	DS210216	05/04/2021
		Staff Assistant	DS210232	05/11/2021
	Office of the Secretary	Staff Assistant (2)	DS210230	05/07/2021
			DS210240	05/14/2021
	Office of the Under Secretary for Arms Control and International Security Affairs.	Senior Advisor	DS210228	05/06/2021
	Office of the Under Secretary for Management.	Deputy White House Liaison	DS210229	05/06/2021
		White House Liaison	DS210243	05/25/2021
TRADE AND DEVELOPMENT AGENCY.	Office of the Director	Chief of Staff	TD210002	05/20/2021
DEPARTMENT OF TRANSPORTATION.	Office of the Under Secretary of Transportation for Policy.	Senior Advisor for Innovation	DT210073	05/04/2021
	Office of the Assistant Secretary for Governmental Affairs.	Special Assistant for Governmental Affairs.	DT210078	05/17/2021
	Federal Transit Administration	Associate Administrator for Communications and Legislative Affairs.	DT210080	05/17/2021
	Office of the Secretary	Special Assistant for Scheduling	DT210081	05/17/2021
DEPARTMENT OF THE TREASURY.	Office of the Assistant Secretary (Legislative Affairs).	Special Assistant	DY210086	05/10/2021
	Office of the Assistant Secretary (Public Affairs).	Digital Strategy Specialist	DY210096	05/19/2021
	Secretary of the Treasury	Chief Speech Writer and Senior Advisor.	DY210093	05/19/2021
		Policy Advisor	DY210100	05/19/2021
		Senior Advisor	DY210092	05/19/2021
		Special Assistant	DY210097	05/19/2021
			DY210098	05/19/2021
		Spokesperson	DY210095	05/19/2021
	Office of the Under Secretary for Domestic Finance.	Senior Advisor	DY210090	05/19/2021
DEPARTMENT OF VETERANS AFFAIRS.	Office of the Secretary and Deputy	Chief Speechwriter	DV210060	05/03/2021
	Office of the Assistant Secretary for Enterprise Integration.	Special Assistant	DV210067	05/28/2021

The following Schedule C appointing authorities were revoked during May 2021.

Agency name	Organization name	Position title	Request No.	Vacate date
APPALACHIAN REGIONAL COMMISSION.	Appalachian Regional Commission	Senior Policy Advisor	AP190002	05/03/2021
COMMODITY FUTURES TRADING COMMISSION.	Office of Public Affairs	Director	CT190008	05/20/2021
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Congressional and Intergovernmental Relations.	Deputy Assistant Secretary for Congressional Relations.	DU210030	05/21/2021
DEPARTMENT OF STATE	Office of the Secretary	Deputy Assistant Secretary	DS210040	05/08/2021
		Deputy Chief of Protocol	DS210131	05/08/2021
		Deputy White House Liaison	DS210070	05/08/2021
		Senior Advisor	DS210097	05/08/2021
		Senior Advisor (Delivery)	DS210111	05/08/2021
		Senior Advisor (Foreign Assistance).	DS210119	05/08/2021
		Senior Advisor (Migration Policy)	DS210121	05/08/2021

Agency name	Organization name	Position title	Request No.	Vacate date
		Senior Advisor and Chief Speechwriter.	DS210092	05/08/2021
		Special Assistant (2)	DS210078	05/08/2021
			DS210060	05/08/2021
OFFICE OF MANAGEMENT AND BUDGET.	Office of E-Government and Information Technology.	Senior Advisor for Delivery (United States Digital Service) (2).	BO210034	05/22/2021
			BO210039	05/22/2021
OFFICE OF THE SECRETARY OF DEFENSE.	Office of the Assistant to the Secretary of Defense (Public Affairs).	Research Assistant	DD210199	05/22/2021
SECURITIES AND EXCHANGE COMMISSION.	Office of the Chairman	Information Technology Specialist	SE130006	05/28/2021
		Confidential Assistant	SE130004	05/30/2021
	Office of Public Affairs	Deputy Director, Office of Public Affairs.	SE190007	05/29/2021
	Office of the Chief Operating Officer.	Confidential Assistant	SE130001	05/28/2021
UNITED STATES INTERNATIONAL TRADE COMMISSION.	Office of Commissioner Schmidtlein.	Staff Assistant (Legal)	TC190009	05/17/2021

(Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.)

Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

[FR Doc. 2022–04618 Filed 3–3–22; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from April 1, 2021 to April 30, 2021.

FOR FURTHER INFORMATION CONTACT: Julia Alford, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at *www.gpo.gov/fdsys/*. OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

Schedule A

No Schedule A Authorities to report during April 2021.

Schedule B

No Schedule B Authorities to report during April 2021.

Schedule C

The following Schedule C appointing authorities were approved during April 2021.

Agency name	Organization name	Position title	Authorization No.	Effective date
DEPARTMENT OF AGRICULTURE.	Office of Communications	Press Secretary	DA210101	04/23/2021
DEPARTMENT OF COMMERCE	Office of Business Liaison	Deputy Director	DC210102	04/09/2021
	Office of the Assistant Secretary for Economic Development.	Chief of Staff for Economic Development.	DC210103	04/02/2021
	Office of the Chief of Staff	Special Assistant to the Chief of Staff.	DC210104	04/09/2021
		Special Assistant	DC210109	04/26/2021
	Office of the General Counsel	Deputy General Counsel for Strategic Initiatives.	DC210100	04/02/2021
COMMISSION ON CIVIL RIGHTS	Commission on Civil Rights	Special Assistant to the Commissioner.	CC210001	04/09/2021
DEPARTMENT OF DEFENSE	Office of the Secretary of Defense	Director, Travel Operations	DD210219	04/02/2021
	Office of the Under Secretary of Defense (Policy).	Special Assistant	DD210222	04/09/2021
	Washington Headquarters Services.	Senior Director for Press and National Security Spokesperson.	DD210134	04/15/2021
		Senior Director for Technology and National Security.	DD210198	04/15/2021
DEPARTMENT OF EDUCATION	Office for Civil Rights	Confidential Assistant	DB210086	04/16/2021
	Office of Elementary and Secondary Education.	Confidential Assistant	DB210092	04/27/2021
	Office of Legislation and Congressional Affairs.	Confidential Assistant	DB210088	04/16/2021
		Special Assistant (2)	DB210089	04/28/2021
			DB210094	04/29/2021
	Office of Planning, Evaluation and Policy Development.	Confidential Assistant	DB210087	04/16/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
	Office of the Secretary	Senior Advisor	DB210081	04/02/2021
		Special Assistant (2)	DB210082	04/13/2021
			DB210083	04/13/2021
		Deputy Director of Scheduling	DB210093	04/28/2021
	Office of the Under Secretary	Confidential Assistant	DB210084	04/16/2021
		Special Assistant	DB210085	04/16/2021
DEPARTMENT OF ENERGY	Office of the Assistant Secretary for Congressional and Intergovernmental Affairs.	Deputy Assistant Secretary for Intergovernmental Affairs.	DE210098	04/23/2021
	Office of Public Affairs	Deputy Press Secretary	DE210099	04/27/2021
ENVIRONMENTAL PROTECTION AGENCY.	Office of the Executive Secretariat	Director, Office of the Executive Secretariat.	EP210087	04/27/2021
	Office of the Administrator	Deputy Director for Scheduling and Advance.	EP210088	04/27/2021
FEDERAL ENERGY REGULATORY COMMISSION.	Office of the Commissioner	Confidential Assistant	DR210005	04/02/2021
		Attorney Advisor	DR210006	04/07/2021
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Administration for Children and Families.	Senior Advisor	DH210158	04/05/2021
	Centers for Medicare and Medicaid Services.	Senior Advisor	DH210153	04/01/2021
	Office of Intergovernmental and External Affairs.	Director of External Affairs	DH210157	04/08/2021
	Office of the Assistant Secretary for Health.	Senior Advisor for Health Equity and Climate (2).	DH210159	04/05/2021
			DH210161	04/08/2021
	Office of the Assistant Secretary for Public Affairs.	Director of Digital Engagement	DH210160	04/05/2021
	Office of the Secretary	Special Assistant	DH210162	04/09/2021
DEPARTMENT OF HOMELAND SECURITY.	Federal Emergency Management Agency.	Legislative Correspondent	DM210292	04/27/2021
	Office of Partnership and Engagement.	Intergovernmental Affairs Coordinator.	DM210260	04/05/2021
	Office of Public Affairs	Assistant Press Secretary (2)	DM210274	04/05/2021
			DM210272	04/13/2021
		Deputy Press Secretary	DM210270	04/05/2021
		Director of Strategic Engagement	DM210226	04/12/2021
		Social Media Director	DM210295	04/23/2021
	Office of Strategy, Policy, and Plans.	Special Assistant to the Chief of Staff (2).	DM210273	04/05/2021
			DM210312	04/23/2021
	Office of the Secretary	Counselor to the Chief of Staff	DM210267	04/02/2021
		Deputy Director of Scheduling and Advance.	DM210282	04/09/2021
		Counselor (Immigration)	DM210228	04/12/2021
	Office of the United States Citizenship and Immigration Services.	Special Assistant to the Chief of Staff.	DM210262	04/09/2021
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Congressional and Intergovernmental Relations.	Deputy Assistant Secretary for Intergovernmental Relations.	DU210058	04/16/2021
		Congressional Relations Specialist	DU210059	04/16/2021
		Senior Advisor for Intergovernmental Relations.	DU210064	04/27/2021
	Office of Faith-Based and Community Initiatives.	Director of Faith Based	DU210065	04/27/2021
	Office of the Administration	Director of Executive Scheduling and Operations.	DU210057	04/16/2021
		Director of Scheduling	DU210063	04/23/2021
	Office of the Secretary	Briefing Book Coordinator	DU210061	04/23/2021
		Special Assistant for Housing and Services.	DU210062	04/23/2021
DEPARTMENT OF THE INTERIOR.	Office of the Assistant Secretary—Indian Affairs.	Senior Advisor to the Assistant Secretary—Indian Affairs.	DI210114	04/20/2021
	Bureau of International Labor Affairs.	Chief of Staff	DL210080	04/13/2021
	Secretary's Immediate Office	Advisor to the Deputy Secretary of the Interior.	DI210113	04/20/2021
		Deputy Director, Intergovernmental Affairs.	DI210119	04/20/2021
DEPARTMENT OF LABOR	Secretary's Immediate Office	Advisor	DI210120	4/22/2021
	Office of Mine Safety and Health Administration.	Chief of Staff	DL210083	04/14/2021
	Office of Employment and Training Administration.	Senior Policy Advisor	DL210082	04/28/2021
OFFICE OF MANAGEMENT AND BUDGET.	Office of Communications	Deputy Associate Director for Communications.	BO210064	04/12/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
OFFICE OF PERSONNEL MANAGEMENT.	Office of the Director	Senior Advisor to the Chief of Staff	PM210053	04/19/2021
UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.	Overseas Private Investment Corporation.	Special Assistant, External Affairs	PQ210011	04/27/2021
SMALL BUSINESS ADMINISTRATION.	Office of the Administrator	Deputy Chief of Staff (External)	SB210026	04/05/2021
		Senior Advisor	SB210027	04/16/2021
	Office of Communications and Public Liaison.	Press Assistant	SB210028	04/23/2021
DEPARTMENT OF STATE	Bureau of African Affairs	Senior Advisor	DS210188	04/16/2021
		Deputy Assistant Secretary	DS210211	04/23/2021
	Bureau of Arms Control, Verification, and Compliance.	Deputy Assistant Secretary	DS210214	04/27/2021
	Bureau of Democracy, Human Rights and Labor.	Special Assistant	DS210189	04/16/2021
		Senior Advisor	DS210213	04/23/2021
	Bureau of East Asian and Pacific Affairs.	Senior Advisor	DS210191	04/22/2021
	Bureau of Economic and Business Affairs.	Senior Advisor	DS210212	04/23/2021
	Bureau of Energy Resources	Deputy Assistant Secretary	DS210192	04/16/2021
	Bureau of European and Eurasian Affairs.	Senior Advisor	DS210193	04/16/2021
	Bureau of Global Public Affairs	Senior Advisor	DS210165	04/08/2021
		Deputy Assistant Secretary	DS210174	04/14/2021
		Supervisory Public Affairs Specialist.	DS210183	04/14/2021
		Principal Deputy Spokesperson	DS210185	04/14/2021
		Public Affairs Specialist	DS210206	04/23/2021
	Bureau of International Narcotics and Law Enforcement Affairs.	Senior Advisor	DS210176	04/12/2021
	Bureau of International Organizational Affairs.	Senior Advisor	DS210177	04/12/2021
	Bureau of Legislative Affairs	Deputy Assistant Secretary (House).	DS210195	04/20/2021
		Deputy Assistant Secretary (Senate).	DS210194	04/22/2021
	Bureau of South and Central Asian Affairs.	Senior Advisor	DS210181	04/12/2021
	Bureau of Western Hemisphere Affairs.	Senior Advisor	DS210204	04/23/2021
		Deputy Assistant Secretary	DS210205	04/23/2021
	Office of Global Women's Issues	Senior Advisor	DS210196	04/23/2021
		Special Assistant	DS210202	04/23/2021
	Office of Policy Planning	Senior Advisor (3)	DS210180	04/12/2021
			DS210198	04/23/2021
			DS210199	04/28/2021
		Special Assistant	DS210197	04/23/2021
	Office of the Deputy Secretary	Senior Advisor	DS210186	04/19/2021
	Office of the Secretary	Staff Assistant	DS210208	04/23/2021
	Office of the Under Secretary for Arms Control and International Security Affairs.	Senior Advisor	DS210200	04/20/2021
	Office of the Under Secretary for Economic Growth, Energy, and the Environment.	Senior Advisor (2)	DS210190	04/23/2021
			DS210190	04/23/2021
DEPARTMENT OF TRANSPORTATION.	Office of the Deputy Secretary	Advisor to the Deputy Secretary	DT210068	04/09/2021
		Special Assistant	DT210071	04/23/2021
UNITED STATES INTERNATIONAL TRADE COMMISSION.	Office of Commissioner Stayin	Staff Assistant (Legal)	TC210004	04/07/2021

The following Schedule C appointing authorities were revoked during April 2021.

Agency name	Organization name	Position title	Authorization No.	Vacate date
COMMODITY FUTURES TRADING COMMISSION.	Commodity Futures Trading Commission.	Legislative and Policy Analyst	CT200004	04/09/2021

Agency name	Organization name	Position title	Authorization No.	Vacate date
DEPARTMENT OF STATE	Office of the Secretary	Advisor to the White House Liaison.	DS210093	04/24/2021
		Deputy Assistant Secretary (3)	DS210090	04/10/2021
			DS210099	04/24/2021
			DS210082	04/24/2021
		Deputy Assistant Secretary (Human Rights).	DS210077	04/08/2021
		Deputy Assistant Secretary (Senate).	DS210110	04/24/2021
		Deputy Assistant Secretary (Strategic Messaging).	DS210098	04/24/2021
		Deputy Chief of Staff (Operations)(2).	DS210132	04/24/2021
			DS210138	04/24/2021
		Deputy Chief of Staff for Policy	DS210103	04/24/2021
		Deputy Spokesperson	DS210087	04/25/2021
		Public Affairs Specialist	DS210050	04/24/2021
		Senior Advisor (12)	DS210123	04/10/2021
			DS210066	04/24/2021
			DS210067	04/24/2021
			DS210104	04/24/2021
			DS210052	04/24/2021
			DS210055	04/24/2021
			DS210042	04/24/2021
			DS210038	04/24/2021
			DS210083	04/24/2021
			DS210109	04/24/2021
			DS210069	04/24/2021
			DS210096	04/24/2021
		Senior Advisor (Strategy)	DS210072	04/24/2021
		Senior Policy Advisor	DS210105	04/24/2021
		Special Assistant (2)	DS210053	04/24/2021
			DS210049	04/24/2021
		Special Envoy for Iran	DS210076	04/24/2021
		Staff Assistant	DS210081	04/24/2021
		Supervisory Public Affairs Specialist.	DS210068	04/24/2021
DEPARTMENT OF THE INTERIOR.	Secretary's Immediate Office	Deputy White House Liaison	DI210095	04/05/2021
		Senior Advisor to the Secretary	DI210060	04/24/2021
OFFICE OF PERSONNEL MANAGEMENT.	Office of the Director	Senior Advisor to the Chief of Staff	PM210029	04/18/2021
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.	Office of Public and Media Affairs	Digital Media Director	TN210004	04/30/2021

(Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.)

Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

[FR Doc. 2022–04617 Filed 3–3–22; 8:45 am]

BILLING CODE 6325–39–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2022–42 and CP2022–48]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing recent Postal Service filings for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filings, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 8, 2022.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via

the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2022–42 and CP2022–48; *Filing Title:* USPS Request to Add Priority Mail & First-Class Package Service Contract 215 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* February 28, 2022; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative:* Christopher C. Mohr; *Comments Due:* March 8, 2022.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2022–04629 Filed 3–3–22; 8:45 am]

BILLING CODE 7710–FW–P

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

POSTAL SERVICE

Privacy Act of 1974; System of Records

AGENCY: Postal Service™.

ACTION: Notice of a modified system of records.

SUMMARY: The United States Postal Service™ (USPS™) is proposing to modify a General Privacy Act System of Records to support the collection and administration of records and materials in response to potential emerging public health crises and other emergency events.

DATES: These revisions will become effective without further notice on April 4, 2022 unless comments received on or before that date result in a contrary determination.

ADDRESSES: Comments may be submitted via email to the Privacy and Records Management Office, United States Postal Service Headquarters (*privacy@usps.gov*). Arrangements to view copies of any written comments received, to facilitate public inspection, will be made upon request.

FOR FURTHER INFORMATION CONTACT: Janine Castorina, Chief Privacy and Records Management Officer, Privacy and Records Management Office, 202–268–3069 or *privacy@usps.gov.*

SUPPLEMENTARY INFORMATION: This notice is in accordance with the Privacy Act requirement that agencies publish their systems of records in the **Federal Register** when there is a revision, change, or addition, or when the agency establishes a new system of records.

I. Background

The Postal Service has determined that General Privacy Act Systems of Records (SOR), USPS 100.700, Medical Records and Related Documents, should be revised to support the collection and administration of records and materials in response to potential emerging public health crises and other emergency events.

II. Rationale for Changes to USPS Privacy Act Systems of Records

The emergence of SARS–CoV–2 (COVID–19) in early 2020 identified the need for robust set of policies and practices to ensure operational continuity and employee safety amidst an emergency event, while also protecting individual privacy. To support this endeavor, this SOR will be revised to support the collection of information related to ongoing pathogenic public health crises, including an individual's inoculation status related to an ongoing pathogenic public health crisis, as well as to collect information on positive or negative diagnostic test results related to an ongoing pathogenic public health crisis.

III. Description of the Modified System of Records

To provide for the appropriate tracking of information related to an ongoing pathogenic public health crisis, the Postal Service will revise this SOR to include two new purposes, one new category of records, and two new retention periods for that new category of records.

Pursuant to 5 U.S.C. 552a(e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the proposed revisions has been sent to Congress and to the Office of Management and Budget for their evaluations. The Postal Service does not expect this amended system of records to have any adverse effect on individual privacy rights. The notice for USPS 100.700, Medical Records and Related Documents, provided below in its entirety, is as follows:

SYSTEM NAME AND NUMBER:

USPS 100.700, Medical Records and Related Documents.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

USPS medical facilities, designee offices, and National Personnel Records Center.

SYSTEM MANAGER(S):

Vice President, Human Resources, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S) OF THE SYSTEM:

1. Medical information maintained in the employee medical folder is used to, but is not limited to, support hiring decisions and determine job-related medical suitability, fitness for duty, and Family Medical Leave Act documentation.
2. To implement a controlled substance and alcohol testing program for employees in safety-sensitive positions.
3. To provide for the uniform collection and compilation of controlled substance and alcohol test results.
4. To assess disability retirement requests.
5. To assist in making determinations about reasonable accommodation.
6. To verify vaccination status related to an ongoing pathogenic public health crisis, to record such status within a roster, and to disclose record relating to this vaccination status to an employee's medical records file.
7. To track COVID–19 medical tests, to record results of those tests within a roster, and to disclose records relating to this vaccination status to an employee's medical records file.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees.

2. Individuals who have been offered employment but were determined medically unsuitable or who declined the offer.

3. Current and former USPS employees who are or were required to have a commercial driver's license (CDL) or are otherwise subject to controlled substance and alcohol testing.

4. Applicants and current or former USPS employees, or persons who request reasonable accommodation on behalf of an applicant or employee.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee or applicant information:* Name, Social Security Number, Employee Identification Number, Candidate Identification Number, date of birth, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Employee Medical Folder:* Restricted medical records, administrative medical records, and OWCP-related medical records.

3. *Controlled substance and alcohol testing information:* Records related to alcohol and controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals.

4. *Reasonable Accommodation folders:* These folders document the decision-making process and contain records related to requests for Reasonable Accommodation.

5. *COVID–19 Related Medical Records:* Records related to the COVID–19 public health crisis, including copies of COVID–19 Vaccination Record Cards, and Records of COVID–19 immunization from a health care provider or pharmacy, copies of COVID–19 immunization records from public health, state, or tribal immunization information system.

RECORD SOURCE CATEGORIES:

Employees, applicants for employment; applicant or employee health care provider(s), USPS and Department of Veterans Affairs medical staff, USPS designee testing facilities, substance abuse professionals, and designated contractors.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1. through 9. apply. In addition:

a. Medical records may be disclosed to an employee's private treating physician and to medical personnel retained by USPS to provide medical examinations or treatment for an employee's health or physical condition related to employment.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Automated database, computer storage media, digital files, and paper files.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

By employee or applicant name, Social Security Number, Employee Identification Number, Candidate Identification Number, or duty or pay location.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

1. The Employee Medical Folder is retained by USPS until the employee is separated from USPS. On an annual basis, records of all employees separated during the prior year are transferred to the National Personnel Records Center and retained for 30 years.

2. Candidate medical information for applicants determined to be medically unsuitable for the position offered is retained 2 years in hard copy. Computer data is retained 3 years in a history database.

3. Documentation supporting applicant requests for reasonable accommodation for participation in the hiring or assessment process are maintained for 2 years in hard copy. Computer records of such requests are retained 3 years.

4. Reasonable Accommodation Committee and District Reasonable Accommodation Committee records are maintained for the duration of the employee's tenure with the USPS or until any appeals are adjudicated, whichever is longer. After the official use for these records has been satisfied, the records are to be placed in a sealed envelope, labeled as ''Reasonable Accommodation Committee Records,'' and placed in the employee medical folder (EMF) and retained in accordance with the official retention period for the EMFs.

5. Alcohol test results indicating a breath alcohol concentration of 0.02 or greater, verified positive controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals are retained 5 years. Alcohol test results indicating a breath alcohol concentration of less than 0.02, and negative and canceled controlled substance test results, are retained 1 year.

6. COVID–19 Test results are retained for one year after the expiration of Postal Service COVID–19 Policies.

7. COVID–19 Vaccination Status is retained for one year after the expiration of Postal Service COVID–19 Policies.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.5.

CONTESTING RECORD PROCEDURES:

See *Notification Procedure* below and *Record Access Procedures* above.

NOTIFICATION PROCEDURES:

Individuals wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to the National Medical Director, Health and Resource Management, 475 L'Enfant Plaza SW, Washington, DC 20260. Individuals who requested accommodation for an entrance examination or assessment must submit inquiries to the Manager of Selection, Evaluation, and Recognition, 475 L'Enfant Plaza SW, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment or date of application.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

June 17, 2011, 76 FR 35483; April 29, 2005, 70 FR 22516.

Sarah E. Sullivan,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2022–04532 Filed 3–3–22; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Privacy Act System of Records

AGENCY: Postal Service™.

ACTION: Notice of a modified system of records.

SUMMARY: The United States Postal Service™ (USPS™) is proposing to modify a General Privacy Act System of Records to support the collection and administration of records and materials in response to potential emerging public health crises and other emergency events.

DATES: These revisions will become effective without further notice on April 4, 2022 unless comments received on or before that date result in a contrary determination.

ADDRESSES: Comments may be submitted via email to the Privacy and Records Management Office, United States Postal Service Headquarters (*privacy@usps.gov*). Arrangements to view copies of any written comments received, to facilitate public inspection, will be made upon request.

FOR FURTHER INFORMATION CONTACT: Janine Castorina, Chief Privacy and Records Management Officer, Privacy and Records Management Office, 202–268–3069 or *privacy@usps.gov.*

SUPPLEMENTARY INFORMATION: This notice is in accordance with the Privacy Act requirement that agencies publish their systems of records in the **Federal Register** when there is a revision, change, or addition, or when the agency establishes a new system of records.

I. Background

The Postal Service has determined that General Privacy Act Systems of Records (SOR), USPS 100.700, Medical Records and Related Documents, should be revised to support the collection and administration of records and materials in response to potential emerging public health crises and other emergency events.

II. Rationale for Changes to USPS Privacy Act Systems of Records

The emergence of SARS–CoV–2 (COVID–19) in early 2020 identified the need for robust set of policies and practices to ensure operational continuity and employee safety amidst an emergency event, while also protecting individual privacy. To support this endeavor, this SOR will be revised to support the collection of information related to ongoing pathogenic public health crises, including an individual's inoculation status related to an ongoing pathogenic public health crisis, as well as to collect information on positive or negative diagnostic test results related to an ongoing pathogenic public health crisis.

III. Description of the Modified System of Records

To provide for the appropriate tracking of information related to an ongoing pathogenic public health crisis, the Postal Service will revise this SOR to include two new purposes, one new category of records, and two new retention periods for that new category of records.

Pursuant to 5 U.S.C. 552a (e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the proposed revisions has been sent to Congress and to the Office of Management and Budget for their evaluations. The Postal Service does not expect this amended system of records to have any adverse effect on individual privacy rights. The notice for USPS 100.700, Medical Records and Related Documents, provided below in its entirety, is as follows:

SYSTEM NAME AND NUMBER:

USPS 100.700, Medical Records and Related Documents.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

USPS medical facilities, designee offices, and National Personnel Records Center.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Human Resources, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S) OF THE SYSTEM:

1. Medical information maintained in the employee medical folder is used to, but is not limited to, support hiring decisions and determine job-related medical suitability, fitness for duty, and Family Medical Leave Act documentation.

2. To implement a controlled substance and alcohol testing program for employees in safety-sensitive positions.

3. To provide for the uniform collection and compilation of controlled substance and alcohol test results.

4. To assess disability retirement requests.

5. To assist in making determinations about reasonable accommodation.

6. To verify vaccination status related to an ongoing pathogenic public health crisis, to record such status within a roster, and to disclose record relating to this vaccination status to an employee's medical records file.

7. To track COVID–19 medical tests, to record results of those tests within a roster, and to disclose records relating to this vaccination status to an employee's medical records file.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees.

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3. Current and former USPS employees who are or were required to have a commercial driver's license (CDL) or are otherwise subject to controlled substance and alcohol testing.

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1. *Employee or applicant information:* Name, Social Security Number, Employee Identification Number, Candidate Identification Number, date of birth, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Employee Medical Folder:* Restricted medical records, administrative medical records, and OWCP-related medical records.

3. *Controlled substance and alcohol testing information:* Records related to alcohol and controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals.

4. *Reasonable Accommodation folders:* These folders document the decision-making process and contain

records related to requests for Reasonable Accommodation.

5. *COVID–19 Related Medical Records:* Records related to the COVID–19 public health crisis, including copies of COVID–19 Vaccination Record Cards, and Records of COVID–19 immunization from a health care provider or pharmacy, copies of COVID–19 immunization records from public health, state, or tribal immunization information system.

RECORD SOURCE CATEGORIES:

Employees, applicants for employment; applicant or employee health care provider(s), USPS and Department of Veterans Affairs medical staff, USPS designee testing facilities, substance abuse professionals, and designated contractors.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Medical records may be disclosed to an employee's private treating physician and to medical personnel retained by USPS to provide medical examinations or treatment for an employee's health or physical condition related to employment.

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Automated database, computer storage media, digital files, and paper files.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

By employee or applicant name, Social Security Number, Employee Identification Number, Candidate Identification Number, or duty or pay location.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

1. The Employee Medical Folder is retained by USPS until the employee is separated from USPS. On an annual basis, records of all employees separated during the prior year are transferred to the National Personnel Records Center and retained for 30 years.

2. Candidate medical information for applicants determined to be medically unsuitable for the position offered is retained 2 years in hard copy. Computer data is retained 3 years in a history database.

3. Documentation supporting applicant requests for reasonable accommodation for participation in the hiring or assessment process are maintained for 2 years in hard copy. Computer records of such requests are retained 3 years.

4. Reasonable Accommodation Committee and District Reasonable Accommodation Committee records are maintained for the duration of the employee's tenure with the USPS or until any appeals are adjudicated, whichever is longer. After the official use for these records has been satisfied, the records are to be placed in a sealed envelope, labeled as ''Reasonable Accommodation Committee Records,'' and placed in the employee medical folder (EMF) and retained in accordance with the official retention period for the EMFs.

5. Alcohol test results indicating a breath alcohol concentration of 0.02 or greater, verified positive controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals are retained 5 years. Alcohol test results indicating a breath alcohol concentration of less than 0.02, and negative and canceled controlled substance test results, are retained 1 year.

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RECORD ACCESS PROCEDURES:

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CONTESTING RECORD PROCEDURES:

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NOTIFICATION PROCEDURES:

Individuals wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to the National Medical Director, Health and Resource Management, 475 L'Enfant Plaza SW, Washington, DC 20260. Individuals who requested accommodation for an entrance examination or assessment must submit inquiries to the Manager of Selection, Evaluation, and Recognition, 475 L'Enfant Plaza SW, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment or date of application.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

June 17, 2011, 76 FR 35483; April 29, 2005, 70 FR 22516

* * * * *

Sarah E. Sullivan,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2022–03242 Filed 3–3–22; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94324; File No. SR–NYSEAMER–2022–12]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the NYSE American Options Proprietary Market Data Fee Schedule

February 28, 2022.

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 February 24, 2022, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE American Options Proprietary Market Data Fee Schedule (''Fee Schedule'') to introduce a data product to be known as the NYSE Options Open-Close End of Day Volume Summary (''End of Day Volume Summary'') that would be available for purchase by any market participant, *i.e.,* members [4] and non-members, on an ad-hoc basis and to adopt fees for such product. 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 introduce a data product to be known as the End of Day Volume Summary that would be available for purchase by market participants on an ad-hoc basis and to adopt fees for such product.[5]

More specifically, the Exchange proposes to offer an ad-hoc historic monthly End of Day Volume Summary market data product that will provide a volume summary of trading activity on the Exchange at the option level by origin (Customer, Professional Customer, Firm, Broker-Dealer, and Market Maker [6]), side of the market (buy or sell), contract volume, and transaction type (opening or closing). The Customer, Professional Customer, Firm, Broker-Dealer, and Market Maker volume will be further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The ad-hoc historic monthly End of Day Volume Summary is proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed. The Exchange proposes to offer data that would go back to December 2018 and would contain all series in an underlying security if it has volume.[7]

The Exchange anticipates a wide variety of market participants to purchase the ad-hoc historic monthly End of Day Volume Summary, including, but not limited to, individual customers, buy-side investors, investment banks and academic institutions. For example, academic institutions may utilize the proposed product to promote research and studies of the options industry to the benefit of all market participants. The Exchange believes the proposed product may also provide helpful trading information regarding investor sentiment and may be used to create and test trading models and analytical strategies. The ad-hoc historic monthly End of Day Volume Summary is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so. The Exchange notes that other exchanges offer a similar product.[8] As such, the ad-hoc historic monthly End of Day Volume Summary is subject to direct competition from similar end of day options trading summaries offered by other exchanges. All of these exchanges offer essentially the same end of day options trading summary information, and generally differ solely in the amount of history available for purchase.[9]

The Exchange proposes to provide in its Fee Schedule that market participants may purchase the ad-hoc historic monthly End of Day Volume Summary for a specified month (historical file). The Exchange proposes to assess a fee of $600 per request per month for an ad-hoc request of historical End of Day Volume Summary covering all Exchange-listed securities. An ad-hoc request can be for any number of months beginning with December 2018 for which the data is available.[10] The proposed fee for ad-hoc requests for the historic monthly End of Day Volume Summary will apply to all market participants. The Exchange notes that other exchanges provide a similar data product that may be purchased on an ad-hoc basis and is comparably priced.[11]

NYSE Options Open-Close Volume Summary is subject to significant competitive forces that constrain its pricing. As described above, the Exchange's data product competes head-to-head with numerous products

[4] Members of the Exchange are member organizations, members, ETP Holders and ATP Holders.

[5] The Exchange previously adopted a subscription-based market data product known as the NYSE Options Open-Close Volume Summary that market participants can purchase on a subscription basis. *See* Securities Exchange Act Release No. 93803 (December 16, 2021), 86 FR 72647 (December 22, 2021) (SR–NYSEAMER–2021–46). The purpose of this filing is to introduce a historic monthly report of the NYSE Options Open-Close Volume Summary that would be available for purchase by any market participant on an ad-hoc basis.

[6] The terms Customer, Professional Customer, Firm and Market Maker are defined in Rule 900.2NY.

[7] The specifications for the ad-hoc historic monthly End of Day Volume Summary can be found at *https://www.nyse.com/market-data/historical/open-close-volume-summary.*

[8] *See* Securities Exchange Act Release Nos. 87463 (November 5, 2019), 84 FR 61129 (November 12, 2019) (SR–C2–2019–023) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a New Data Product To Be Known as Open-Close Data and To Adopt Fees for Such Product); 55062 (January 8, 2007), 72 FR 2048 (January 17, 2007) (SR–CBOE–2006–88) (Order Granting Approval to Proposed Rule Change To Codify a Fee Schedule for the Sale of Open and Close Volume Data on CBOE Listed Options by Market Data Express, LLC); and 56957 (December 13, 2007), 72 FR 71988 (December 19, 2007) (SR–ISE–2007–115) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Historical ISE Open/Close Trade Profile Fees). The ad-hoc historic monthly End of Day Volume Summary report contains the same information that is provided in the monthly subscription-based market data product known as the NYSE Options Open-Close Volume Summary. *See* note 5, *supra.*

[9] For example, Nasdaq PHLX LLC offers history for their end of day data starting in January 2009 while NYSE Options Open-Close Volume Summary history is only offered starting in December 2018. *See https://www.nasdaqtrader.com/micro.aspx?id=photo.*

[10] For example, a customer that requests historical End of Day Volume Summary for the months of June 2021 and July 2021, would be assessed a total of $1,200. The Exchange notes that it may make historical data prior to December 2018 available in the future and that such historical data would be available to all members and non-members.

[11] *See e.g.,* Cboe LiveVol, LLC Market Data Fees available at *https://www.cboe.com/us/options/membership/fee_schedule/ctwo/.* Cboe C2 Options (''C2'') offers Open-Close Data: End-of-Day Ad-hoc Request (historical data) and assesses a fee of $400 per request per month. Cboe EDGX Exchange, Inc. (''EDGX'') similarly offers Open-Close Data: End-of-Day Ad-hoc Request (historical data) and assesses a fee of $400 per request per month. *See https://www.cboe.com/us/options/membership/fee_schedule/edgx/.* Nasdaq ISE, LLC (''ISE'') offers Nasdaq ISE Open/Close Trade Profile End of Day Ad-Hoc Request (historical data) and assesses a fee of $600 per request per month. *See* Sec. 10, Market Data, at *https://listingcenter.nasdaq.com/rulebook/ise/rules/ise-options-7.*

currently available in the marketplace. These products each serve as reasonable substitutes for one another as they are each designed to provide data on options market activity which can be used to infer longer-term trends. The information provided by one exchange is generally similar to that provided by other exchanges because order flow can move from one exchange to another, and market sentiment trends that appear on one exchange are likely to be similar to the sentiment trends on other exchanges. The key differentiator in the quality of the data depends on the volume of transactions on a given exchange. The greater the volume of transactions, the greater the value of the data. The proposed fee for ad-hoc purchases of historic monthly End of Day Volume Summary is therefore constrained by the competition among exchanges for similar options trading summary products.

The Exchange intends to offer the historic monthly End of Day Volume Summary on an ad-hoc basis and charge the proposed fees on March 1, 2022.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest, and that it is not designed to permit unfair discrimination among customers, brokers, or dealers. The Exchange also believes that its proposal to adopt fees for End of Day Volume Summary is consistent with Section 6(b) of the Act [14] in general, and furthers the objectives of Section 6(b)(4) of the Act [15] in particular, in that it is an equitable allocation of dues, fees and other charges among its members and other recipients of Exchange data.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. 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 Exchange believes that the proposed ad-hoc historic monthly End of Day Volume Summary market data product would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposed rule change would benefit investors by providing access to historic data, which as noted above, may promote better informed trading, as well as research and studies of the options industry. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful research and/or trading information. Customers of the historic data product may be able to enhance their ability to analyze options trade and volume data, and create and test trading models and analytical strategies. The Exchange believes ad-hoc historic monthly End of Day Volume Summary would provide a valuable tool that customers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. Moreover, other exchanges offer a similar data product.[16]

The Exchange operates in a highly competitive market. Indeed, there are currently 16 registered options exchanges competing for order flow. Based on publicly-available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.[17] Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in November 2021, the Exchange had less than 8% market share of executed volume of multiply-listed equity and ETF options trades.[18]

The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, 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.'' [19]

With respect to market data, the decision of the United States Court of Appeals for the District of Columbia Circuit in *NetCoalition* v. *SEC* upheld the Commission's reliance on the existence of competitive market mechanisms to evaluate the reasonableness and fairness of fees for proprietary market data:

> In fact, the legislative history indicates that the Congress intended that the market system ''evolve through the interplay of competitive forces as unnecessary regulatory restrictions are removed'' and that the SEC wield its regulatory power ''in those situations where competition may not be sufficient,'' such as in the creation of a ''consolidated transactional reporting system.'' [20]

The court agreed with the Commission's conclusion that ''Congress intended that 'competitive forces should dictate the services and practices that constitute the U.S. national market system for trading equity securities.''' [21] More recently, the Commission confirmed that it applies a ''market-based'' test in its assessment of market data fees, and that under that test:

> the Commission considers whether the exchange was subject to significant competitive forces in setting the terms of its proposal for [market data], including the level of any fees. If an exchange meets this burden, the Commission will find that its fee rule is consistent with the Act unless there is a substantial countervailing basis to find that the terms of the rule violate the Act or the rules thereunder.[22]

Making similar historic data products available to market participants fosters competition in the marketplace, and constrains the ability of exchanges to charge supra-competitive fees. In the event that a market participant views one exchange's historic data product as more or less attractive than the competition they can and do switch between similar products. The proposed

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] 15 U.S.C. 78f(b).

[15] 15 U.S.C. 78f(b)(4).

[16] *See* note 8, *supra.*

[17] The Options Clearing Corporation (''OCC'') publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, *available here: https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics.*

[18] Based on OCC data for monthly volume of equity-based options and monthly volume of ETF-based options, *see id.,* the Exchange's market share in multiply-listed equity and ETF options was 9.09% for the month of November 2020 and 7.06% for the month of November 2021.

[19] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

[20] *NetCoalition* v. *SEC,* 615 F.3d 525, 535 (D.C. Cir. 2010) (quoting H.R. Rep. No. 94–229 at 92 (1975), *as reprinted in* 1975 U.S.C.C.A.N. 323).

[21] *Id.* at 535.

[22] *See* Securities Exchange Act Release No. 34–90217 (October 16, 2020), 85 FR 67392 (October 22, 2020) (SR–NYSENAT–2020–05) (internal quotation marks omitted), quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74781 (December 9, 2008) (ArcaBook Approval Order).

fees are a result of the competitive environment, as the Exchange seeks to adopt fees to attract purchasers of the ad-hoc historic monthly End of Day Volume Summary data product.

The Exchange believes its proposal to provide the ad-hoc historic monthly End of Day Volume Summary is reasonable as the proposed fees are comparable to the fees assessed by other exchanges [23] that provide similar historic data products.[24] Indeed, proposing fees that are excessively higher than established fees for similar historic data products would simply serve to reduce demand for the Exchange's historic data product, which as noted, is entirely optional. Like the ad-hoc historic monthly End of Day Volume Summary, other exchanges offer similar historic data products that each provide insight into trading on those markets and may likewise aid in assessing investor sentiment. Although each of these similar historic data products provide only proprietary trade data and not trade data from other exchanges, it is possible investors are still able to gauge overall investor sentiment across different option series based on open and closing interest on any one exchange. Similarly, market participants may be able to analyze option trade and volume data, and create and test trading models and analytical strategies using only the ad-hoc historic monthly End of Day Volume Summary data relating to trading activity on one or more of the other markets that provide similar historic data products. As such, if a market participant views another exchange's data as more attractive than the Exchange's offering, then such market participant can merely choose not to purchase the Exchange's historic data product and instead purchase another exchange's historic product, which offer similar data points, albeit based on that other market's trading activity.

The Exchange also believes the proposed fees are reasonable as they would support the introduction of a historic market data product that is designed to aid investors by providing insight into trading on the Exchange. In turn, this data would assist market participants in gauging investor sentiment and trading activity, resulting in potentially better-informed trading decisions. As noted above, customers may also use such data to create and test trading models and analytical strategies.

Selling historic market data, such as the ad-hoc historic monthly End of Day Volume Summary, is also a means by which exchanges compete to attract business. To the extent that the Exchange is successful in attracting customers to the Exchange's historic data product, it may earn trading revenues and further enhance the value of its data products. If the market deems the proposed fees to be unfair or inequitable, customers can diminish or discontinue their use of the historic data and/or avail themselves of similar products offered by other exchanges.[25] The Exchange therefore believes that the proposed fees reflect the competitive environment and would be properly and equally assessed to all customers. The Exchange also believes the proposed fees are equitable and not unfairly discriminatory as the fees would apply equally to all customers who choose to purchase such data. The proposed fees would not differentiate between customers that purchase the ad-hoc historic monthly End of Day Volume Summary, and are set at a modest level that would allow any interested market participant to purchase such data based on their business needs. Nothing in this proposal treats any category of market participant any differently from any other category of market participant. The ad-hoc historic monthly End of Day Volume Summary is available to all market participants, *i.e.,* members and non-members, and all market participants would receive the same information in the data feed.

As noted above, the Exchange anticipates a wide variety of market participants to purchase the ad-hoc historic monthly End of Day Volume Summary data product, including but not limited to individual customers, buy-side investors, investment banks and academic institutions. As such, the Exchange anticipates that the historic data product may be used not just for commercial or monetizing purposes, but also for educational use and research. The Exchange reiterates that the decision as to whether or not to purchase the ad-hoc historic monthly End of Day Volume Summary is entirely optional for all potential customers. Indeed, no market participant is required to purchase the historic data product, and the Exchange is not required to make the historic data product available to market participants. Rather, the Exchange is voluntarily making the historic data product available, as requested by customers, and market participants may choose to receive (and pay for) this data based on their own business needs. Potential customers may request the data at any time if they believe it to be valuable or may decline to purchase such data.

In sum, the fierce competition for order flow constrains any exchange from pricing its historic market data at a supra-competitive price, and constrains the Exchange here in setting its fees for the ad-hoc historic monthly End of Day Volume Summary data product.

The proposed fees are therefore reasonable because in setting them, the Exchange is constrained by the availability of numerous substitute venues offering historic market data products and trading.[26] Such substitutes need not be identical, but only substantially similar to the product at hand. More specifically, in setting fees for the ad-hoc historic monthly End of Day Volume Summary data product, the Exchange is constrained by the fact that, if its pricing is unattractive to customers, customers have their pick of an increasing number of alternative venues to use instead of the Exchange.[27] Because of the availability of substitutes, an exchange that overprices its historic market data products stands a high risk that customers may substitute another source of market data information for its own. Those competitive pressures imposed by available alternatives are evident in the Exchange's proposed pricing. The existence of numerous alternatives to the Exchange ensures that the Exchange cannot set unreasonable fees for historic market data without suffering the negative effects of that decision in the fiercely competitive market in which it operates.

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. The Exchange also does not believe the proposed fees would cause any unnecessary or inappropriate burden on intermarket competition as other exchanges are free to introduce their own comparable historic data product and adopt fees to better compete with the Exchange's offering. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to sell a historic data product similar to those offered by other competitor options exchanges.[28] The Exchange is offering the ad-hoc historic monthly End of Day Volume Summary

[23] *See,* note 11, *supra.*

[24] *See,* note 8, *supra.*

[25] *See,* note 11, *supra.*

[26] *See,* note 8, *supra.*

[27] *See,* note 11, *supra.*

[28] *See,* note 8, *supra.*

in order to keep pace with changes in the industry and evolving customer needs, and believes the data product will contribute to robust competition among national securities exchanges.

Furthermore, the Exchange operates in a highly competitive environment, and its ability to price the ad-hoc historic monthly End of Day Volume Summary is constrained by competition among exchanges that offer similar historic data products to their customers. As discussed above, there are currently a number of similar products available to market participants and investors. A number of U.S. options exchanges offer a historic market data product that is substantially similar to the Exchange's offering, which the Exchange must consider in its pricing discipline in order to compete effectively. For example, proposing fees that are excessively higher than established fees for similar historic data products would simply serve to reduce demand for the Exchange's historic data product, which as discussed, market participants are under no obligation to utilize or purchase. In this competitive environment, potential purchasers are free to choose which, if any, similar historic product to purchase to satisfy their need for market information. As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges.

The Exchange does not believe the proposed rule change would cause any unnecessary or inappropriate burden on intramarket competition. Particularly, the proposed fees would apply uniformly to any customer, in that the Exchange would not differentiate between customers that purchase the ad-hoc historic monthly End of Day Volume Summary and all customers would receive the same information in the data feed. The Exchange believes the proposed fees are set at a modest level that would allow interested customers to purchase such data based on their business needs.

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) of the Act [29] and Rule 19b–4(f)(6) [30] thereunder. 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 Act [31] and Rule 19b–4(f)(6) [32] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [33] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[34] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay to allow the Exchange to implement the proposed rule change and corresponding fee on March 1, 2022, and thereby allow the Exchange to compete with exchanges that currently offer similar historic market data products. The Commission believes that, as described above, the Exchange's proposal does not raise any new or novel issues. Therefore, the Commission believes that waving the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[35]

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:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEAMER–2022–12 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–NYSEAMER–2022–12. 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 (*https://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–NYSEAMER–2022–12, and

[29] 15 U.S.C. 78(b)(3)(A).

[30] 17 CFR 240.19b–4(f)(6).

[31] 15 U.S.C. 78s(b)(3)(A).

[32] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's 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 satisfied this requirement.

[33] 17 CFR 240.19b–4(f)(6).

[34] 17 CFR 240.19b–4(f)(6).

[35] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[36]

J. Matthew DeLesDernier,

Assistant Secretary.

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[36] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94330; File No. SR–ICC–2022–001]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to ICC's Fee Schedules

February 28, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934,[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 17, 2022, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission the proposed rule change, as described in Items I, II and III below, which Items have been prepared primarily by ICC. ICC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(2) thereunder,[4] such that the proposed rule change was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The principal purpose of the proposed rule change is to modify ICC's fee schedules to implement reduced fees for credit default index swaptions (''Index Options'') through calendar year 2022. These revisions do not require any changes to the ICC Clearing Rules.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(2).

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change, security-based swap submission, or advance notice and discussed any comments it received on the proposed rule change, security-based swap submission, or advance notice. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

The proposed changes are intended to modify ICC's fee schedules to implement reduced fees for Index Options through calendar year 2022.[5] ICC maintains a Clearing Participant (''CP'') fee schedule[6] and client fee schedule[7] (collectively, the ''fee schedules'') that are publicly available on its website, which ICC proposes to update. Clearing fees are due by CPs and clients in accordance with the product, amount and currency set out in the fee schedules and subject to any incentive program described in the fee schedules. The proposed changes to the fee schedules are set forth in Exhibit 5A and Exhibit 5B and described in detail as follows. ICC proposes to make such changes effective March 1, 2022 (the ''Effective Date''), subject to the completion of any applicable regulatory review process.

The amended CP fee schedule would reduce Index Option fees to $1/million or €1/million through calendar year 2022. Under the current CP fee schedule, Index Option fees are $3/million or €3/million, subject to an incentive program that provides a tiered discount schedule based on U.S. Dollar equivalent, non-discounted Index Option fees billed since the start of the year. ICC also offered certain other incentive programs that discounted Index Option fees as part of the CP fee schedule, which expired at the end of calendar year 2021 and are removed from Exhibit 5A.[8] Under the proposed changes, in addition to updating the fee table, ICC would include a footnote to indicate that the listed fees of $1/million or €1/million are applicable from the Effective Date through calendar year 2022 and reflect a discount from ICC's regular Index Option fees of $3/million or €3/million. On the first business day of 2023, ICC would remove this discount and the listed fees would revert to ICC's regular Index Option fees on this schedule dated January 2023.

[5] Pursuant to an Index Option, one party (the ''Swaption Buyer'') has the right (but not the obligation) to cause the other party (the ''Swaption Seller'') to enter into an index credit default swap transaction at a pre-determined strike price on a specified expiration date on specified terms. In the case of Index Options that may be cleared by ICC, the underlying index credit default swap is limited to certain CDX and iTraxx index credit default swaps that are accepted for clearing by ICC, and which would be automatically cleared by ICC upon exercise of the Index Option by the Swaption Buyer in accordance with its terms.

[6] CP fee details available at: *https://www.theice.com/publicdocs/clear_credit/ICE_Clear_Credit_Fees_Clearing_Participant.pdf.*

[7] Client fee details available at: *https://www.theice.com/publicdocs/clear_credit/ICE_Clear_Credit_Fees.pdf.* As specified, all fees are charged directly to a client's CP.

[8] A description of these incentive programs is included in prior filings. SEC Release No. 34–90524 (November 27, 2020) (notice), 85 FR 78157 (December 3, 2020) (SR–ICC–2020–013); SEC Release No. 34–91922 (May 18, 2021) (notice), 86 FR 27938 (May 24, 2021) (SR–ICC–2021–014).

The amended client fee schedule would also reduce Index Option fees to $1/million or €1/million through calendar year 2022. Under the current client fee schedule, Index Option fees are $4/million or €4/million. ICC also offered an incentive program that discounted Index Option fees as part of the client fee schedule, which expired at the end of calendar year 2021 and is removed from Exhibit 5B.[9] Under the proposed changes, in addition to updating the fee table, ICC would indicate in a footnote that the listed fees of $1/million or €1/million are applicable from the Effective Date through calendar year 2022 and reflect a discount from ICC's regular Index Option fees of $4/million or €4/million. On the first business day of 2023, ICC would remove this discount and the listed fees would revert to ICC's regular Index Option fees on this schedule dated January 2023.

(b) Statutory Basis

ICC believes that the proposed rule change is consistent with the requirements of the Act, including Section 17A of the Act[10] and the regulations thereunder applicable to it. More specifically, the proposed rule change establishes or changes a member due, fee or other charge imposed by ICC under Section 19(b)(3)(A)(ii) of the Act[11] and Rule 19b–4(f)(2)[12] thereunder. ICC believes the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICC, in particular, to Section 17A(b)(3)(D),[13] which requires that the rules of the clearing agency provide for the equitable allocation of reasonable dues, fees, and other charges among its participants.

ICC believes that the proposed discounts in the fee schedules have been set at an appropriate level. In determining the appropriate discount level, ICC considered factors such as volume, revenue, and market participation in the clearing service, including based on different fee levels. ICC also considered costs and expenses in offering clearing of Index Options, taking into account the investments that ICC has made in clearing such products and the level of investment and development needed for this clearing service at this time. In ICC's view, the fees are reasonable as the discounts correspond with anticipated volumes, costs and expenses, and revenues, and they consider current and past market activity as well as anticipated market activity with respect to clearing Index Options at ICC.[14] Furthermore, the proposed discounts are in line with past Index Option incentive programs that ICC offered, which similarly temporarily reduced Index Option fees without any further action required by CPs or clients. Under the proposed changes, the same discounted rate would apply to both CPs and clients. These reduced fees are designed to incentivize the clearing of Index Options by CPs and clients to grow this clearing service.

Moreover, the proposed fee changes will apply equally to all market participants clearing Index Options. The reduced fees for Index Options through calendar year 2022 apply to all CPs and clients. ICC's fee schedules will continue to be transparent and to apply equally to market participants clearing indexes, single names, and Index Options at ICC. Therefore, the proposed rule change provides for the equitable allocation of reasonable dues, fees and other charges among participants, within the meaning of Section 17A(b)(3)(D) of the Act.[15] ICC therefore believes that the proposed rule change is consistent with the requirements of Section 17A of the Act[16] and the regulations thereunder applicable to it and is appropriately filed pursuant to Section 19(b)(3)(A) of the Act[17] and paragraph (f)(2) of Rule 19b–4[18] thereunder.

(B) Clearing Agency's Statement on Burden on Competition

ICC does not believe the proposed rule change would have any impact, or impose any burden, on competition not necessary or appropriate in furtherance of the purpose of the Act. As discussed above, the proposed changes modify ICC's fee schedules to temporarily reduce fees for Index Options and will apply uniformly across all market participants. The implementation of such changes does not preclude other market participants from offering such instruments for clearing or offering incentive programs. Moreover, ICC does not believe that the amendments would adversely affect the ability of market participants to access clearing services. Accordingly, ICC does not believe the amendments impose any burden on competition not necessary or appropriate in furtherance of the purpose of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not been solicited or received. ICC will notify the Commission of any written comments received by ICC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[19] and paragraph (f) of Rule 19b–4[20] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ICC–2022–001 on the subject line.

Paper Comments

Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–ICC–2022–001. 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 (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule

[9] A description of this incentive program is included in a prior filing. SEC Release No. 34–91922 (May 18, 2021) (notice), 86 FR 27938 (May 24, 2021) (SR ICC–2021–014).

[10] 15 U.S.C. 78q–1.

[11] 15 U.S.C. 78s(b)(3)(A)(ii).

[12] 17 CFR 240.19b–4(f)(2).

[13] 15 U.S.C. 78q–1(b)(3)(D).

[14] Supporting detail and additional data, including clearing statistics for Index Options is included in confidential Exhibit 3.

[15] 15 U.S.C. 78q–1(b)(3)(D).

[16] 15 U.S.C. 78q–1.

[17] 15 U.S.C. 78s(b)(3)(A).

[18] 17 CFR 240.19b–4(f)(2).

[19] 15 U.S.C. 78s(b)(3)(A).

[20] 17 CFR 240.19b–4(f)(2).

change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings will also be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's website at *https://www.theice.com/clear-credit/regulation.*

All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ICC–2022–001 and should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04567 Filed 3–3–22; 8:45 am]

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[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94328; File No. SR–CboeBZX–2022–009]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating To Modify How Drill-Through Price Protection Applies to Users' Orders When Multiple Stop Order and Stop-Limit Orders Are Triggered by the Same Price

February 28, 2022.

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 February 17, 2022, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (the ''Commission'') a proposal to modify how drill-through price protection applies to Users'[5] orders when multiple Stop Order and Stop-Limit Orders are triggered by the same price. 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 (*https://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), 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 purpose of this rule filing is to amend current Rule 21.17, Additional Price Protection Mechanisms and Risk Controls, to add new Rule 21.17(d)(3), which modifies what the drill-through price will be for Stop Orders[6] and Stop-Limit Orders[7] when multiple Stop Orders and Stop-Limit Orders are triggered by the same stop price specified by Users.

Drill-through price protection is currently described in Exchange Rule 21.17(d). Rule 21.17(d) provides that if a buy (sell) order enters the BZX Options Book at the conclusion of the opening auction process or would execute or post to the BZX Book at the time of order entry, the System executes the orders up to a buffer amount (the Exchange determines the buffer amount on a class and premium basis) above (below) the offer (bid) limit of the Opening Collar or the NBO (NBB) that existed at the time of order entry, respective (the, ''Drill Through Price'').[8]

Currently, when multiple Stop Orders or Stop-Limit Orders are triggered by the same price, the System[9] considers them separate orders received in sequence and enters them sequentially into the BZX Book.[10] As such, when determining the Drill-Through Price for each order, the System uses the contra side NBBO that existed at the time each of the orders was entered into the BZX Book.[11] By applying drill-through price protection in this manner, the Exchange has observed, particularly in thinly traded markets, that the first order triggered will trade with the best priced contra-side order, while the second triggered order can trade at prices that may be multiple price levels away, as it is using the NBBO that existed after the first triggered order executed. Accordingly, the Exchange seeks to enhance the drill-through price functionality as it relates to Stop Orders and Stop Limit Orders, through the addition of proposed Rule 21.17(d)(3). Under proposed Rule 21.17(d)(3), rather than using separate Drill-Through Prices for each individual Stop Order and Stop-Limit Order, the System will instead use the contra-side NBBO that existed at the time the first order in

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

[5] The term ''User'' shall mean any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3. *See* Rule 1.5(cc).

[6] A ''Stop Order'' is an order that becomes a BZX market order when the stop price is elected. A Stop Order to buy is elected when the consolidated last sale in the security occurs at, or above, the specified stop price. A Stop Order to sell becomes a limit order when the consolidated last sale in the security occurs at, or below, the specified stop price. *See* Rule 11.9(c)(16).

[7] A ''Stop-Limit Order'' is an order that becomes a limit order when the stop price is elected. A Stop Limit Order to buy is elected when the consolidated last sale in the security occurs at, or above, the specified stop price. A Stop Limit Order to sell becomes a sell limit order when the consolidated last sale in the security occurs at, or below, the specified stop price. *See* Rule 11.9(c)(17).

[8] *See* Rule 21.17(d).

[9] ''System'' means the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away. *See* Rule 1.5(aa).

[10] ''BZX Book'' means the System's electronic file of orders. *See* Rule 1.5.(e).

[11] *See* Rule 5.34(a)(4)(A).

sequence was entered into the BZX Book as the Drill-Through Price, for all orders. This is the Drill-Through Price that would apply to each Stop Order or Stop-Limit Order if it was the only one triggered at that price. By way of illustration, consider the following examples:

Example 1—Current Functionality

Assume that the Drill-Through Price buffer [12] for a certain option series is $0.25, and that the following quotes are in the BZX Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop Orders/Stop Limit Orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @ Market, Stop Price = $6.50
Order 2: Sell 1 @ Market, Stop Price = $6.55
Order 3: Sell 1 @ Market, Stop Price = $6.50

Per current Rule 21.17(d), the following will occur:

1. Orders 1, 2 and 3 are held in the System, and handled as separate orders received in sequence. Each have stop prices less than the NBO, and are therefore triggered by the 6.50 quote, and enter the BZX Book for execution or posting. Under today's functionality, the System assigns each order a separate Drill-Through Price, equal to the contra-side NBBO in existence at the time each order separately entered the BZX Book for execution.

2. Order 1 will execute against Quote 1 @ $5.00. Using the NBB of $5.00 as the Drill-Through Price, the System would prevent execution beyond $4.75.

3. When Order 1 executes against Quote 1 @ 5.00, that NBB will no longer be in the BZX Book. Instead Order 2 will execute against Quote 2 @ 4.00 and use the NBB of 4.00 as the Drill-Through Price and prevent execution beyond $3.75.

4. Order 3 will cancel due to no liquidity left at the drill-through price of $3.75.

Example 2—Proposed Functionality

Again, assume that the drill-through price buffer for a certain option series is $0.25, and that the following quotes are in the BZX Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop Orders/Stop Limit Orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @ Market, Stop Price = $6.50
Order 2: Sell 1 @ Market, Stop Price = $6.55
Order 3: Sell 1 @ Market, Stop Price = $6.50

Per proposed Rule 21.17(d), the following will occur:

1. Orders 1, 2 and 3 each have stop prices less than the NBO, and will therefore be triggered by the $6.50 quote, and enter the BZX Book for execution or posting. A Drill-Through Price for all three orders is set at the contra-side NBB of 5.00.

2. Order 1 will execute against Quote 1 @ $5.00.

3. Orders 2 and 3 will cancel due to no liquidity left at the drill-through price of $4.75.

The Exchange notes that aside from the difference in Drill-Through Price, the drill-through mechanism will apply in the same manner to these orders. The Exchange is not proposing wholly new drill-through protection behavior, but rather only seeks to modify the reference price utilized by the drill-through price protection for Stop Orders and Stop Limit Orders if multiple such orders are triggered and entered into the BZX Book for execution due to the same price event. By using the same Drill-Through Price for all triggered orders eligible for execution, the proposed modification will help the drill-through protection prevent executions too far away from the NBBO when multiple Stop Orders and Stop Limit Orders become eligible for execution. In doing so, Stop Orders and Stop Limit Orders will receive executions at prices more closely aligned to the stop prices specified by Exchange Users.

2. Statutory Basis

The Exchange believes the proposed rule amendment is consistent with the requirements of Section 6(b) of the Act,[13] in general, and Section 6(b)(5) of the Act,[14] 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.

Specifically, the Exchange believes that proposed Rule 21.17(d)(3) does not unfairly discriminate amongst Users. Under proposed Rule 21.17(d)(3), all Users with Stop Orders and Stop-Limit Orders triggered by the same price event will have the same drill-through reference price. The primary purpose of the drill-through price protection is to prevent orders from executing at prices ''too far away'' from the market when they enter the BZX Book for potential execution. The Exchange believes the proposed rule change is consistent with this purpose, and thus will promote just and equitable principles of trade and protect investors, because Users who submit Stop Orders and Stop-Limit Orders will receive the same level of drill-through price protection against execution at potentially erroneous prices, regardless of the sequence in which they enter the BZX Book. As a result of the proposed rule change, all Users' Stop Orders and Stop-Limit Orders will receive protection based on the NBBO at the time those orders were triggered to enter the BZX Book for potential execution, which is consistent with the drill-through protection as well as Stop Order functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Under the current drill-through price protection functionality, the System's use of separate Drill-Through Prices can result in Stop Orders executed later in sequence being filled at prices several levels away from the NBBO in existence at the time they are triggered and entered into the BZX Book for execution merely because those orders were submitted after another Stop Order. As discussed above, the proposed rule change will apply the same Drill-Through Price (and thus the same level of drill-through price protection) to Stop Orders and Stop-Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.

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 because it relates solely to how an Exchange price protection applies to Stop Orders and Stop Limit Orders. The proposed enhancement to the drill-through protection is consistent with the current protection and provides orders subject to drill-through price protection with improved protection against execution at potentially erroneous prices.

[12] The Exchange determines the buffer amount on a premium and class basis.

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposal. No written comments were solicited or received 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: (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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [15] and Rule 19b–4(f)(6) [16] thereunder.

The Exchange has asked the Commission to waive the 30-day operative delay such that Exchange Users will be able to more quickly benefit from the proposed Drill through protections that are designed to: (1) Prevent potentially erroneous executions and (2) more closely align the execution prices of Stop Orders and Stop Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.[17] The Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Specifically, waiver of the operative delay should allow Exchange Users to utilize Stop Orders and Stop Limit Orders with an increased likelihood that the execution price of such orders will be more closely related to the market at the time the order is triggered for entry onto the BZX Book. Accordingly, the Commission designates the proposal operative upon filing.[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. 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 (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CboeBZX–2022–009 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CboeBZX–2022–009. 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 (*https://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; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CboeBZX–2022–009 and should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04565 Filed 3–3–22; 8:45 am]

BILLING CODE 8011–01–P

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 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.

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[19] 17 CFR 200.30–3(a)(12).

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 Investor Advisory Committee will hold a public meeting on Thursday, March 10, 2022. The meeting will begin at 10:00 a.m. (ET) and will be open to the public.

PLACE: The meeting will be conducted by remote means. Members of the public may watch the webcast of the meeting on the Commission's website at *www.sec.gov*.

STATUS: This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

PUBLIC COMMENT: The public is invited to submit written statements to the Committee, which should be received on or before March 9, 2022.

Written statements may be submitted by any of the following methods:

Electronic Statements

- Use the Commission's internet submission form (*http://www.sec.gov/rules/other.shtml*); or
- Send an email message to *rules-comments@sec.gov*. Please include File No. 265–28 on the subject line; or
- *Paper Statements.* Send paper statements to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File No. 265–28. This file number should be included on the subject line if email is used. To help us process and review your statement more efficiently, please use only one method.

Statements also will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Room 1503, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. All statements 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.

MATTER TO BE CONSIDERED: The agenda for the meeting includes: Welcome and opening remarks; departure remarks from J.W. Verret and Paul Mahoney; approval of previous meeting minutes; a panel discussion regarding ethical artificial intelligence and ''roboadviser'' fiduciary responsibilities; a panel discussion regarding cybersecurity; subcommittee reports; and a non-public administrative session.

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.

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

Dated: March 1, 2022.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2022–04695 Filed 3–2–22; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94332; File No. SR–MEMX–2021–22]

Self-Regulatory Organizations; MEMX LLC; Suspension of and Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Change To Amend the Exchange's Fee Schedule To Adopt Connectivity Fees

February 28, 2022.

I. Introduction

On December 30, 2021, MEMX LLC (''MEMX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change (File Number SR–MEMX–2021–22) to amend the Exchange's Fee Schedule (''Fee Schedule'') to adopt certain connectivity fees. The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.[3] The proposed rule change was published for comment in the **Federal Register** on January 14, 2022.[4] The Commission received one comment letter on the proposed rule change.[5] Under Section 19(b)(3)(C) of the Act,[6] the Commission is hereby: (i) Temporarily suspending File Number SR–MEMX–2021–22; and (ii) instituting proceedings to determine whether to approve or disapprove File Number SR–MEMX–2021–22.

II. Description of the Proposed Rule Change

MEMX provides Members and certain non-Members (*i.e.,* service bureaus and extranets) with physical connectivity and application sessions (also known as ''logical ports'') to access and participate on its market (collectively, ''connectivity services''). Prior to implementation of the proposed rule change, the Exchange did not impose a fee for such connectivity services.[7] The Exchange now proposes to amend its Fee Schedule to adopt fees for connectivity services. Specifically, the Exchange proposes to charge $6,000 per month for each physical connection in the data center where the Exchange primarily operates under normal market conditions (''Primary Data Center'') and $3,000 per month for each physical connection in the Exchange's backup data center (''Secondary Data Center'').[8] In addition, the Exchange proposes to charge a fee of $450 per month for each application session used for order entry (''Order Entry Port'') and $450 per month for each application session used for receipt of drop copies (''Drop Copy Port'') in the Exchange's Primary Data Center.[9] As proposed, fees for connectivity services would be assessed based on each active connectivity service product at the close of business on the first day of each month.[10] The Exchange represents that it will periodically review the costs applicable to providing connectivity services and propose changes to its fees as appropriate.[11]

While the Exchange states its belief that there is ''competition for connectivity to the Exchange'' that acts to constrain its ability to set pricing for connectivity services,[12] it also believes that ''each exchange should take extra care to be able to demonstrate that [fees for connectivity services] are based on its costs and reasonable business needs.'' [13]

III. Suspension of the Proposed Rule Changes

Pursuant to Section 19(b)(3)(C) of the Act,[14] at any time within 60 days of the date of filing of an immediately effective proposed rule change pursuant to Section 19(b)(1) of the Act,[15] the Commission summarily may temporarily suspend the change in the rules of a self-regulatory organization (''SRO'') 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. As discussed below, the Commission believes a temporary suspension of the proposed rule changes is necessary and appropriate to allow for additional analysis of the proposed rule changes' consistency with the Act and the rules thereunder.

The Exchange states that the proposal ''reflects a simple, competitive, reasonable, and equitable pricing structure designed to permit the Exchange to cover certain fixed costs that it incurs for providing connectivity services, which are discounted when compared to products and services offered by competitors.'' [16] With respect to competition, the Exchange states that it ''believes that competitive forces are in effect and that if the proposed fees for connectivity services were unreasonable that the Exchange would lose current or prospective Members and market

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as ''establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization.'' 15 U.S.C. 78s(b)(3)(A)(ii).

[4] *See* Securities Exchange Act Release No. 93937 (January 10, 2022), 87 FR 2466 (''Notice'').

[5] *See* Letter from Tyler Gellasch, Executive Director, Healthy Markets Association, dated January 26, 2022. The commenter asserts that the Exchange did not address the Exchange's ownership structure (where a number of broker-dealers own interests in the holding company that controls the Exchange), which the commenter states can result in Member-owners recouping the costs of the new fees, as well as the additional revenues collected from non-owners, which the commenter characterized as a ''disparate impact.''

[6] 15 U.S.C. 78s(b)(3)(C).

[7] *See* Notice at 2466. The Exchange explained that ''[t]he objective of this approach was to eliminate any fee-based barriers to connectivity for Members when MEMX launched as a national securities exchange in 2020, and it was successful in achieving this objective in that a significant number of Members are directly or indirectly connected to the Exchange.'' *Id.* at 2467.

[8] *See id.* at 2467.

[9] *See id.* The Exchange is not proposing to charge for: (1) Order Entry Ports or Drop Copy Ports in the Secondary Data Center, or (2) Test Facility Ports or MEMOIR Gap Fill Ports. *Id.* at 2470. A ''drop copy'' refers to information on trades executed on the Exchange.

[10] *See id.* at n.12. If a product is cancelled by a Member's submission of a written request or via the MEMX User Portal prior to such fee being assessed then the Member will not be obligated to pay the applicable product fee. *See id.*

[11] *See id.* at 2469.

[12] *See id.* at 2472.

[13] *See id.* at 2466.

[14] 15 U.S.C. 78s(b)(3)(C).

[15] 15 U.S.C. 78s(b)(1).

[16] Notice, *supra* note 4 at 2471.

share.'' [17] For example, the Exchange cites the example of extranets and service bureaus that compete with MEMX to provide Members and non-Members with physical connectivity to the Exchange. MEMX notes that ''nearly half of the Exchange's Members do not have a physical connection provided by the Exchange and instead must use a third party provider,'' though MEMX acknowledges that application sessions are necessary to submit orders to MEMX such that indirectly connected users still will need to pay the application session fee to the Exchange or through the vendor.[18]

In further support of the proposal, the Exchange presents information on its costs and expected revenues from connectivity services, which the Exchange uses to support its position that the proposed fees for connectivity services are consistent with Section 6(b)(4) of the Act because they would permit the Exchange to recover the costs of providing connectivity services to Members and non-Members.[19] In its filing, MEMX provides a breakdown and summary of the costs of providing physical connectivity and application sessions and describes the various line-items that it classifies into several ''cost drivers.'' MEMX represents that it allocated such expenses ''without double-counting any expenses.'' [20] Specifically, MEMX details its direct and allocated costs categorized according to those seven cost drivers, which result in a combined aggregate monthly cost of $1,143,715 ($795,789 for physical connectivity and $347,926 for application sessions).[21] The Exchange states that the proposed fees would ''not result in excessive pricing or supracompetitive profit,'' as it projects a ''modest profit'' with revenue of $1,233,750 based on current connectivity services usage,[22] representing a markup of approximately 8%.[23]

MEMX states that its proposed fees are designed ''to cover the aggregate costs of providing connectivity services [to Members and non-Members] and to recoup some of the costs already born by the Exchange to create and offer its services. . . .'' [24] The Exchange further states that the proposed fees, specifically charging per connection, constitute an equitable allocation of reasonable fees because the Exchange's ''incremental aggregate costs for all connectivity services are disproportionately related to Members with higher message traffic and/or Members with more complicated connections established with the Exchange.'' [25] Additionally, the Exchange explains that these Members consume the most bandwidth [26] of the network and transact the ''vast majority'' of Exchange volume.[27]

When exchanges file their proposed rule changes with the Commission, including fee filings like the Exchange's present proposal, they are required to provide a statement supporting the proposal's basis under the Act and the rules and regulations thereunder applicable to the exchange.[28] The instructions to Form 19b–4, on which exchanges file their proposed rule changes, specify that such statement ''should be sufficiently detailed and specific to support a finding that the proposed rule change is consistent with [those] requirements.'' [29]

Section 6 of the Act, including Sections 6(b)(4), (5), and (8), require the rules of an exchange to, among other things, (1) provide for the equitable allocation of reasonable fees among members, issuers, and other persons using the exchange's facilities; [30] (2) perfect the mechanism of a free and open market and a national market system, protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers; [31] and (3) not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[32]

In temporarily suspending the Exchange's fee changes, the Commission intends to further consider whether the proposal to establish fees for connectivity to the Exchange is consistent with the statutory requirements applicable to a national securities exchange under the Act. In particular, the Commission will consider whether the proposed rule changes satisfy the standards under the Act and the rules thereunder requiring, among other things, that an exchange's rules provide for the equitable allocation of reasonable fees among members, issuers, and other persons using its facilities; not permit unfair discrimination between customers, issuers, brokers or dealers; and do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[33]

Therefore, the Commission finds that it is appropriate in the public interest, for the protection of investors, and otherwise in furtherance of the purposes of the Act, to temporarily suspend the proposed rule changes.[34]

IV. Proceedings To Determine Whether To Approve or Disapprove the Proposed Rule Change and Grounds for Disapproval Under Consideration

In addition to temporarily suspending the proposal, the Commission also hereby institutes proceedings pursuant to Sections 19(b)(3)(C) [35] and

[17] *Id.* at 2473. The Exchange represents that because it has not previously charged fees for connectivity and logical ports, it does not have comprehensive exchange-specific data to determine the impact of the proposed fees and will not have such data until the fees are actually imposed. However, the Exchange states that it understands that certain Members may be considering modifying the way that they connect to the Exchange in response to the proposed fees. *See id.*

[18] *See id.* at 2472.

[19] *Id.* at 2473.

[20] *Id.* at 2469.

[21] *Id.* at 2467–68. MEMX notes that since its inception it has borne 100% of the connectivity costs because it currently offers connectivity services for free. *Id.*

[22] *Id.* at 2473–74. The Exchange asserts that it has four primary sources of revenue from which it can potentially fund operations: transaction fees, connectivity services fees, membership and regulatory fees, and market data fees. The Exchange further states it must cover its expenses from one of these four sources. *Id.*

[23] *Id.* at 2473–74. The Exchange notes that it ''anticipates (and encourages) Members and non-Members to more closely evaluate their connectivity services usage'' once MEMX begins charging for the services. *Id.* As a result, the Exchange notes, actual Exchange revenue resulting from the proposed fees may be less than the Exchange's estimate. *See id.*

[24] *Id.* The Exchange asserts that its proposed fees do not yet constitute a true ''markup'' because the Exchange has not recovered the initial costs of building the network and infrastructure necessary to offer connectivity services, as it did not previously charge any fees for connectivity services since it began operations. *See id.* at 2469.

[25] *Id.* at 2470.

[26] The Exchange states that although it offers physical connections of different bandwidths (10Gb, 25Gb, 40Gb, and 100Gb), it does not propose to charge different prices for such connections and it does not believe its costs increase incrementally based on the size of the physical connection. It instead believes that ''individual connections and the number of separate and disparate connections are the primary drivers'' of the Exchange's costs. *Id.* at 2474 n. 29.

[27] The Exchange also notes that those users require high-touch network support services, including network monitoring, reporting, and support services. *Id.* at 2473.

[28] *See* 17 CFR 240.19b–4 (Item 3 entitled ''Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change'').

[29] *Id.*

[30] 15 U.S.C. 78f(b)(4).

[31] 15 U.S.C. 78f(b)(5).

[32] 15 U.S.C. 78f(b)(8).

[33] *See* 15 U.S.C. 78f(b)(4), (5), and (8), respectively.

[34] For purposes of temporarily suspending the proposed rule changes, the Commission has considered the proposed rules' impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[35] 15 U.S.C. 78s(b)(3)(C). Once the Commission temporarily suspends a proposed rule change, Section 19(b)(3)(C) of the Act requires that the Commission institute proceedings under Section 19(b)(2)(B) to determine whether a proposed rule change should be approved or disapproved.

19(b)(2)(B)[36] of the Act to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change to inform the Commission's analysis of whether to approve or disapprove the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[37] the Commission is providing notice of the grounds for possible disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of whether the Exchange has sufficiently demonstrated how the proposed rule change is consistent with Sections 6(b)(4),[38] 6(b)(5),[39] and 6(b)(8)[40] of the Act. Section 6(b)(4) of the Act requires that the rules of a national securities exchange provide for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities. Section 6(b)(5) of the Act requires that the rules of a national securities exchange be designed, among other things, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. Section 6(b)(8) of the Act requires that the rules of a national securities exchange not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following aspects of the proposals and asks commenters to submit data where appropriate to support their views:

1. *Cost Estimates and Allocation.* MEMX argues that competition acts to constrain its proposed fees but also presents a cost-based analysis of its proposed fees because MEMX says it believes that exchanges should meet ''very high standards of transparency'' when demonstrating why a new fee or fee increase is consistent with the Exchange Act.[41] The Exchange states specifically that an exchange should take ''extra care'' to ''demonstrate that these fees are based on its costs and reasonable business needs.''[42] MEMX believes that it has attempted to be ''especially diligent in assessing those fees in a transparent way against its own aggregate costs of providing the related service. . . .''[43] According to the Exchange, it employed a methodology that ''narrowly limits the aggregate cost elements considered to those closely and directly related to the particular product offering.''[44] MEMX classified its connectivity services expenses according to the following cost drivers: Human resources (*i.e.,* personnel), infrastructure and connectivity technology (servers, switches, etc.), data center costs, hardware and software licenses, monthly depreciation, allocated shared expenses.[45] It then applied an estimated allocation of each cost driver to each connectivity service, determining that the total monthly cost was $795,789[46] to offer physical connectivity and $347,926 to offer application services.[47] The Exchange lists the individual line-item costs in its filing, and describes some of the criteria included in each cost driver.[48] Do commenters believe that the cost drivers the Exchange has considered are sufficiently clear and complete? Do commenters believe that the Exchange should consider additional cost drivers or clarify the cost drivers it identified? If so, which ones? Do commenters believe that the Exchange has provided sufficient detail about how it allocated costs to connectivity services? Across all costs, what are commenters' views on whether the Exchange has provided sufficient detail on the elements that go into its connectivity costs, including how it allocated shared costs to connectivity, to permit an independent review of its costs and meaningfully assess the reasonableness of the proposed fees and the corresponding profit margin?

In allocating cost drivers, the Exchange states that it allocated a total of 21.5% of Human Resources expense to provide connectivity services, consisting of 13.8% of its personnel costs to provide physical connections and 7.7% to application sessions.[49] The Exchange provides similar information for depreciation and amortization expense, noting that it allocated approximately 27% of the Exchange's overall depreciation and amortization expense to connectivity services (19% to physical connections and 8% to application sessions).[50] Do commenters believe that the Exchange sufficiently explained the principles that it applied in making these determinations, or is further explanation necessary? For personnel costs, for instance, the Exchange did not provide the job titles and salaries of persons whose time was accounted for, nor did it explain the methodology used to determine how much of an employee's time is devoted to that specific activity. Should the Exchange identify to which services the remaining percentage of un-allocated expenses are attributable (*e.g.,* what services or fees are associated with the

[36] 15 U.S.C. 78s(b)(2)(B).

[37] 15 U.S.C. 78s(b)(2)(B). Section 19(b)(2)(B) of the Act also provides that proceedings to determine whether to disapprove a proposed rule change must be concluded within 180 days of the date of publication of notice of the filing of the proposed rule change. *See id.* The time for conclusion of the proceedings may be extended for up to 60 days if the Commission finds good cause for such extension and publishes its reasons for so finding, or if the exchange consents to the longer period. *See id.*

[38] 15 U.S.C. 78f(b)(4).

[39] 15 U.S.C. 78f(b)(5).

[40] 15 U.S.C. 78f(b)(8).

[41] *Id.* at 2466.

[42] *Id.*

[43] *Id.*

[44] *Id.*

[45] *Id.* at 2468–69.

[46] *Id.* at 2467–68. The Exchange allocates the following amounts to each cost driver for providing physical connectivity: $262,129 for Human Resources, $162,000 for Infrastructure and Connectivity Technology, $219,000 for Data Center Costs, $4,507 for Hardware and Software Licenses, $99,328 for Monthly Depreciation, and $48,826 for Allocated Shared Expenses. For application sessions, the Exchange allocated $147,029 for Human Resources, $33,358 for Infrastructure and Connectivity Technology, $108,138 for Hardware and Software Licenses, and $59,400 for Allocated Shared Expenses.

[47] *Id.*

[48] *Id.* For example, the Exchange stated that Infrastructure and Connectivity Technology cost includes servers, switches and related hardware required to provide physical access to the Exchange, some of which is owned by the Exchange and some of which is leased by the Exchange in order to allow efficient periodic technology refreshes.

[49] *Id.* at 2468. The Exchange explained that it in calculating the Human Resource cost to be allocated to physical connections, the Exchange allocated ''network infrastructure personnel with a high percentage of the cost of such personnel (75%) given their focus on functions necessary to provide physical connections'' and a smaller percentage (19%) of the cost associated with certain personnel who ''work closely with and support network infrastructure personnel.'' The Exchange also stated that for application sessions, it allocated ''much smaller percentages (11% or less)'' of Human Resources costs across a wider range of personnel groups because a ''much wider range of personnel'' are involved in providing application sessions but it is not a primary or full-time function for them.

[50] *Id.*

73% of applicable depreciation and amortization expenses the Exchange does not allocate to connectivity services)?

MEMX states it calculated the Human Resources cost using a ''blended rate of compensation reflecting salary, equity and bonus compensation, benefits, payroll taxes, and 401(k) matching contributions.'' [51] Do commenters believe that those are the appropriate criteria? In particular, is it appropriate to include stock compensation and annual cash bonuses in a blended compensation rate for the purpose of assessing connectivity costs if those items are based on an exchange's overall profitability or performance and not the individual employee's performance in providing connectivity services (and thus not directly attributable to connectivity)?

The Exchange notes that its cost analysis was based on its first year of operations and projections for next year and states that it believes that its costs will remain similar in future years.[52] The Exchange recognizes, however, the possibility that costs may increase or decrease.[53] Do commenters expect costs incurred based on MEMX's first year of operations to be generally representative of an exchange's expected costs going forward, or should an exchange present an estimated range of costs with an explanation of how profit margins could vary along with the cost estimates? The Exchange also states that it seeks to ''recoup some of the costs already borne by the Exchange to create and offer its services'' [54] but does not distinguish between current-year costs and the ''already borne'' costs it seeks to recover or provide detail on those prior costs.[55] Do commenters think MEMX should elaborate on how and to what extent the proposed fees recoup past expenses?

2. *Profit Margin.* The Exchange states its proposed fees would not result in supracompetitive profits,[56] and projects an 8% profit margin resulting from costs to provide connectivity services of $1,143,715 and projected revenue of approximately $1,233,750.[57] The Exchange believes that this is a ''modest profit'' [58] that represents a ''reasonable markup'' over cost given factors that include the ''lack of other costs to participate on the Exchange'' and the Exchange maintaining a high performing and stable platform.[59] In arriving at its revenue estimate (and 8% profit margin), the Exchange has assumed that the current number of physical connections (143) [60] and application sessions (835) [61] will remain constant once the proposed fees are in place. Also, it assumes that all 143 physical connections will be to the Primary Data Center, for the proposed fee of $6,000 per connection. The profit margin is dependent on the accuracy of the cost projections which, if inflated (intentionally or unintentionally), may render the projected profit margin meaningless. Further, the margin may fluctuate due to changes in the number of connections purchased and increases or decreases in costs. Do commenters find the Exchange's estimated revenue and profit margin and the assumptions on which they are based to be appropriate? Do commenters agree that the Exchange's estimated profit margin would constitute a reasonable rate of return over costs? What are commenters' views regarding what factors should be considered in determining what constitutes a reasonable rate of return for connectivity fees? Do commenters believe that it is relevant to an assessment of reasonableness that the Exchanges' proposed fees are lower than those of other exchanges to which the Exchange has compared its fees? Should an assessment of reasonable rate of return include consideration of factors other than costs; and if so, what factors should be considered and why? Should the Exchange provide more information on the number of physical connections and application sessions it expects to maintain when it begins charging for connectivity that was previously provided for free, and an estimate of the potential change in each when MEMX begins charging for them broken down by the type of user?

MEMX also has proposed to charge a fee of $3,000 per connection to the Secondary Data Center, which is 50% less than the fee for a connection to the Primary Data Center. The Exchange's explanation for the difference in fees is that certain Members are required to participate in mandatory testing of the Exchange's backup systems, which would require them to connect to the Secondary Data Center.[62] The Exchange did not provide a separate estimate of the number of firms it expects to be subject to the Secondary Data Center fee or how much revenue it expects to earn from the fee, nor did the Exchange allocate its connectivity costs between the Primary and Secondary Data Centers. The Exchange notes that its proposed physical connectivity fee for the Secondary Data Center is ''well below the cost of providing such services'' and the Exchange will not recoup the full amount of its costs.[63] Do commenters believe that the Exchange should provide information on its connectivity costs specifically for the Secondary Data Center as well as additional information to support its assertion that it will not recover its costs of providing connectivity services to its backup data center? In addition, should the Exchange clarify how charging a lower fee for the Secondary Data Center would affect its projected revenue? Do commenters believe that competitive forces exist for physical connectivity to the Secondary Data Center, particularly for those firms that MEMX requires to connect?

3. *Periodic Reevaluation.* The Exchange represents that it will ''periodically review the costs applicable to providing connectivity services and to propose changes to it fees as appropriate.'' [64] However, the Exchange has not addressed whether it believes a material deviation from the anticipated profit margin would warrant the need to make a rule filing pursuant to Section 19(b) of the Act to increase or decrease the fees accordingly. In light of the impact that the number of users paying for connectivity services has on connectivity profit margins, and the potential for costs to decrease (or increase) over time, what are commenters' views on the need for exchanges to commit to reevaluate, on an ongoing and periodic basis, their cost-based connectivity fees to ensure that they stay in line with their stated profitability target and do not become unreasonable over time, for example, by failing to adjust for efficiency gains, cost increases or decreases, and changes in other fees or services? How formal should that process be, how often should that reevaluation occur, and what metrics and thresholds should be considered? How soon after a new connectivity fee change is implemented should an exchange assess whether its costs, subscriber, and revenue estimates were accurate and at what threshold should an exchange commit to file a fee change if its estimates were inaccurate? Should an initial review take place within the first 30 days after a

[51] *Id.*
[52] *Id.* at 2469.
[53] *Id.*
[54] *Id.* at 2467.
[55] *Id.*
[56] *Id.* at 2473.
[57] *Id.* at 2474.
[58] *Id.*
[59] *Id.* at 2469.
[60] *Id.* at 2468.
[61] *Id.*
[62] *Id.* at 2469.
[63] *Id.* MEMX is not proposing fees for application sessions in the Secondary Data Center.
[64] *Id.*

connectivity fee is implemented? 60 days? 90 days? Some other period?

4. *Competition.* The Exchange asserts that the its proposed connectivity fees are subject to competition. In support of its claim, the Exchange states that connectivity to the Exchange is optional and says ''there is no regulatory requirement that any market participant connect to the Exchange, that any participant connect in a particular manner, or that any participant maintain a certain number of connections to the Exchange,'' [65] therefore, if the proposed fees are too high, Members may cease to connect to the Exchange. However, the Exchange acknowledges that ''certain Members operate as routing brokers for other market participants . . . [and a]s an equity exchange with 4% volume, these routing brokers likely need to maintain a connection to the Exchange on behalf of their clients.'' [66] Further, the Exchange represents that as of November 2021, it had 4.16% of market share and argues that it ''is not aware of any evidence that a market share of approximately 4% provides the Exchange with anti-competitive price power because . . . market participants that choose to connect to the Exchange have various choices in determining how to do so, including third party alternatives [*e.g.,* service bureaus, extranet].'' [67] The Exchange concludes that ''[t]his, in addition to the fact that not all broker-dealers are required to connect of the Exchange, supports the Exchange's conclusion that its pricing is constrained by competition.'' [68] Do commenters agree that the lack of a regulatory requirement to connect to an exchange means that there are sufficient competitive forces to constrain connectivity fees? Are such competitive forces present for service bureaus and extranets, who are in the business of providing connectivity services to trading centers, as well as large market makers? Are competitive forces present when MEMX imposes a regulatory requirement in its rules for certain members to participate in mandatory testing of the Exchange's backup systems, thus effectively requiring those members to purchase connectivity to the Secondary Data Center? Are there reasons, not presented by the Exchange, why a market participant would need direct connectivity to the Exchange's Primary Data Center? Do commenters agree that an exchange with only 4% market share lacks pricing power sufficient to charge supracompetitive fees? At what percentage of market share would an exchange have such pricing power? Should exchanges reevaluate their fees as their market share increases?

The Exchange also argues that its connectivity fees are constrained by competitive forces because 44% of its Members do not maintain direct connectivity to the Exchange,[69] but rather connect to the Exchange through a service bureau or extranet.[70] The Exchange argues that these Non-Members provide competition for connectivity to the Exchange as resellers of MEMX connectivity. The Exchange states that it will not receive any compensation for re-sold physical connectivity, ''thus constraining the ability of MEMX to set its connectivity pricing as indirect connectivity is a substitute for direct connectivity.'' [71] Do commenters believe that resellers of connectivity to the Exchange provide a competitive restraint on the fees MEMX charges for direct connectivity? Do commenters believe that resellers offer connectivity services to market participants effectively at a lower price than what the Exchange is proposing or do commenters believe that resellers pass-through the fee charged to them by the Exchange to their customers?

While there may be alternatives for physical connectivity (*e.g.,* using a third party service provider), application sessions are not optional for those that do connect to the Exchange. Do commenters believe competition acts as a constraint on application session fees? If so, how?

Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the [SRO] that proposed the rule change.'' [72] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[73] and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[74] Moreover, ''unquestioning reliance'' on an SRO's representations in a proposed rule change would not be sufficient to justify Commission approval of a proposed rule change.[75]

The Commission believes it is appropriate to institute proceedings to allow for additional consideration and comment on the issues raised herein, including as to whether the proposals are consistent with the Act, any potential comments or supplemental information provided by the Exchange, and any additional independent analysis by the Commission.

V. Request for Written Comments

The Commission requests written views, data, and arguments with respect to the concerns identified above as well as any other relevant concerns. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Sections 6(b)(4), 6(b)(5), and 6(b)(8), or any other provision of the Act, or the rules and regulations thereunder. The Commission asks that commenters address the sufficiency and merit of the Exchange's statements in support of the proposal, in addition to any other comments they may wish to submit about the proposed rule change. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[76]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by March 25, 2022. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 8, 2022.

Comments may be submitted by any of the following methods:

[65] *Id.* at 2471.

[66] *Id.*

[67] *Id.*

[68] *Id.*

[69] *Id.* at 2469. The Exchange further explained that 44% of its Members maintain one to two physical ports to connect to the Exchange's Primary Data Center, while only 12% maintain three or more such ports. *Id.*

[70] *Id.* at 2471–2.

[71] *Id.* at 2472.

[72] 17 CFR 201.700(b)(3).

[73] *See id.*

[74] *See id.*

[75] *See Susquehanna Int'l Group, LLP* v. *Securities and Exchange Commission,* 866 F.3d 442, 446–47 (D.C. Cir. 2017) (rejecting the Commission's reliance on an SRO's own determinations without sufficient evidence of the basis for such determinations).

[76] 15 U.S.C. 78s(b)(2). Section 19(b)(2) of the Act grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by an SRO. *See* Securities Acts Amendments of 1975, Report of the Senate Committee on Banking, Housing and Urban Affairs to Accompany S. 249, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File No. SR–MEMX–2021–22 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–MEMX–2021–22. 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 (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule changes that are filed with the Commission, and all written communications relating to the proposed rule changes 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 filings also will be available for inspection and copying at the principal office of each 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–MEMX–2021–22 and should be submitted on or before March 25, 2022. Rebuttal comments should be submitted by April 8, 2022.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(3)(C) of the Act,[77] that File Number SR–MEMX–2021–22 be, and hereby is, temporarily suspended. In addition, the Commission is instituting proceedings to determine whether the proposed rule change should be approved or disapproved.

[77] 15 U.S.C. 78s(b)(3)(C).

[78] 17 CFR 200.30–3(a)(57) and (58).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[78]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04568 Filed 3–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94327; File No. SR–CBOE–2022–006]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify How Drill-Through Price Protection Applies to Users' Orders When Multiple Stop (Stop-Loss) and Stop-Limit Orders Are Triggered by the Same Price

February 28, 2022.

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 February 17, 2022, 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 and II 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 Substance of the Proposed Rule Change

Cboe Exchange, Inc. (''C1'' or the ''Exchange'') is filing with the Securities and Exchange Commission (the ''Commission'') a proposal to modify how drill-through price protection applies to Users'[5] orders when multiple Stop (Stop-Loss) and Stop-Limit orders are triggered by the same price. 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 purpose of this rule filing is to amend current Rule 5.34(a)(4), Order and Quote Price Protection Mechanisms and Risk Controls, to add new Rule 5.34(a)(4)(E), which modifies what the drill-through price will be for Stop (Stop-Loss)[6] and Stop-Limit[7] orders when multiple Stop and Stop-Limit orders are triggered by the same stop price specified by Users.

Drill-through price protection is currently described in Exchange Rule 5.34(a)(4)(A). Rule 5.34(a)(4)(A) equates the drill-through reference price for a buy (sell) order to a price up to a buffer amount (the Exchange determines the buffer amount on a class and premium basis) above (below) the offer (bid) limit of the Opening Collar or the NBO (NBB) that existed at the time of order entry, respectively (the, ''drill-through price'').[8]

[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] The Term ''User'' shall mean any Trading Privilege Holder (TPH) or Sponsored User who is authorized to obtain access to the System pursuant to Rule 5.5.

[6] A ''Stop (Stop-Loss)'' order is an order to buy (sell) that becomes a market order when the consolidated last sale price (excluding prices from complex order trades if outside of the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. Users may not designate a Stop Order as All Sessions. Users may not designate bulk messages as Stop Orders. A User may not designate a Stop order as Direct to PAR. *See* Rule 5.6(c) (definition of ''Stop (Stop-Loss)'' order).

[7] A ''Stop-Limit'' order is an order to buy (sell) that becomes a limit order when the consolidated last sale price (excluding prices from complex order trades if outside the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. A User may not designate a Stop-Limit Order as All Sessions. Users may not designate bulk messages as Stop-Limit Orders. A User may not designate a Stop-Limit order as Direct to PAR. *See* Rule 5.6(c) (definition of ''Stop-Limit'' order).

[8] *See* Rule 5.34(a)(4)(A).

Currently, when multiple Stop (Stop-Loss) or Stop-Limit orders are triggered by the same price, the System [9] considers them separate orders received in sequence and enters them sequentially into the Book.[10] As such, when determining the drill-through price for each order, the System uses the contra side NBBO that existed at the time each of the orders was entered into the Book.[11] By applying drill-through price protection in this manner, the Exchange has observed, particularly in thinly traded markets, that the first order triggered will trade with the best priced contra-side order, while the second triggered order can trade at prices that may be multiple price levels away, as it is using the NBBO that existed after the first triggered order executed. Accordingly, the Exchange seeks to enhance the drill-through price functionality as it relates to Stop (Stop-Loss) and Stop Limit Orders, through the addition of proposed Rule 5.34(a)(4)(E). Under proposed Rule 5.34(a)(4)(E), rather than using separate drill-through prices for each individual Stop and Stop-Limit order, the System will instead use the contra-side NBBO that existed at the time the first order in sequence was entered into the Book as the drill-through price, for all orders. This is the drill-through price that would apply to each Stop or Stop-Limit order if it was the only one triggered at that price. By way of illustration, consider the following examples:

Example 1—Current Functionality

Assume that the drill-through price buffer [12] for a certain option series is $0.25, and that the following quotes are in the Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop-Loss/Stop Limit orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50
Order 2: Sell 1 @Market, Stop Price = $6.55
Order 3: Sell 1 @Market, Stop Price = $6.50

Per current Rule 5.34(a)(4), the following will occur:

1. Orders 1, 2 and 3 are held in the System, and handled as separate orders received in sequence. Each have stop prices less than the NBO, and are therefore triggered by the 6.50 quote, and enter the Book for execution or posting. Under today's functionality, the System assigns each order a separate drill-through price, equal to the contra-side NBBO in existence at the time each order separately entered the Book for execution.

2. Order 1 will execute against Quote 1 @$5.00. Using the NBB of $5.00 as the drill-through price, the System would prevent execution beyond $4.75.

3. When Order 1 executes against Quote 1 @5.00, that NBB will no longer be in the Book. Instead Order 2 will execute against Quote 2 @4.00 and use the NBB of 4.00 as the drill-through price, and prevent execution beyond $3.75.

4. Order 3 will cancel due to no liquidity left at the drill-through price of $3.75.

Example 2—Proposed Functionality

Again, assume that the drill-through price buffer for a certain option series is $0.25, and that the following quotes are in the Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop-Loss/Stop Limit orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50
Order 2: Sell 1 @Market, Stop Price = $6.55
Order 3: Sell 1 @Market, Stop Price = $6.50

Per proposed Rule 5.34(a)(4)(E), the following will occur:

1. Orders 1, 2 and 3 each have stop prices less than the NBO, and will therefore be triggered by the 6.50 quote, and enter the Book for execution or posting. A drill-through price for all three orders is set at the contra-side NBB of 5.00.

2. Order 1 will execute against Quote 1 @$5.00.

3. Orders 2 and 3 will cancel due to no liquidity left at the drill-through price of $4.75.

The Exchange notes that aside from the difference in drill-through price, the drill-through mechanism will apply in the same manner to these orders. The Exchange is not proposing wholly new drill-through protection behavior, but rather only seeks to modify the reference price utilized by the drill-through price protection for Stop (Stop-Loss) and Stop Limit orders if multiple such orders are triggered and entered into the Book for execution due to the same price event. By using the same drill-through price for all triggered orders eligible for execution, the proposed modification will help the drill-through protection prevent executions too far away from the NBBO when multiple Stop (Stop-Loss) and Stop Limit orders become eligible for execution. In doing so, Stop (Stop-Loss) and Stop Limit orders will receive executions at prices more closely aligned to the stop prices specified by Exchange Users.

2. Statutory Basis

The Exchange believes the proposed rule amendment is consistent with the requirements of Section 6(b) of the Act,[13] in general, and Section 6(b)(5) of the Act,[14] 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.

Specifically, the Exchange believes that proposed Rule 5.34(a)(4)(E) does not unfairly discriminate amongst Users. Under proposed Rule 5.34(a)(4)(E), all Users with Stop (Stop-Loss) and Stop-Limit Orders triggered by the same price event will have the same drill-through reference price. The primary purpose of the drill-through price protection is to prevent orders from executing at prices ''too far away'' from the market when they enter the Book for potential execution. The Exchange believes the proposed rule change is consistent with this purpose, and thus will promote just and equitable principles of trade and protect investors, because Users who submit Stop and Stop-Limit Orders will receive the same level of drill-through price protection against execution at potentially erroneous prices, regardless of the sequence in which they enter the Book. As a result of the proposed rule change, all Users' Stop and Stop-Limit Orders will receive protection based on the NBBO at the time those orders were triggered to enter the Book for potential

[9] ''System'' means the Exchange's hybrid trading platform that integrates electronic and open outcry trading of option contracts on the Exchange and includes any connectivity to the foregoing trading platform that is administered by or on behalf of the Exchange, such as a communications hub. *See* Rule 1.1. (definition of, ''System'').

[10] ''Book'' means the electronic book of simple orders and quotes maintained by the System, which single book is used during both the regular trading hours and global trading hours trading sessions. *See* Rule 1.1 (definition of, ''Book'').

[11] *See* Rule 5.34(a)(4)(A).

[12] The Exchange determines the buffer amount on a premium and class basis.

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

execution, which is consistent with the drill-through protection as well as Stop Order functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Under the current drill-through price protection functionality, the System's use of separate drill-through prices can result in Stop Orders executed later in sequence being filled at prices several levels away from the NBBO in existence at the time they are triggered and entered into the Book for execution merely because those orders were submitted after another Stop Order. As discussed above, the proposed rule change will apply the same drill-through price (and thus the same level of drill-through price protection) to Stop and Stop-Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.

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 because it relates solely to how an Exchange price protection applies to Stop (Stop-Loss) and Stop Limit orders. The proposed enhancement to the drill-through protection is consistent with the current protection and provides orders subject to drill-through price protection with improved protection against execution at potentially erroneous prices.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposal. No written comments were solicited or received 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: (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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [15] and Rule 19b–4(f)(6) [16] thereunder.

The Exchange has asked the Commission to waive the 30-day operative delay such that Exchange Users will be able to more quickly benefit from the proposed Drill through protections that are designed to: (1) Prevent potentially erroneous executions and (2) more closely align the execution prices of Stop Orders and Stop Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.[17] The Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Specifically, waiver of the operative delay should allow Exchange Users to utilize Stop Orders and Stop Limit Orders with an increased likelihood that the execution price of such orders will be more closely related to the market at the time the order is triggered for entry onto the Exchange Book. Accordingly, the Commission designates the proposal operative upon filing.[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. 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–CBOE–2022–006 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CBOE–2022–006. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of 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; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CBOE–2022–006 and should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04563 Filed 3–3–22; 8:45 am]

BILLING CODE 8011–01–P

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 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.

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[19] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94329; File No. SR–CboeEDGX–2022–007]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify How Drill-Through Price Protection Applies to Users' Orders When Multiple Stop Orders and Stop-Limit Orders Are Triggered by the Same Price

February 28, 2022.

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 February 17, 2022, Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''''EDGX'''') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II 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 Substance of the Proposed Rule Change

Cboe EDGX Exchange, Inc. (''EDGX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (the ''Commission'') a proposal to modify how Drill-Through Price protection applies to Users'[5] orders when multiple Stop Orders and Stop-Limit Orders are triggered by the same price. 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://markets.cboe.com/us/options/regulation/rule_filings/edgx/*), 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 purpose of this rule filing is to amend current Rule 21.17, Additional Price Protection Mechanisms and Risk Controls, to add new Rule 21.17(a)(4)(C), which modifies what the Drill-Through Price will be for Stop Orders[6] and Stop-Limit Orders[7] when multiple Stop Orders Stop-Limit Orders are triggered by the same stop price specified by Users.

Drill-through price protection is currently described in Exchange Rule 21.17(a)(4). Rule 21.17(a)(4) provides that if a buy (sell) order enters the EDGX Options Book at the conclusion of the opening auction process or would execute or post to the EDGX Options Book at the time of order entry. The System executed the order up to a buffer amount (the Exchange determines the buffer amount on a class and premium basis) above (below) the offer (bid) limit of the Opening Collar or NBO (NBB) that existed at the time of order entry, respectively (the, ''Drill-Through Price'').[8]

Currently, when multiple Stop Orders and Stop-Limit Orders are triggered by the same price, the System[9] considers them separate orders received in sequence and enters them sequentially into the EDGX Options Book.[10] As such, when determining the Drill-Through Price for each order, the System uses the contra side NBBO that existed at the time each of the orders was entered into the EDGX Options Book.[11] By applying drill-through price protection in this manner, the Exchange has observed, particularly in thinly traded markets, that the first order triggered will trade with the best priced contra-side order, while the second triggered order can trade at prices that may be multiple price levels away, as it is using the NBBO that existed after the first triggered order executed. Accordingly, the Exchange seeks to enhance the drill-through price functionality as it relates to Stop Orders and Stop-Limit Orders, through the addition of proposed Rule 21.17(a)(4)(C). Under proposed Rule 21.17(a)(4)(C), rather than using separate Drill-Through Prices for each individual Stop Order and Stop-Limit Order, the System will instead use the contra-side NBBO that existed at the time the first order in sequence was entered into the EDGX Options Book as the Drill-Through Price, for all orders. This is the Drill-Through Price that would apply to each Stop Order or Stop-Limit Order if it was the only one triggered at that price. By way of illustration, consider the following examples:

Example 1—Current Functionality

Assume that the Drill-Through Price buffer[12] for a certain option series is $0.25, and that the following quotes are in the EDGX Options Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop Orders/Stop Limit Orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50

Order 2: Sell 1 @Market, Stop Price = $6.55

Order 3: Sell 1 @Market, Stop Price = $6.50

[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] The term ''User'' shall mean any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3. *See* Rule 1.5(ee).

[6] A Stop Order is order is an order that becomes a Market Order when the stop price is elected. A Stop Order to buy is elected when the consolidated last sale in the option occurs at or above, or the NBB is equal to or higher than, the specified stop price. A Stop Order to sell is elected when the consolidated last sale in the option occurs at or below, or the NBO is equal to or lower than, the specified stop price. Users may not designate bulk messages as Stop Orders. *See* 21.1(d)(11).

[7] A ''Stop-Limit'' Order is an order that becomes a limit order when the stop price is elected. A Stop Limit Order to buy is elected and becomes a buy limit order when the consolidated last sale in the option occurs at or above, or the NBB is equal to or higher than, the specified stop price. A Stop Limit Order to sell is elected and becomes a sell limit order when the consolidated last sale in the option occurs at or below, or the NBO is equal to or lower than, the specified stop price. Users may not designate a Stop Limit Order as All Sessions. Users may not designate bulk messages as Stop Limit Orders. *See* 21.1(d)(12).

[8] *See* Rule 21.17(a)(4).

[9] ''System'' means the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away. *See* Rule 1.5(cc).

[10] ''EDGX Options Book'' means the System's electronic file of orders. *See* Rule 1.5.(e).

[11] *See* Rule 21.17(a)(4).

[12] The Exchange determines the buffer amount on a premium and class basis.

Per current Rule 21.17(d), the following will occur:

1. Orders 1, 2 and 3 are held in the System, and handled as separate orders received in sequence. Each have stop prices less than the NBO, and are therefore triggered by the 6.50 quote, and enter the EDGX Options Book for execution or posting. Under today's functionality, the System assigns each order a separate Drill-Through Price, equal to the contra-side NBBO in existence at the time each order separately entered the EDGX Options Book for execution.

2. Order 1 will execute against Quote 1 @$5.00. Using the NBB of $5.00 as the Drill-Through Price, the System would prevent execution beyond $4.75.

3. When Order 1 executes against Quote 1 @5.00, that NBB will no longer be in the EDGX Options Book. Instead Order 2 will execute against Quote 2 @ 4.00 and use the NBB of 4.00 as the Drill-Through Price and prevent execution beyond $3.75.

4. Order 3 will cancel due to no liquidity left at the drill-through price of $3.75.

Example 2—Proposed Functionality

Again, assume that the Drill-Through Price buffer for a certain option series is $0.25, and that the following quotes are in the EDGX Options Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop Orders/Stop Limit Orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50

Order 2: Sell 1 @Market, Stop Price = $6.55

Order 3: Sell 1 @Market, Stop Price = $6.50

Per proposed Rule 21.17(d), the following will occur:

1. Orders 1, 2 and 3 each have stop prices less than the NBO, and will therefore be triggered by the 6.50 quote, and enter the EDGX Options Book for execution or posting. A Drill-Through Price for all three orders is set at the contra-side NBB of 5.00.

2. Order 1 will execute against Quote 1 @$5.00.

3. Orders 2 and 3 will cancel due to no liquidity left at the drill-through price of $4.75.

The Exchange notes that aside from the difference in Drill-Through Price, the drill-through mechanism will apply in the same manner to these orders. The Exchange is not proposing wholly new drill-through protection behavior, but rather only seeks to modify the reference price utilized by the drill-through price protection for Stop Orders and Stop-Limit Orders if multiple such orders are triggered and entered into the EDGX Options Book for execution due to the same price event. By using the same Drill-Through Price for all triggered orders eligible for execution, the proposed modification will help the drill-through protection prevent executions too far away from the NBBO when multiple Stop Orders and Stop Limit Orders become eligible for execution. In doing so, Stop Orders and Stop Limit Orders will receive executions at prices more closely aligned to the stop prices specified by Exchange Users.

2. Statutory Basis

The Exchange believes the proposed rule amendment is consistent with the requirements of Section 6(b) of the Act,[13] in general, and Section 6(b)(5) of the Act,[14] 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.

Specifically, the Exchange believes that proposed Rule 21.17(a)(4)(C) does not unfairly discriminate amongst Users. Under proposed Rule 21.17(a)(4)(C), all Users with Stop Orders and Stop-Limit Orders triggered by the same price event will have the same drill-through reference price. The primary purpose of the drill-through price protection is to prevent orders from executing at prices ''too far away'' from the market when they enter the EDGX Options Book for potential execution. The Exchange believes the proposed rule change is consistent with this purpose, and thus will promote just and equitable principles of trade and protect investors, because Users who submit Stop Orders and Stop-Limit Orders will receive the same level of drill-through price protection against execution at potentially erroneous prices, regardless of the sequence in which they enter the EDGX Options Book. As a result of the proposed rule change, all Users' Stop Orders and Stop-Limit Orders will receive protection based on the NBBO at the time those orders were triggered to enter the EDGX Options Book for potential execution, which is consistent with the drill-through protection as well as Stop Order functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Under the current drill-through price protection functionality, the System's use of separate Drill-Through Prices can result in Stop Orders executed later in sequence being filled at prices several levels away from the NBBO in existence at the time they are triggered and entered into the EDGX Options Book for execution merely because those orders were submitted after another Stop Order. As discussed above, the proposed rule change will apply the same Drill-Through Price (and thus the same level of drill-through price protection) to Stop Orders and Stop-Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.

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 because it relates solely to how an Exchange price protection applies to Stop Orders and Stop Limit Orders. The proposed enhancement to the drill-through protection is consistent with the current protection and provides orders subject to drill-through price protection with improved protection against execution at potentially erroneous prices.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposal. No written comments were solicited or received 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: (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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

19(b)(3)(A) of the Act [15] and Rule 19b–4(f)(6) [16] thereunder.

The Exchange has asked the Commission to waive the 30-day operative delay such that Exchange Users will be able to more quickly benefit from the proposed Drill through protections that are designed to: (1) Prevent potentially erroneous executions and (2) more closely align the execution prices of Stop Orders and Stop Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.[17] The Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Specifically, waiver of the operative delay should allow Exchange Users to utilize Stop Orders and Stop Limit Orders with an increased likelihood that the execution price of such orders will be more closely related to the market at the time the order is triggered for entry onto the EDGX Book. Accordingly, the Commission designates the proposal operative upon filing.[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. 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–CboeEDGX–2022–007 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–CboeEDGX–2022–007. 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; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CboeEDGX–2022–007 and should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04566 Filed 3–3–22; 8:45 am]

BILLING CODE 8011–01–P

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 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.

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[19] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–94325; File No. SR–C2–2022–005]

Self-Regulatory Organizations; Cboe C2 Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating To Modify How Drill-Through Price Protection Applies to Users' Orders When Multiple Stop (Stop-Loss) and Stop-Limit Orders Are Triggered by the Same Price

February 28, 2022.

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 February 17, 2022, Cboe C2 Exchange, Inc. (the ''Exchange'' or ''C2'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II 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 Substance of the Proposed Rule Change

Cboe C2 Exchange, Inc. (''C2'' or the ''Exchange'') is filing with the Securities and Exchange Commission (the ''Commission'') a proposal to modify how drill-through price protection applies to Users' [5] orders when multiple Stop (Stop-Loss) and Stop-Limit orders are triggered by the same price. 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://markets.cboe.com/us/options/regulation/rule_filings/ctwo/*), 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

[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] The Term ''User'' shall mean any Trading Privilege Holder (TPH) or Sponsored User who is authorized to obtain access to the System pursuant to Rule 5.5.

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 purpose of this rule filing is to amend current Rule 5.34(a)(4), Order and Quote Price Protection Mechanisms and Risk Controls, to add new Rule 5.34(a)(4)(E), which modifies what the drill-through price will be for Stop (Stop-Loss) [6] and Stop-Limit [7] orders when multiple Stop and Stop-Limit orders are triggered by the same stop price specified by Users.

Drill-through price protection is currently described in Exchange Rule 5.34(a)(4)(A). Rule 5.34(a)(4)(A) equates the drill-through reference price for a buy (sell) order to a price up to a buffer amount (the Exchange determines the buffer amount on a class and premium basis) above (below) the offer (bid) limit of the Opening Collar or the NBO (NBB) that existed at the time of order entry, respectively (the, ''drill-through price'').[8]

Currently, when multiple Stop (Stop-Loss) or Stop-Limit orders are triggered by the same price, the System [9] considers them separate orders received in sequence and enters them sequentially into the Book.[10] As such, when determining the drill-through price for each order, the System uses the contra side NBBO that existed at the time each of the orders was entered into the Book.[11] By applying drill-through price protection in this manner, the Exchange has observed, particularly in thinly traded markets, that the first order triggered will trade with the best priced contra-side order, while the second triggered order can trade at prices that may be multiple price levels away, as it is using the NBBO that existed after the first triggered order executed. Accordingly, the Exchange seeks to enhance the drill-through price functionality as it relates to Stop (Stop-Loss) and Stop Limit Orders, through the addition of proposed Rule 5.34(a)(4)(E). Under proposed Rule 5.34(a)(4)(E), rather than using separate drill-through prices for each individual Stop and Stop-Limit order, the System will instead use the contra-side NBBO that existed at the time the first order in sequence was entered into the Book as the drill-through price, for all orders. This is the drill-through price that would apply to each Stop or Stop-Limit order if it was the only one triggered at that price. By way of illustration, consider the following examples:

Example 1—Current Functionality

Assume that the drill-through price buffer [12] for a certain option series is $0.25, and that the following quotes are in the Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop-Loss/Stop Limit orders are being held in the System when the Quote 1 offer is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50
Order 2: Sell 1 @Market, Stop Price = $6.55
Order 3: Sell 1 @Market, Stop Price = $6.50

Per current Rule 5.34(a)(4), the following will occur:

1. Orders 1, 2 and 3 are held in the System, and handled as separate orders received in sequence. Each have stop prices less than the NBO, and are therefore triggered by the 6.50 quote, and enter the Book for execution or posting. Under today's functionality, the System assigns each order a separate drill-through price, equal to the contra-side NBBO in existence at the time each order separately entered the Book for execution.

2. Order 1 will execute against Quote 1 @$5.00. Using the NBB of $5.00 as the drill-through price, the System would prevent execution beyond $4.75.

3. When Order 1 executes against Quote 1 @5.00, that NBB will no longer be in the Book. Instead Order 2 will execute against Quote 2 @4.00 and use the NBB of 4.00 as the drill-through price, and prevent execution beyond $3.75.

4. Order 3 will cancel due to no liquidity left at the drill-through price of $3.75.

Example 2—Proposed Functionality

Again, assume that the drill-through price buffer for a certain option series is $0.25, and that the following quotes are in the Book: Quote 1 (NBBO): 5.00 × 7.00; Quote 2: 4.00 × 8.00. Each quote has a size of 1. Additionally, the following Stop-Loss/Stop Limit orders are being held in the System when Quote 1 offers is updated to $6.50 (they were received by the System in sequence):

Order 1: Sell 1 @Market, Stop Price = $6.50
Order 2: Sell 1 @Market, Stop Price = $6.55
Order 3: Sell 1 @Market, Stop Price = $6.50

Per proposed Rule 5.34(a)(4)(E), the following will occur:

1. Orders 1, 2 and 3 each have stop prices less than the NBO, and will therefore be triggered by the 6.50 quote, and enter the Book for execution or posting. A drill-through price for all three orders is set at the contra-side NBB of 5.00.

2. Order 1 will execute against Quote 1 @$5.00.

3. Orders 2 and 3 will cancel due to no liquidity left at the drill-through price of $4.75.

The Exchange notes that aside from the difference in drill-through price, the drill-through mechanism will apply in the same manner to these orders. The Exchange is not proposing wholly new drill-through protection behavior, but rather only seeks to modify the reference price utilized by the drill-through price protection for Stop (Stop-Loss) and Stop Limit orders if multiple such orders are triggered and entered into the Book for execution due to the same price event. By using the same drill-through price for all triggered orders eligible for execution, the proposed modification will help the drill-through protection prevent

[6] A ''Stop (Stop-Loss)'' order is an order to buy (sell) that becomes a market order when the consolidated last sale price (excluding prices from complex order trades if outside of the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. Users may not designate a Stop Order as All Sessions. Users may not designate bulk messages as Stop Orders. A User may not designate a Stop order as Direct to PAR. *See* Rule 5.6(c) (definition of ''Stop (Stop-Loss)'' order).

[7] A ''Stop-Limit'' order is an order to buy (sell) that becomes a limit order when the consolidated last sale price (excluding prices from complex order trades if outside the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. A User may not designate a Stop-Limit Order as All Sessions. Users may not designate bulk messages as Stop-Limit Orders. A User may not designate a Stop-Limit order as Direct to PAR. *See* Rule 5.6(c) (definition of ''Stop-Limit'' order).

[8] *See* Rule 5.34(a)(4)(A).

[9] ''System'' means the Exchange's hybrid trading platform that integrates electronic and open outcry trading of option contracts on the Exchange and includes any connectivity to the foregoing trading platform that is administered by or on behalf of the Exchange, such as a communications hub. *See* Rule 1.1. (definition of, ''System'').

[10] ''Book'' means the electronic book of simple orders and quotes maintained by the System, which single book is used during both the regular trading hours and global trading hours trading sessions. *See* Rule 1.1 (definition of, ''Book'').

[11] *See* Rule 5.34(a)(4)(A).

[12] The Exchange determines the buffer amount on a premium and class basis.

executions too far away from the NBBO when multiple Stop (Stop-Loss) and Stop Limit orders become eligible for execution. In doing so, Stop (Stop-Loss) and Stop Limit orders will receive executions at prices more closely aligned to the stop prices specified by Exchange Users.

2. Statutory Basis

The Exchange believes the proposed rule amendment is consistent with the requirements of Section 6(b) of the Act,[13] in general, and Section 6(b)(5) of the Act,[14] 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.

Specifically, the Exchange believes that proposed Rule 5.34(a)(4)(E) does not unfairly discriminate amongst Users. Under proposed Rule 5.34(a)(4)(E), all Users with Stop (Stop-Loss) and Stop-Limit Orders triggered by the same price event will have the same drill-through reference price. The primary purpose of the drill-through price protection is to prevent orders from executing at prices ''too far away'' from the market when they enter the Book for potential execution. The Exchange believes the proposed rule change is consistent with this purpose, and thus will promote just and equitable principles of trade and protect investors, because Users who submit Stop and Stop-Limit Orders will receive the same level of drill-through price protection against execution at potentially erroneous prices, regardless of the sequence in which they enter the Book. As a result of the proposed rule change, all Users' Stop and Stop-Limit Orders will receive protection based on the NBBO at the time those orders were triggered to enter the Book for potential execution, which is consistent with the drill-through protection as well as Stop Order functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Under the current drill-through price protection functionality, the System's use of separate drill-through prices can result in Stop Orders executed later in sequence being filled at prices several levels away from the NBBO in existence at the time they are triggered and entered into the Book for execution merely because those orders were submitted after another Stop Order. As discussed above, the proposed rule change will apply the same drill-through price (and thus the same level of drill-through price protection) to Stop and Stop-Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.

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 because it relates solely to how an Exchange price protection applies to Stop (Stop-Loss) and Stop Limit orders. The proposed enhancement to the drill-through protection is consistent with the current protection and provides orders subject to drill-through price protection with improved protection against execution at potentially erroneous prices.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposal. No written comments were solicited or received 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: (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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[15] and Rule 19b–4(f)(6)[16] thereunder.

The Exchange has asked the Commission to waive the 30-day operative delay such that Exchange Users will be able to more quickly benefit from the proposed Drill through protections that are designed to: (1) Prevent potentially erroneous executions and (2) more closely align the execution prices of Stop Orders and Stop Limit Orders that become eligible for potential execution at the same time due to the same price triggering event.[17] The Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Specifically, waiver of the operative delay should allow Exchange Users to utilize Stop Orders and Stop Limit Orders with an increased likelihood that the execution price of such orders will be more closely related to the market at the time the order is triggered for entry onto the C2 Book. Accordingly, the Commission designates the proposal operative upon filing.[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. 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–C2–2022–005 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–C2–2022–005. This file number should be included on the subject line if email is used. To help the Commission process and review your

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 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.

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

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; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–C2–2022–005 and should be submitted on or before March 25, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–04562 Filed 3–3–22; 8:45 am]

BILLING CODE 8011–01–P

[19] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17363 and #17364; Kentucky Disaster Number KY–00092]

Presidential Declaration of a Major Disaster for Public Assistance Only for the Commonwealth of Kentucky

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the Commonwealth of Kentucky (FEMA–4643–DR), dated 02/27/2022.

Incident: Severe Storms, Straight-line Winds, Tornadoes, Flooding, Landslides, and Mudslides.

Incident Period: 12/31/2021 through 01/02/2022.

DATES: Issued on 02/27/2022.

Physical Loan Application Deadline Date: 04/28/2022.

Economic Injury (EIDL) Loan Application Deadline Date: 11/28/2022.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 02/27/2022, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Boyd, Breathitt, Carter, Christian, Clay, Floyd, Green, Johnson, Knott, Lawrence, Owsley, Pike, Taylor.

The Interest Rates are:

	Percent
For Physical Damage:	
Non-Profit Organizations with Credit Available Elsewhere ...	1.875
Non-Profit Organizations without Credit Available Elsewhere	1.875
For Economic Injury:	
Non-Profit Organizations without Credit Available Elsewhere	1.875

The number assigned to this disaster for physical damage is 17363 B and for economic injury is 17364 0.

(Catalog of Federal Domestic Assistance Number 59008)

Barbara Carson,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 2022–04596 Filed 3–3–22; 8:45 am]

BILLING CODE 8026–03–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36583]

Eric Temple—Continuance in Control—Central Washington Railroad Company, Columbia Basin Railroad Company, Inc., Portland Vancouver Junction Railroad, LLC, and Columbia Shipyards Railroad LLC

Eric Temple (Applicant) has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Columbia Shipyards Railroad LLC, a non-carrier controlled by Applicant, upon CSBP's becoming a Class III rail carrier.

This transaction is related to a verified notice of exemption filed concurrently in *Columbia Shipyards Railroad—Change in Operator Exemption—Portland Vancouver Junction Railroad, Clark County, Wash.,* Docket No. FD 36582, in which CSBP seeks to acquire from its corporate affiliate, Portland Vancouver Junction Railroad, LLC (PVJR), the rights and obligations to perform common carrier switching service over approximately three miles of tracks owned by the Columbia Business Center, a non-carrier.[1]

The transaction may be consummated on or after March 20, 2022, the effective date of the exemption (30 days after the verified notice was filed).

According to the notice, Applicant is a non-carrier who controls three Class III railroads: Central Washington Railroad Company (CWA), Columbia Basin Railroad Company, Inc. (CBRW), and PVJR, which all operate in Washington.[2] The continuance in control exemption would allow Applicant to control CSBP, which will provide switching services for Columbia Business Center in place of PVJR, once CSBP becomes a carrier.

Applicant represents that: (1) CSBP will not connect with any other railroad in Applicant's corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect CSBP with any railroad in the Applicant's corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.[3]

[1] Applicant states that PVJR also operates over a 33-mile line owned by Clark County, Washington.

[2] According to the verified notice, Applicant owns 45% of CWA's stock, 50% of CBRW's stock, and 100% of PVJR's stock.

[3] Applicant states that CSBP nonetheless intends to offer employment to all of the PVJR employees who currently operate within the business park.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than March 11, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36583, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on Applicant's representative, Richard H. Streeter, Law Office of Richard H. Streeter, 5255 Partridge Lane NW, Washington, DC 20016.

According to Applicant, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov.*

Decided: February 28, 2022.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,

Clearance Clerk.

[FR Doc. 2022–04633 Filed 3–3–22; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36582]

Columbia Shipyards Railroad LLC—Change in Operator Exemption—Portland Vancouver Junction Railroad, LLC, Clark County, Wash.

Columbia Shipyards Railroad LLC (CSBP), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to permit CSBP to acquire from its corporate affiliate, Portland Vancouver Junction Railroad, LLC (PVJR),[1] a Class III rail carrier, the rights and obligations to perform common carrier switching service over approximately three miles of tracks owned by the Columbia Business Center, a non-carrier. The tracks, which include no mileposts, are located within a business park in Clark County, Wash., and interconnect with the lines of BNSF Railway Company.

According to the verified notice, Columbia Business Center, pursuant to an agreement signed by its agent, FC Services, LLC (FC Services), also a non-carrier, entered into an agreement with PVJR to provide switching services as a common carrier in 2017.[2] PVJR also operates over a 33-mile line owned by Clark County, Wash. PVJR's owner subsequently concluded that the establishment of a new corporation would be in the best interests of the corporate family as it would draw a distinction between the generalized freight rail operations conducted by PVJR and the common carrier railroad switching services it performed on behalf of Columbia Business Center.

This transaction is related to a concurrently filed verified notice of exemption in *Eric Temple—Continuance in Control—Central Washington Railroad, Columbia Basin Railroad, Portland Vancouver Junction Railroad, and Columbia Shipyards Railroad,* Docket No. FD 36583, in which Eric Temple seeks to continue in control of CSBP upon CSBP's becoming a Class III rail carrier.

CSBP certifies that the transaction involves no provision or agreement that would limit future interchange with a third-party connecting carrier. CSBP also certifies that its projected annual revenues as a result of this transaction will not result in its becoming a Class II or Class I rail carrier and that its projected annual revenues will not exceed $5 million.

Under 49 CFR 1150.32(b), a change in operator requires that notice be given to shippers. By supplement filed February 24, 2022, CSBP certifies that notice of the change in operator was served on all shippers affected by this transaction.[3]

The transaction may be consummated on or after March 26, 2022, the effective date of the exemption (30 days after the verified notice was filed).[4]

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than March 18, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36582, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on CSBP's representative, Richard H. Streeter, Law Office of Richard H. Streeter, 5255 Partridge Lane NW, Washington, DC 20016.

According to CSBP, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

Board decisions and notices are available at *www.stb.gov.*

Decided: February 28, 2022.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,

Clearance Clerk.

[FR Doc. 2022–04632 Filed 3–3–22; 8:45 am]

BILLING CODE 4915–01–P

[1] The verified notice was initially submitted as a request for an operation exemption. On February 24, 2022, CSBP filed a supplement clarifying that the transaction involves a change in operators. Accordingly, the docket has been recaptioned as a change in operator exemption.

[2] *See Portland Vancouver Junction R.R.—Operation Exemption—Rail Lines of Columbia Bus. Ctr., Clark Cnty., Wash.,* FD 36134 (STB served July 28, 2017).

[3] By letter filed February 21, 2022, CSBP also submitted a letter from FC Services, stating that it consents to the transfer of operations from PVJR to CSBP.

[4] CSBP's supplement, indicating that it was seeking a change in operator exemption and that all shippers had been notified, was filed on February 24, 2022, which therefore is deemed the filing date of the verified notice.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2022–0004]

Equivalent Protective Arrangements for Railroad Employees

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed guidance.

SUMMARY: FRA proposes guidance for its grantees on protective arrangements that are required to protect employees impacted by certain projects financed by the Federal Government. FRA intends its final guidance (FRA Guidance) on this topic to inform its grantees on how to comply with statutory requirements for these protections in the performance of their grants.

DATES: Written comments on this proposed guidance must be received on or before April 18, 2022. Comments received after that date will be considered to the extent possible without incurring additional expense or delay.

ADDRESSES: You may submit comments, identified by the docket number FRA–2022–0004 by using the Federal eRulemaking Portal: *https://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name and docket number for this guidance. All comments received will be posted

without change to *https://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read the proposed FRA Guidance, background documents, or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Kevin MacWhorter, Attorney Advisor, Office of the Chief Counsel, telephone: (202) 641–8727, email: *kevin.macwhorter@dot.gov.*

SUPPLEMENTARY INFORMATION: In 1976, pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act), representatives of the railroads and their employees agreed on ''[f]air and equitable arrangements'' to protect employees impacted by certain projects financed by the Federal Government. The Secretary of Labor adopted these protections in a letter to the Secretary of Transportation dated July 6, 1976. FRA has placed a copy of this letter and the accompanying protections in the docket for this guidance. In general, these protections provided that a railroad employee who is adversely affected by a project receiving certain financing from the Federal Government was entitled to receive a displacement allowance, and/or a dismissal allowance, among other benefits.

Many of FRA's current discretionary grant programs, including the Consolidated Rail Infrastructure and Safety Improvements Program and the Federal-State Partnership for State of Good Repair Program, are subject to the grant conditions described in section 22905(c) of title 49, U.S.C. As relevant here, section 22905(c)(2)(B), requires grant applicants, for any grant for a project that uses rights-of-way owned by a railroad, to agree to comply with ''the protective arrangements that are equivalent to the protective arrangements established under'' the 4R Act. While this requirement is a condition of many FRA grants, it is not often applicable (as FRA's grants do not typically cause an adverse impact to railroad employees). With that said, FRA developed the FRA Guidance to assist grantees and to facilitate compliance with these important protections. Once final, FRA intends to include the FRA Guidance as an appendix to all new grant and cooperative agreements subject to section 22905(c)(2)(B), and grantees will be required to ensure the inclusion of the FRA Guidance, as applicable, in all contracts for the FRA-funded project. Costs incurred to comply with the FRA Guidance and in a manner consistent with 2 CFR part 200 are eligible for reimbursement under the applicable grant.

Section 22905(c)(2)(B) specifically requires protective arrangements ''equivalent'' to those established under the 4R Act. As such, in the FRA Guidance, FRA did not deviate from the protections adopted by the Secretary of Labor in 1976. The FRA Guidance only seeks to clarify the protections and to ensure grant applicants understand them. FRA did not create new, or remove existing, protections. As noted, FRA has included a copy of the Secretary of Labor's letter and the accompanying protections in the docket to facilitate review of the FRA Guidance.

The FRA Guidance describes both procedural and substantive protections. The substantive protections include dismissal and displacement allowances and moving assistance, among other items included in the original 4R Act protections. The procedural protections include opportunities for employees (or their representatives) to engage in negotiations with respect to application of the protections.

Privacy Act

FRA may solicit comments from the public to better inform its guidance process. FRA posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Allison Ishihara Fultz,

Chief Counsel.

[FR Doc. 2022–04530 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

FY 2022 Competitive Funding Opportunity: Low or No Emission Grant Program and the Grants for Buses and Bus Facilities Competitive Program

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of Funding Opportunity (NOFO).

SUMMARY: The Federal Transit Administration (FTA) announces the opportunity to apply for approximately $1.1 billion in competitive grants under the fiscal year (FY) 2022 Low or No Emission Grant Program (Low-No Program) (Federal Assistance Listing: 20.526) and approximately $372 million in FY 2022 funds under the Grants for Buses and Bus Facilities Program (Buses and Bus Facilities Program) (Federal Assistance Listing 20.526), subject to availability of appropriated funding.

DATES: Complete proposals must be submitted electronically through the GRANTS.GOV ''APPLY'' function by 11:59 p.m. Eastern time on May 31, 2022. Prospective applicants should initiate the process by registering on the GRANTS.GOV website promptly to ensure completion of the application process before the submission deadline.

ADDRESSES: Instructions for applying can be found on FTA's website at *https://www.transit.dot.gov/howtoapply* and in the ''FIND'' module of GRANTS.GOV. The funding opportunity ID is FTA–2022–001–TPM–LWNO for Low-No applications and FTA–2022–002–TPM–BUSC for Buses and Bus Facilities applications. Please note, if an application is choosing to apply to both programs, the applicant must submit a GRANTS.GOV package to each opportunity ID. Mail and fax submissions will not be accepted.

FOR FURTHER INFORMATION CONTACT: For further information concerning this notice, please contact the Low-No/Bus grant program staff via email at *ftalownobusnofo@dot.gov,* or call Amy Volz at 202–366–7484.

SUPPLEMENTARY INFORMATION: As required by Federal public transportation law, Low or No Emission Grant Program funds will be awarded competitively for the purchase or lease of low or no emission vehicles that use advanced technologies for transit revenue operations, including related equipment or facilities. As required by Federal public transportation law, Buses and Bus Facilities Program funds will be

awarded competitively to assist in the financing of capital projects to replace, rehabilitate, purchase or lease buses and related equipment, and to rehabilitate, purchase, construct or lease bus-related facilities. Zero-emission projects will include costs for workforce development, unless the applicant certifies funds are not needed. In general, projects may include costs incidental to the acquisition of buses or to the construction of facilities, such as the costs of related workforce development and training activities, and project administration expenses. As these two programs have overlapping eligibilities and must be implemented on the same timeline as required by changes made by the Bipartisan Infrastructure Law (enacted as the Infrastructure Investment and Jobs Act), FTA is publishing this joint NOFO. Per Federal public transportation law, FTA will award grants for these programs within 75 days after the date this solicitation expires from funds available for award at that time. FTA may extend the application deadline, and may award additional funding that is made available to the programs prior to the announcement of project selections. If during FY2022, additional funding is made available for these programs after announcement of project selections, FTA may make additional awards under a separate NOFO.

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A. Program Description

This is a combined NOFO and announces the availability of FY 2022 funding for both the Low-No and the Buses and Bus Facilities Program.

Federal public transportation law (49 U.S.C. 5339(c)) authorizes FTA to award grants for low or no emission bus projects through a competitive process, as described in this notice. The Low-No Program provides funding to State (including territories and Washington DC), local governmental authorities, and tribal governments for the purchase or lease of zero-emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities such as recharging, refueling, and maintenance facilities.

Federal public transportation law (49 U.S.C. 5339(b)) authorizes FTA to award grants for the Buses and Bus Facilities Program through a competitive process, as described in this notice. Grants under this program are for capital projects to replace, rehabilitate, purchase, or lease buses and related equipment, or to rehabilitate, purchase, construct, or lease bus-related facilities.

These programs support FTA's priorities and objectives through investments that (1) renew our transit systems; (2) reduce greenhouse gas emissions from public transportation, (3) advance racial equity, (4) maintain and create good-paying jobs with a free and fair choice to join a union, and (5) connect communities. These programs also support the President's Building a Better America initiative to mobilize American ingenuity to build a modern infrastructure and an equitable, clean energy future. In addition, this NOFO will advance the goals of the President's January 20, 2021, Executive Order 14008, Tackling the Climate Crisis at Home and Abroad and Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.

B. Federal Award Information

Federal public transportation law (49 U.S.C. 5338(a)(2)(N)) authorizes $71,561,189 in FY 2022 for the Low-No Program. The 2021 Bipartisan Infrastructure Law (BIL) (enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117–58) appropriated an additional $1,029,000,000 for FY 2022 grants, for a total of $1,100,561,189 for grants under the Low-No program, subject to the availability of FY 2022 appropriated funding. Additional funds made available prior to project selection may be allocated to eligible projects. If during FY2022, additional funding is made available for this program after announcement of project selections, FTA may issue another NOFO and make additional awards.

As required by Federal public transportation law (49 U.S.C. 5339(c)(5)), a minimum of 25 percent of the amount awarded under the Low-No Program will be awarded to low emission projects other than zero emission vehicles and related facilities. In FY 2021, the program received applications for 187 projects requesting a total of $917 million. Forty-nine projects were funded at a total of $182 million.

Federal public transportation law (49 U.S.C. 5338(a)(2)(N)) authorizes $375,696,244 in FY 2022 funds for the Buses and Bus Facilities Program. After the oversight takedown of $3,354,431, FTA is announcing the availability of $372,341,813 for the Buses and Bus Facilities Program through this notice, subject to availability of FY 2022 appropriated funding. Additional funds made available prior to project selection may be allocated to eligible projects. If during FY2022, additional funding is made available for this program after announcement of project selections, FTA may make additional awards under a separate NOFO.

As required by Federal public transportation law at 49 U.S.C. 5339(b)(5), a minimum of 15 percent of the amount awarded under the Buses and Bus Facilities Program will be awarded to projects located in rural areas. As required by 49 U.S.C. 5339(b)(8), no single grant recipient will be awarded more than 10 percent of the amount made available. In FY 2020, the program received applications for 282 projects requesting a total of $1.8 billion. Ninety-six projects were funded at a total of $464 million.

An applicant may submit a low or no emissions project to both the Buses and Bus Facilities Program and the Low-No Program, or submit the project only to the Low-No Program or only to the Buses and Bus Facilities Program. If a project submitted for consideration under both programs is selected for funding, FTA will exercise its discretion to determine under which program the project will receive an award. Please note if submitting to both programs, a separate application package must be submitted to each opportunity ID for the respective program listed on GRANTS.GOV.

FTA may cap the amount a single recipient or State may receive as part of the selection process for either program.

FTA will grant pre-award authority to incur costs for selected projects beginning on the date FY 2022 project selections are announced on FTA's website. Funds are available for obligation for three fiscal years after the fiscal year in which the competitive awards are announced. Funds are available only for eligible costs incurred after announcement of project selections. FTA intends to fund as many meritorious projects as possible.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for the Low or No Emission Program include designated recipients, States (including territories and Washington DC), local governmental authorities, and Indian tribes. Proposals for funding projects in rural (non-urbanized) areas, defined as an area encompassing a population of less than 50,000 people that has not been designated in the most recent decennial census as an ''urbanized area''

by the Secretary of Commerce may be submitted as part of a consolidated State proposal. To be considered eligible, applicants must be able to demonstrate the requisite legal, financial, and technical capabilities to receive and administer Federal funds under this program. Assistance on this requirement is available from FTA's Regional Offices.

Eligible applicants for the Buses and Bus Facilities Program include designated recipients that allocate funds to fixed route bus operators, States (including territories and Washington DC) or local governmental entities that operate fixed route bus service, and Indian tribes. Eligible subrecipients include all otherwise eligible applicants and also private nonprofit organizations engaged in public transportation.

Except for projects proposed by Indian tribes, all proposals for projects in rural (non-urbanized) areas must be submitted by a State, either individually or as a part of a statewide application. States and other eligible applicants also may submit consolidated proposals for projects in urbanized areas. The submission of a statewide or consolidated urbanized area application does not preclude any other eligible recipients in an urbanized area or in a State from also submitting a separate application. Proposals may contain projects to be implemented by the recipient or its subrecipients.

As permitted under Federal public transportation law (49 U.S.C. 5339(b)(10), (c)(8)), an applicant proposing a low or no emission project under both the Buses and Bus Facilities Program and the Low-No Program, or an applicant proposing only a low or no emission project under the Low-No program, may include partnerships with other entities that intend to participate in the implementation of the project, including, but not limited to, specific vehicle manufacturers, equipment vendors, owners or operators of related facilities, or project consultants. If an application that involves such a partnership is selected for funding, the project will be deemed to satisfy the requirement for a competitive procurement under 49 U.S.C. 5325(a) for the named entities. Applicants are advised that any changes to the proposed partnership will require FTA written approval, must be consistent with the scope of the approved project, and may necessitate a competitive procurement.

2. Cost Sharing or Matching

The maximum Federal share for projects that involve leasing or acquiring transit buses (including clean fuel or alternative fuel vehicles) for purposes of complying with or maintaining compliance with the Clean Air Act (CAA) or the Americans with Disabilities Act (ADA) of 1990 is 85 percent of the net project cost.

The maximum Federal share for the cost of acquiring, installing, or constructing vehicle-related equipment or facilities (including clean fuel or alternative fuel vehicle-related equipment or facilities) for purposes of complying with or maintaining compliance with the CAA or ADA is 90 percent of the net project cost of such equipment or facilities that are attributable to compliance with the CAA or ADA. The award recipient must itemize the cost of specific, discrete, vehicle-related equipment associated with compliance with the CAA to be eligible for the maximum 90 percent Federal share for these costs.

The Federal share of the cost of other projects shall not exceed 80 percent.

Eligible sources of match include the following: Cash from non-Government sources other than revenues from providing public transportation services; revenues derived from the sale of advertising and concessions; amounts received under a service agreement with a State or local social service agency or private social service organization; revenues generated from value capture financing mechanisms; funds from an undistributed cash surplus; replacement or depreciation cash fund or reserve; new capital; or in-kind contributions. Transportation development credits or in-kind match may be used for local match if identified and documented in the application.

3. Eligible Projects

Under the Low-No Program (49 U.S.C. 5339(c)), eligible projects include projects or programs of projects in an eligible area for: (1) Purchasing or leasing low or no emission buses; (2) acquiring low or no emission buses with a leased power source; (3) constructing or leasing facilities and related equipment for low or no emission buses; (4) constructing new public transportation facilities to accommodate low or no emission buses; or (5) rehabilitating or improving existing public transportation facilities to accommodate low or no emission buses (49 U.S.C. 5339(c)(1)(B)). As required by Federal public transportation law (49 U.S.C. 5339(c)(5)), FTA will consider only eligible projects relating to the acquisition or leasing of low or no emission buses or bus facilities that make greater reductions in energy consumption and harmful emissions than comparable standard buses or other low or no emission buses. A single application may include both vehicle and facility components, along with associated equipment and workforce development plans.

A low or no emission bus is defined as a passenger vehicle used to provide public transportation that sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a standard vehicle. The statutory definition includes zero emission transit buses, which are defined as buses that produce no direct carbon emissions and no particulate matter emissions under any and all possible operational modes and conditions. Examples of zero emission bus technologies include, but are not limited to, hydrogen fuel-cell buses, battery-electric buses, and rubber tire trolley buses powered by overhead catenaries. All new transit bus models must successfully complete FTA bus testing for production transit buses pursuant to FTA's Bus Testing regulation (49 CFR part 665) in order to be procured with funds awarded under the Low-No Program. All transit vehicles must be procured from certified transit vehicle manufacturers in accordance with the Disadvantaged Business Enterprise (DBE) regulations (49 CFR part 26). The development or deployment of prototype vehicles is not eligible for funding under the Low-No Program.

Eligible projects for the Buses and Bus Facilities Program include capital projects to replace, rehabilitate, purchase, or lease buses, vans, or related equipment; or to rehabilitate, purchase, construct, or lease bus-related facilities regardless of propulsion type or emissions. A single application may include both vehicle and facility components, along with associated equipment and workforce development activities.

Recipients are permitted to use up to 0.5 percent of their requested grant award for workforce development activities eligible under Federal public transportation law (49 U.S.C. 5314(b)), including on-the-job training, labor-management partnership training, and registered apprenticeships, and an additional 0.5 percent for costs associated with training at the National Transit Institute.

For applicants proposing projects related to zero-emission vehicles for either program, 5 percent of the requested Federal award must be used for workforce development to retrain the existing workforce and develop the workforce of the future, including registered apprenticeships and other joint labor-management training

programs, as outlined in the applicant's Zero-Emission Transition Plan (see Section E(1)(c) of this notice), unless the applicant certifies via the application that less funding is needed to carry out the Plan. Applicants must identify the proposed use of funds for these activities in the project proposal and identify them separately in the project budget. These amounts are additional, not a take-down, from other eligible project expenses. For example, if the total capital costs of the vehicles and equipment was $95,000, an additional $5,000 should be included in the budget for these expenses for a total project cost of $100,000. Applicants are encouraged to discuss training needs with their workforce and to develop training plans in collaboration with unions and other workforce representatives, as well as with workforce boards, community colleges, and other workforce organizations. Applicants that propose not to use the full five percent available must include an explanation as to why the funds are not needed. Absent an explanation, a zero-emission application that does not include 5 percent of its project budget for workforce development will be deemed ineligible.

If a single project proposal involves multiple public transportation providers, such as when an agency acquires vehicles that will be operated by another agency, the proposal must include a detailed statement regarding the role of each public transportation provider in the implementation of the project.

D. Application and Submission Information

1. Address To Request Application Package

Applications must be submitted electronically through GRANTS.GOV. General information for accessing and submitting applications through GRANTS.GOV can be found at *www.fta.dot.gov/howtoapply* along with specific instructions for the forms and attachments required for submission. Mail or fax submissions of completed proposals will not be accepted. A complete proposal submission for each program consists of two forms: The SF–424 Application for Federal Assistance (available at GRANTS.GOV) and the supplemental form for the FY 2022 Low-No and Buses and Bus Facilities Programs (downloaded from GRANTS.GOV or the FTA website at *https://www.transit.dot.gov/funding/grants/lowno*). The same supplemental form will be used to apply to either program or both programs. However, please note that if an applicant is applying to both programs they must submit the materials through each of the GRANTS.GOV opportunity ID's listed for each program. Failure to submit the information as requested can delay review or disqualify the application.

2. Content and Form of Application Submission

a. Proposal Submission

A complete proposal submission for each program consists of two forms: (1) The SF–424 Application for Federal Assistance; and (2) the supplemental form for the FY 2022 Low-No and Buses and Bus Facilities Programs. The supplemental form and any supporting documents must be attached to the ''Attachments'' section of the SF–424. The application must include responses to all sections of the SF–424 Application for Federal Assistance and the supplemental form, unless indicated as optional. The information on the supplemental form will be used to determine applicant and project eligibility for the program, and to evaluate the proposal against the selection criteria described in part E of this notice.

FTA will accept only one supplemental form per SF–424 submission. FTA encourages States and other applicants to consider submitting a single supplemental form that includes multiple activities to be evaluated as a consolidated proposal. If a State or other applicant chooses to submit separate proposals for individual consideration by FTA, each proposal must be submitted using a separate SF–424 and supplemental form.

Applicants may attach additional supporting information to the SF–424 submission, including but not limited to letters of support, project budgets, fleet status reports, or excerpts from relevant planning documents. Applicants for zero-emission projects must attach the fleet transition plan. Any supporting documentation must be described and referenced by file name in the appropriate response section of the supplemental form, or it may not be reviewed.

Information such as applicant name, Federal amount requested, local match amount, description of areas served, etc. may be requested in varying degrees of detail on both the SF–424 and supplemental form. Applicants must fill in all fields unless stated otherwise on the forms. If information is copied into the supplemental form from another source, applicants should verify that pasted text is fully captured on the supplemental form and has not been truncated by the character limits built into the form. Applicants should use both the ''Check Package for Errors'' and the ''Validate Form'' validation buttons on both forms to check all required fields on the forms, and ensure that the Federal and local amounts specified are consistent. Applicants should enter their information in the supplemental form (fillable PDF) that is made available on FTA's website or through the GRANTS.GOV application package, and should attach this to the application in its original format. Applicants should not use scanned versions of the form, ''print'' the form to PDF, convert or create a version using another text editor, etc.

b. Application Content

The SF–424 Application for Federal Assistance and the supplemental form will prompt applicants for the required information, including:

i. Applicant name
ii. Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number
iii. Key contact information (including contact name, address, email address, and phone)
iv. Congressional district(s) where project will take place
v. Project information (including title, an executive summary, and type)
vi. A detailed description of the need for the project
vii. A detailed description on how the project will support either Program's objectives
viii. Evidence that the project is consistent with local and regional planning documents
ix. Evidence that the applicant can provide the local cost share
x. A description of the technical, legal, and financial capacity of the applicant
xi. A detailed project budget
xii. An explanation of the scalability of the project
xiii. Details on the local matching funds
xiv. A detailed project timeline

3. Unique Entity Identifier and System for Award Management (SAM)

Each applicant is required to: (1) Be registered in SAM before submitting an application; (2) provide a valid unique entity identifier in its application; and (3) continue to maintain an active SAM registration with current information at all times during which the applicant has an active Federal award or an application or plan under consideration by FTA. These requirements do not apply if the applicant has an exemption approved by FTA pursuant to 2 CFR 25.110(c), or is otherwise excepted from registration requirements. FTA may not

make an award until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time FTA is ready to make an award, FTA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making a Federal award to another applicant.

All applicants must provide a unique entity identifier provided by SAM. Registration in SAM may take as little as 3–5 business days, but since there could be unexpected steps or delays (for example, if there is a need to obtain an Employer Identification Number), FTA recommends allowing ample time, up to several weeks, for completion of all steps. For additional information on obtaining a unique entity identifier, please visit *www.sam.gov.*

4. Submission Dates and Times

Project proposals must be submitted electronically through GRANTS.GOV by 11:59 p.m. Eastern time on May 31, 2022. GRANTS.GOV attaches a time stamp to each application at the time of submission. Proposals submitted after the deadline will only be considered under extraordinary circumstances not under the applicant's control. Mail and fax submissions will not be accepted.

Within 48 hours after submitting an electronic application, the applicant should receive an email message from GRANTS.GOV with confirmation of successful transmission to GRANTS.GOV. If a notice of failed validation or incomplete materials is received, the applicant must address the reason for the failed validation, as described in the email notice, and resubmit before the submission deadline. If making a resubmission for any reason, include all original attachments regardless of which attachments were updated and check the box on the supplemental form indicating this is a resubmission.

FTA urges applicants to submit applications at least 72 hours prior to the due date to allow time to receive the validation messages and to correct any problems that may have caused a rejection notification. GRANTS.GOV scheduled maintenance and outage times are announced on the GRANTS.GOV website. Deadlines will not be extended due to scheduled website maintenance.

Applicants are encouraged to begin the process of registration on the GRANTS.GOV site well in advance of the submission deadline. Registration is a multi-step process, which may take several weeks to complete before an application can be submitted. Registered applicants may still be required to take steps to keep their registrations up to date before submissions can be made successfully. For example, (1) registration in SAM is renewed annually, and (2) persons making submissions on behalf of the Authorized Organization Representative (AOR) must be authorized in GRANTS.GOV by the AOR to make submissions.

5. Funding Restrictions

Funds under this NOFO cannot be used to reimburse applicants for otherwise eligible expenses incurred prior to FTA award of a grant agreement until FTA has issued pre-award authority for selected projects. FTA will issue pre-award authority to incur costs for selected projects beginning on the date that project selections are announced. FTA does not provide pre-award authority for competitive funds until projects are selected, and even then, there are Federal requirements that must be met before costs are incurred. FTA will issue specific guidance to awardees regarding pre-award authority at the time of selection. For more information about FTA's policy on pre-award authority, please see the most recent Apportionment Notice on FTA's website. Refer to Section C.3., Eligible Projects, for information on activities that are allowable in this grant program. Allowable direct and indirect expenses must be consistent with the Governmentwide Uniform Administrative Requirements and Cost Principles (2 CFR part 200) and FTA Circular 5010.1E. Funds may not be used to support or oppose union organizing.

6. Other Submission Requirements

All applications must be submitted via the GRANTS.GOV website. FTA does not accept applications on paper, by fax machine, email, or other means. For information on application submission requirements, please see Section D.1. of this notice, Address to Request Application.

E. Application Review Information

1. Criteria

Projects will be evaluated primarily on the responses provided in the supplemental form. Additional information may be provided to support the responses; however, any additional documentation must be directly referenced on the supplemental form, including the file name where the additional information can be found. FTA will evaluate proposals based on the criteria described in this notice.

Applicants are encouraged to identify scaled funding options in case insufficient funding is available to fund a project at the full requested amount. If an applicant indicates that a project is scalable, the applicant must provide an appropriate minimum funding amount that will fund an eligible project that achieves the objectives of the program and meets all relevant program requirements. The applicant must provide a clear explanation of how the project budget would be affected by a reduced award. FTA may award a lesser amount regardless of whether a scalable option is provided.

If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the application should demonstrate that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the application should show that vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles may not comply, the application should either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them. FTA will also consider the extent to which the application presents a plan to address workforce impacts of autonomous vehicles or other innovative motor vehicle technology.

a. Demonstration of Need

Since the purpose of these programs is to fund vehicles and facilities, applications will be evaluated based on the quality and extent to which they demonstrate how the proposed project will address an unmet need for capital investment in vehicles and/or supporting facilities. For example, an applicant may demonstrate that it requires additional or improved charging or maintenance facilities for low or no emission vehicles, that it intends to replace existing vehicles that have exceeded their minimum useful life, or that it requires additional vehicles to meet current ridership demands or expand services to better connect underserved communities.

FTA will consider an applicant's responses to the following criteria when assessing the need for capital investment underlying the proposed project:

For bus projects (replacement or expansion): For replacement requests, applicants must provide information on the age, condition, and performance of the vehicles to be replaced by the proposed project. Vehicles to be replaced must have met their minimum useful life at the time of project completion. For service expansion requests, applicants must provide information on the proposed service expansion and the benefits for transit riders and the community from the new service. For all vehicle projects, the proposal must address whether the project conforms to FTA's spare ratio guidelines. Vehicles funded under these programs are not exempt from FTA's standard spare ratio requirements, which apply to and are calculated based on the agency's entire fleet. Applicants that are introducing zero emission vehicles into their fleet may consider including vehicles that have already met their minimum useful life in a contingency fleet, which is not included in the spare ratio calculation. Additionally, applicants who may need to exceed the spare ratio for a temporary period are encouraged to work with their FTA Regional Office to determine what flexibilities may be afforded to them and include reference to that in their application.

For bus facility and equipment projects (replacement, rehabilitation, or expansion): For replacement requests, applicants must provide information on the age and condition of the asset to be rehabilitated or replaced relative to its minimum useful life. For expansion requests, applicants must provide information on the proposed expansion and the reason that transit riders and the community need the expansion.

b. Demonstration of Benefits

i. Low or No Emissions Program

Applicants to the Low-No Program must demonstrate how the proposed project will support the statutory requirements of the Low-No Program (See 49 U.S.C. 5339(c)(5)(A)). In particular, FTA will consider the quality and extent to which applications demonstrate how the proposed project will: (1) Reduce Energy Consumption; (2) Reduce Harmful Emissions; and (3) Reduce Direct Carbon Emissions.

Reduce Energy Consumption: Applicants must describe how the proposed project will reduce energy consumption. FTA will evaluate applications based on the degree to which the proposed technology reduces energy consumption as compared to comparable standard vehicle propulsion technologies.

Reduce Harmful Emissions: Applicants must demonstrate how the proposed vehicles or facility will reduce the emission of particulates that create local air pollution, which leads to local environmental health concerns, smog, and unhealthy ozone concentrations. FTA will evaluate the rate of particulate emissions by the proposed vehicles or vehicles to be supported by the proposed facility, compared to the emissions from the vehicles that will be replaced or moved to the contingency fleet as a result of the proposed project, as well as comparable standard buses.

Reduce Direct Carbon Emissions: Applicants should demonstrate how the proposed vehicles or facility will reduce emissions of greenhouse gases from transit vehicle operations. FTA will evaluate the rate of direct carbon emissions by the proposed vehicles or vehicles to be supported by the proposed facility, compared to the emissions from the vehicles that will be replaced or moved to the contingency fleet as a result of the proposed project, as well as comparable standard buses.

ii. Grants for Buses and Bus Facilities Program

Applicants to the Buses and Bus Facilities Program will be evaluated based on how well they describe how the proposed project will improve the condition of, or otherwise modernize, the transit system; improve the reliability of transit service for its riders; improve the resilience of transit facilities, enhance access and mobility within the service area, particularly for low-income or underserved communities; and expand accessibility for people with disabilities.

System Condition: FTA will evaluate the potential for replacement projects to improve the condition of the transit system by repairing or replacing assets that are in poor condition or have surpassed their minimum or intended useful life benchmarks. Applicants may describe the benefits of reducing breakdowns and service interruptions, mitigating safety risks, increasing service performance, improving resilience, and/or reducing the cost of maintaining outdated vehicles, facilities and equipment.

Enhanced Access and Mobility: FTA will evaluate the potential for expansion projects to improve access and mobility for the transit riding public, particularly for low-income and underserved communities and people with disabilities, including improved headways, creation of new transportation choices, or eliminating gaps in the current route network. Proposed benefits should be based on documented ridership demand, based on indicators like area population density, employment served, and existing and planned affordable housing in the corridor, and be well-described or documented through a study or route planning proposal.

Applicants that intend to apply to both programs must submit information that addresses the requirements of both programs as described above.

c. Planning and Local or Regional Prioritization

Applicants must demonstrate how the proposed project is consistent with local and regional long-range planning documents and local government priorities. FTA will evaluate applications based on the quality and extent to which they assess whether the project is consistent with the transit priorities identified in the long-range plan for all proposals; contingency or illustrative projects included in that plan; or the locally developed human services public transportation coordinated plan. Applicants may submit copies of the relevant pages of such plans to support their application. FTA will consider how the project will support regional goals and applicants may submit support letters from local and regional planning organizations attesting to the consistency of the proposed project with these plans.

Evidence of additional local or regional prioritization may include letters of support for the project from local government officials, public agencies, and non-profit or private sector supporters.

Applicants may also address how the proposed project will impact overall system performance, asset management performance, or specific performance measures tracked and monitored by the applying entity to demonstrate how the proposed project will address local and regional planning priorities.

For applications related to zero-emission vehicles under either the Low-No or Buses and Bus Facilities programs, applicants are required by law (49 U.S.C. 5339(c)(3)(D)) to submit a Zero-Emission Fleet Transition Plan. This plan must be a separate document from other local or regional planning documents and must: (1) Demonstrate a long-term fleet management plan with a strategy for how the applicant intends to use the current application and future acquisitions; (2) address the availability of current and future resources to meet

costs for the transition and implementation; (3) consider policy and legislation impacting relevant technologies; (4) include an evaluation of existing and future facilities and their relationship to the technology transition; (5) describe the partnership of the applicant with the utility or alternative fuel provider; and (6) examine the impact of the transition on the applicant's current workforce by identifying skill gaps, training needs, and retraining needs of the existing workers of the applicant to operate and maintain zero emission vehicles and related infrastructure and avoid the displacement of the existing workforce. FTA intends to continue to develop technical assistance resources to assist transit agencies in developing fleet transition plans. As a first step, FTA has worked with the Transit Workforce Center to develop a template that transit agencies may use related to the workforce section of the fleet transition plan. That template will be available at: *https://www.transit.dot.gov/funding/grants/lowno.* For agencies with smaller fleets, a fleet transition plan need not be complex and should be tailored as applicable, but it still must address all six elements. For applications from State departments of transportation, the state may either provide a fleet transition plan that covers some or all of the subrecipients, attach individual plans developed by the subrecipients, or a combination of both. FTA will rate a zero-emission project higher than other zero-emission projects if the applicant is able to demonstrate how the proposed project and fleet transition plan support the conversion of the agency's overall fleet to zero emissions.

d. Local Financial Commitment

Applicants must identify the source of the local cost share and describe whether such funds are currently available for the project or will need to be secured if the project is selected for funding. FTA will consider the availability of the local cost share as evidence of local financial commitment to the project. Applicants should submit evidence of the availability of funds for the project; for example, by including a board resolution, letter of support from the State, a budget document highlighting the line item or section committing funds to the proposed project, or other documentation of the source of local funds. FTA will favorably view an applicant that proposes to use grant funds only for the incremental cost of new technologies over the cost of replacing vehicles with standard propulsion technologies.

e. Project Implementation Strategy

FTA will rate projects higher if grant funds can be obligated within 12 months of selection and the project can be implemented within a reasonable time frame. In assessing when funds can be obligated, FTA will consider whether the project qualifies for a Categorical Exclusion (CE), or whether the required environmental work has been initiated or completed for projects that require an Environmental Assessment (EA) or Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA). As such, applicants should submit information describing the project's anticipated path and timeline through the environmental review process for all proposals. The proposal must state when grant funds can be obligated and indicate the timeframe under which the Metropolitan Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) can be amended to include the proposed project.

In assessing whether the proposed implementation plans are reasonable and complete, FTA will review the proposed project implementation plan, including all necessary project milestones and the overall project timeline. For projects that will require formal coordination, approvals, or permits from other agencies or project partners, the applicant must demonstrate coordination with these organizations and their support for the project, such as through letters of support.

Applicants that have identified a cooperative procurement strategy listed in Section 3019 of the Fixing America's Surface Transportation Act (49 U.S.C. 5325), are encouraged to describe the method chosen as part of their implementation plans and how such a cooperative procurement will reduce costs.

For proposals that involve a partnership with a manufacturer, vendor, consultant, or other third party, applicants must identify by name any project partners, including, but not limited to, other transit agencies, bus manufacturers, owners or operators of related facilities, or any expert consultants. Such partnerships are permitted under Federal public transportation law (49 U.S.C. 5339(b)(10), (c)(8)) only for applicants proposing a low or no emission project under both the Buses and Bus Facilities Program and the Low-No Program, or for applicants proposing only a low or no emission project under the Low-No program. FTA will evaluate the experience and capacity of the named project partners to successfully implement the proposed project based on the partners' experience and qualifications. Applicants are advised to submit information on the partners' qualifications and experience as a part of the application. Entities to be involved in the project that are not named in the application must be selected through ordinary procurement processes.

f. Technical, Legal, and Financial Capacity

Applicants must demonstrate that they have the technical, legal, and financial capacity to undertake the project.

FTA will review relevant oversight assessments and records to determine whether there are any outstanding legal, technical, or financial issues with the applicant that would affect the outcome of the proposed project. Applicants with outstanding legal, technical, or financial compliance issues from an FTA compliance review or Federal Transit grant-related Single Audit finding must explain how corrective actions taken will mitigate negative impacts on the proposed project.

2. Review and Selection Process

A technical evaluation committee will evaluate proposals based on the published evaluation criteria. FTA may request additional information from applicants, if necessary. Based on the review of the technical evaluation committee, the FTA Administrator will determine the final selection of projects for program funding. In determining the allocation of program funds, FTA may consider geographic diversity, diversity in the size of the transit systems receiving funding, and the applicant's receipt of other competitive awards. FTA may also consider capping the amount a single applicant may receive.

After applying the above criteria, and in support of Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act, FTA will give priority to additional considerations.

In further support of Executive Order 14008, FTA will give priority consideration to applications under the Buses and Bus Facilities Program that are expected to create significant community benefits relating to the environment, including those projects that incorporate low or no emission technology or specific elements to address greenhouse gas emissions and climate change impacts. FTA encourages applicants to demonstrate

whether they have considered climate change and environmental justice in terms of the transportation planning process or anticipated design components with outcomes that address climate change (*e.g.,* resilience or adaptation measures). The application should describe what specific climate change or environmental justice activities have been incorporated, including whether a project supports a Climate Action Plan, whether an equitable development plan has been prepared, and whether tools such as EPA's EJSCREEN at: *https://www.epa.gov/ejscreen* or DOT's Historically Disadvantaged Community tool at Transportation Disadvantaged Census Tracts (*arcgis.com*) have been applied in project planning. Applicants could also address how a project is related to housing or land use reforms to increase density to reduce climate impacts. The application should also describe specific and direct ways the project will mitigate or reduce climate change impacts including any components that reduce emissions, promote energy efficiency, incorporate electrification or low emission or zero emission vehicle infrastructure, increase resiliency, recycle or redevelop existing infrastructure, or if located in a floodplain be constructed or upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law.

FTA also will give priority consideration to applications that advance racial equity in two areas: (1) Planning and policies related to racial equity and overcoming barriers to opportunity; and (2) project investments that either proactively address racial equity and barriers to opportunity, including automobile dependence as a form of barrier, or redress prior inequities and barriers to opportunity. Applicants could also address how a project is related to housing or land use reforms to address historic barriers to opportunity. This objective has the potential to enhance environmental stewardship and community partnerships, and reflects Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. FTA encourages the applicant to include sufficient information to evaluate how the applicant will advance racial equity and address barriers to opportunity. The applicant should describe any transportation plans or policies related to equity and barriers to opportunity they are implementing or have implemented in relation to the proposed project, along with the specific project investment details necessary for FTA to evaluate if the investments are being made either proactively to advance racial equity and address barriers to opportunity or redress prior inequities and barriers to opportunity. All project investment costs for the project that are related to racial equity and barriers to opportunity should be summarized.

Applicants for facility projects should also describe whether and how project delivery and implementation create good-paying jobs with the free and fair choice to join a union to the greatest extent possible, the use of demonstrated strong labor standards, practices and policies (including for direct employees, contractors, and sub-contractors); distribution of workplace rights notices; the use of local and economic hiring provisions; registered apprenticeships; or other similar standards or practices; or, for facility projects over $35 million, the use of Project Labor Agreements. Applicants should describe how planned methods of project delivery and implementation (for example, use of Project Labor Agreements and/or local and economic hiring provisions, and training and placement programs for underrepresented workers) provides opportunities for all workers, including workers underrepresented in construction jobs to be trained and placed in good-paying jobs directly related to the project. FTA will give priority consideration to projects that create good paying jobs with the free and fair choice to join a union and these strong labor protections.

Amongst zero-emission applications, FTA will give priority consideration to zero-emission applicants that in the development of the workforce section of the fleet transition plan have consulted with workforce representatives AND identify the use of at least one of the following in their plan (1) use of labor-management partnerships for training; (2) use of registered apprenticeship training to support skilling of incumbent and entry-level workers with focus on using registered apprenticeship to advance Black, Hispanic, Asian American Native Hawaiian and Pacific Islanders, tribal, women, and other groups facing systemic barriers to employment that may be underrepresented in the current workforce, especially in higher-paying jobs; or (3) identification of how reskilling workers for new fleets advances broader strategy to retain, retrain and recruit employees into good paying jobs, with the choice to join a union and equitable access to training and support that helps workers to stay retained in jobs.

In support of Executive Order 14008, DOT has been developing a geographic definition of Historically Disadvantaged Communities as part of its implementation of the Justice40 Initiative. Consistent with OMB's Interim Guidance for the Justice40 Initiative, Historically Disadvantaged Communities include (a) certain qualifying census tracts, (b) any Tribal land, or (c) any territory or possession of the United States. DOT is providing a mapping tool to assist applicants in identifying whether a project is located in a Historically Disadvantaged Community Transportation Disadvantaged Census Tracts (arcgis.com). Use of this map tool is optional; applicants may provide an image of the map tool outputs, or alternatively, consistent with OMB's Interim Guidance, applicants can supply quantitative, demographic data of their ridership demonstrating the percentage of their ridership that meets the criteria described in Executive Order 14008 for disadvantage. Examples of Historically Disadvantaged Communities that an applicant could address using geographic or demographic information include low income, high and/or persistent poverty, high unemployment and underemployment, racial and ethnic residential segregation, linguistic isolation, or high housing cost burden and substandard housing. Additionally, in support of the Justice40 Initiative, the applicant also should provide evidence of strategies that the applicant has used in the planning process to seek out and consider the needs of those historically disadvantaged and underserved by existing transportation systems. For technical assistance using the mapping tool, please contact *GMO@dot.gov.*

Due to funding limitations, projects that are selected for funding may receive less than the amount originally requested, even if an application did not present a scaled project option. In those cases, applicants must be able to demonstrate that the proposed projects are still viable and can be completed with the amount awarded.

3. Integrity and Performance Review

Prior to making an award with a total amount of Federal share greater than the simplified acquisition threshold (currently $10,000), FTA is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information Systems (FAPIIS) accessible through SAM. An applicant may review and comment on information about itself that a Federal awarding agency previously entered. FTA will consider

any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.206.

F. Federal Award Administration Information

1. Federal Award Notices

FTA will announce the final project selections on the FTA website. Selectees should contact their FTA Regional Offices for additional information regarding allocations for projects. At the time the project selections are announced, FTA will extend pre-award authority for the selected projects (see Section D.5 of this notice for more information). There is no blanket pre-award authority for these projects before announcement.

2. Administrative and National Policy Requirements

a. Grant Requirements

If selected, awardees will apply for a grant through FTA's Transit Award Management System (TrAMS). Recipients of funding in urban areas are subject to the grant requirements of the Urbanized Area Formula Grants program (49 U.S.C. 5307), including those of FTA Circular ''Urbanized Area Formula Program: Program Guidance and Application Instructions'' (FTA.C.9030.1E). Recipients of funding in rural areas are subject to the grant requirements of the Formula Grants for Rural Areas Program (49 U.S.C. 5311), including those of FTA Circular ''Formula Grants for Rural Areas: Program Guidance and Application Instructions'' (FTA.C.9040.1G). All recipients must accept the FTA Master Agreement and follow FTA Circular ''Award Management Requirements'' (FTA.C.5010.1E) and the labor protections required by Federal public transportation law (49 U.S.C. 5333(b)). Technical assistance regarding these requirements is available from each FTA regional office.

By submitting a grant application, the applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, directives, FTA circulars and other Federal administrative requirements in carrying out any project supported by the FTA grant, including the Davis-Bacon Act (40 U.S.C. 3141–3144, and 3146–3148) as supplemented by Department of Labor regulations (29 CFR part 5, ''Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction''). Further, the applicant acknowledges that it is under a continuing obligation to comply with the terms and conditions of the grant agreement issued for its project with FTA. The applicant understands that Federal laws, regulations, policies, and administrative practices might be modified from time to time and may affect the implementation of the project. The applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise. The applicant must submit the Certifications and Assurances before receiving a grant if it does not have current certifications on file.

Applicants for the Buses and Bus Facilities Program are encouraged to utilize the innovative procurement practices found in Section 3019 of the Fixing America's Surface Transportation Act (49 U.S.C. 5325). Please see details at *https://www.transit.dot.gov/funding/grants/innovative-procurement-leasing-fact-sheet-section-3019.* If selected for funding, any project that purchases fewer than five buses through a standalone procurement must provide a written explanation why the tools authorized under Section 3019 were not utilized.

As authorized by Section 25019 of the BIL, applicants are encouraged to implement a local or other geographical or economic hiring preference relating to the use of labor for construction of a project funded by the grant, including prehire agreements, subject to any applicable State and local laws, policies, and procedures.

b. Buy America and Domestic Preferences for Infrastructure Projects

All capital procurements must comply with FTA's Buy America requirements (49 U.S.C. 5323(j)), which require that all iron, steel, and manufactured products be produced in the United States, and imposes minimum domestic content and final assembly requirements for rolling stock. The cost of rolling stock components and subcomponents produced in the United States must be more than 70 percent of the cost of all components, and final assembly of rolling stock must occur in the United States. Any proposal that will require a waiver must identify the items for which a waiver will be sought in the application. Applicants should not proceed with the expectation that waivers will be granted.

c. Disadvantaged Business Enterprise

Recipients of planning, capital, or operating assistance that will award prime contracts (excluding transit vehicle purchases), the cumulative total of which exceeds $250,000 in FTA funds in a Federal fiscal year, must comply with the Disadvantaged Business Enterprise (DBE) program regulations (49 CFR part 26).

To be eligible to bid on any FTA-assisted vehicle procurement, entities that manufacture transit vehicles or perform post-production alterations or retrofitting must be certified Transit Vehicle Manufacturers (TVM). If a vehicle remanufacturer is responding to a solicitation for new or remanufactured vehicles with a vehicle to which the remanufacturer has provided post-production alterations or retro-fitting (*e.g.,* replacing major components such as engine to provide a ''like new'' vehicle), the vehicle remanufacturer must be a certified TVM.

The TVM rule requires that, prior to bidding on any FTA-assisted vehicle procurement, manufacturers of transit vehicles submit a DBE Program plan and annual goal methodology to FTA. FTA then will issue a TVM concurrence and certification letter. Grant recipients must verify each manufacturer's TVM status before accepting its bid. A list of compliant, certified TVMs is posted on FTA's website at *www.transit.dot.gov/TVM.* Recipients should contact FTA before accepting a bid from a manufacturer not on this list. In lieu of using a certified TVM, a recipient may establish project-specific DBE goals for its vehicle procurement. FTA will provide additional guidance as grants are awarded. For more information on DBE requirements, please contact Monica McCallum, FTA Office of Civil Rights, 206–220–7519, *Monica.McCallum@dot.gov.*

d. Planning

FTA encourages applicants to notify the appropriate State Departments of Transportation and Metropolitan Planning Organizations (MPOs) in areas likely to be served by the project funds made available under this program. Selected projects must be incorporated into the long-range plans and transportation improvement programs of States and metropolitan areas before they are eligible for FTA funding.

3. Reporting

Post-award reporting requirements include the electronic submission of Federal Financial Reports and Milestone Progress Reports in FTA's electronic grants management system. Recipients of funds made available through this NOFO are also required to regularly submit data to the National Transit Database. Recipients should include any goals, targets, and indicators referenced

in their applications in the Executive Summary of the TrAMS application.

FTA is committed to making evidence-based decisions guided by the best available science and data. In accordance with the Foundations for Evidence-based Policymaking Act of 2018 (Evidence Act), FTA may use information submitted in discretionary funding applications; information in FTA's Transit Award Management System (TrAMS), including grant applications, Milestone Progress Reports (MPRs), Federal Financial Reports (FFRs); transit service, ridership and operational data submitted in FTA's National Transit Database; documentation and results of FTA oversight reviews, including triennial and state management reviews; and other publicly available sources of data to build evidence to support policy, budget, operational, regulatory, and management processes and decisions affecting FTA's grant programs.

As part of completing the annual certifications and assurances required of FTA grant recipients, a successful applicant must report on the suspension or debarment status of itself and its principals. If the award recipient's active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of an award made pursuant to this Notice, the recipient must comply with the Recipient Integrity and Performance Matters reporting requirements described in Appendix XII to 2 CFR part 200.

G. Federal Awarding Agency Contacts

For further information concerning this notice, please contact the Low-No/Bus grant program staff via email at *ftalownobusnofo@dot.gov,* or call Amy Volz, by phone at 202–366–7484. A TDD is available for individuals who are deaf or hard of hearing at 800–877–8339. In addition, FTA will post answers to questions and requests for clarifications on FTA's website at *https://www.transit.dot.gov.* To ensure applicants receive accurate information about eligibility or the program, applicants are encouraged to contact FTA with questions directly, rather than through intermediaries or third parties.

For issues with GRANTS.GOV, please contact GRANTS.GOV by phone at 1–800–518–4726 or by email at *support@grants.gov.* Contact information for FTA's regional offices can be found on FTA's website at *www.fta.dot.gov.*

H. Other Information

User-friendly information and resources regarding DOT's discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at *www.transportation.gov/rural.*

This program is not subject to Executive Order 12372, ''Intergovernmental Review of Federal Programs.''

Nuria I. Fernandez,

Administrator.

[FR Doc. 2022–04621 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Notice of Funding Opportunity for America's Marine Highway Projects

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice of funding opportunity.

SUMMARY: This notice announces the availability of funding for grants and establishes selection criteria and application requirements for the America's Marine Highway Program (''AMHP''). The purpose of this program is to make grants available to previously designated Marine Highway Projects that support the development and expansion of documented vessels or port and landside infrastructure. The U.S. Department of Transportation (''DOT'' or ''Department'') also seeks eligible grant projects that will strengthen American supply chains. The Department will award Marine Highway Grants to implement projects or components of projects previously designated by the Secretary of Transportation (''Secretary'') under the AMHP. Only Marine Highway Projects the Secretary designates before the Notice of Funding Opportunity (''NOFO'') closing date are eligible for funding as described in this notice.

DATES: Grant applications must be received by the Maritime Administration (''MARAD'') by 5:00 p.m. E.D.T. on April 29, 2022.

ADDRESSES: Grant applications must be submitted electronically using *Grants.gov* (*https://www.grants.gov*). Please be aware that you must complete the *Grants.gov* registration process before submitting your application and that the registration process usually takes 2 to 4 weeks to complete. Applicants are strongly encouraged to make submissions in advance of the deadline.

FOR FURTHER INFORMATION CONTACT: Fred Jones, Office of Ports & Waterways Planning, Room W21–311, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, phone 202–366–1123, or email *Fred.Jones@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during regular business hours.

SUPPLEMENTARY INFORMATION: Each section of this notice contains information and instructions relevant to the Marine Highway Grants application process. All applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications. Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties as outlined below in Section D.6.

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A. Program Description

The Secretary, in accordance with 46 U.S.C. 55601, established a marine highway transportation grant program to implement projects or components of designated Marine Highway Projects that provide a coordinated and capable alternative to landside transportation or that promote marine highway transportation. The primary goal of the AMHP is to expand the use of the nation's navigable waters to relieve landside congestion, reduce air emissions, and generate other public benefits by increasing the efficiency of the surface transportation system, and Marine Highway Grants will be awarded to further this purpose.

The Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021) (''Bipartisan Infrastructure Law'' or ''BIL'') appropriated $25,000,000 to be awarded by the Department for Marine Highway Grants. The grant funds currently available are for projects related to vessels documented under 46

U.S.C. Chapter 121 and port and landside infrastructure. Section E of this notice, which outlines the Marine Highway Grants selection criteria, describes the process for selecting projects that further this goal. Section F.3. describes progress and performance reporting requirements for selected projects, including the relationship between that reporting and the program's selection criteria.

Since this program was created, more than $51.7 million has been awarded through competitive grants to implement projects or components of projects designated under 46 U.S.C. 55601. Throughout the program, these discretionary grants have been awarded to projects that have supported the development and expansion of documented vessels and port and landside infrastructure, consistent with DOT's strategic infrastructure goals.[1] The AMHP continues to align with the Department's strategic goals by guiding investments for port and landside infrastructure that expand the use of the nation's navigable waters.[2] The FY 2022 AMHP round will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64335), which are to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards, strengthen infrastructure resilience to all hazards, which helps combat the crisis of climate change, coordinate effectively with State, local, Tribal, and territorial government partners, and support the Administration's Justice40 Initiative goal that 40% of the overall benefits from Federal investments in climate and clean energy flow to disadvantaged communities.

The expectations of this notice also reflect the goal of strengthening American supply chains. This vision is consistent with the President's Port Action Plan, which calls for rapid action to relieve supply chain constraints at American ports through significant investments in the near, medium, and long term,[3] and the program will seek projects that address supply chain disruptions.

This round of AMHP grant funding also highlights the Administration's priorities to invest in infrastructure projects that advance the goals of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619), Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009), and Executive Order 14025, *Worker Organizing and Empowerment* (86 FR 22829) by, for example: Proactively addressing equity[4] for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty, inequality, and barriers to opportunity; alleviating surface transportation congestion; and creating good paying jobs with the free and fair choice to join a union.

The America's Marine Highway Program Office (Program Office) follows a three-step approach when supporting investment opportunities for marine highway transportation services. The first step is designation of a Marine Highway Route by the Secretary. The Department accepts Marine Highway Route Designation requests at any time from Route Sponsors. Once a Route is designated, the second step is designation as a Marine Highway Project by the Secretary. Marine Highway Projects represent concepts for new services or expansions of existing marine highway services on designated Marine Highway Routes that use documented vessels and mitigate landside congestion or promote marine highway transportation. MARAD announces by notice in the **Federal Register** open season periods to allow Project Applicants opportunities to submit Marine Highway Project Designation applications. A Project Applicant must receive a Project Designation to then become eligible for Marine Highway Grant funding for that Project, the third step referenced above. Marine Highway Grant funding (the subject of this NOFO) is provided to successful public and private sector applicants as funds are appropriated by Congress.

The America's Marine Highway Grant program is described in the Federal Assistance Listings with Assistance Listings Number 20.816.

B. Federal Award Information

The total funding available for awards under this NOFO is $24,250,000. This amount represents $25,000,000 from the BIL appropriations less $750,000 for grant administration and oversight as permitted under 49 U.S.C. 109(i).

MARAD will seek to obtain the maximum benefit from the available funding by awarding grants to as many qualified projects as possible; however, per 46 U.S.C. 55601(g)(3), MARAD shall give preference to those projects or components that present the most financially viable transportation services and require the lowest percentage of Federal share of costs. Depending on the characteristics of the pool of qualified applications, it is possible MARAD may award all funds to a single project. MARAD may also award grant funds to support a portion of a project described in an application by selecting a discrete component(s). If this solicitation does not result in the award and obligation of all available funds, MARAD may publish additional solicitations.

MARAD will administer each Marine Highway Grant pursuant to a grant agreement with the successful applicant, and the start date and period of performance for each award will be outlined in each grant agreement. Marine Highway Grant funds will be administered on a reimbursable basis. Unless authorized in writing by MARAD as allowable ''pre-award costs''[5] and incurred after the Department's announcement of Marine Highway Grant awards, any costs incurred prior to MARAD's obligation of funds for a project are ineligible for reimbursement and are ineligible to count as match for cost share requirements. Obligation occurs when a selected applicant and MARAD enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including environmental review requirements, such as those under the National Environmental Policy Act (NEPA), and civil rights requirements, including those under Title VI of the Civil Rights Act of 1964, the Americans with

[1] See U.S. Department of Transportation Strategic Plan for FY 2018–2022 (Feb. 2018) at *https://www.transportation.gov/administrations/office-policy/dot-strategic-plan-fy2018-2022.*

[2] See U.S. Department of Transportation Strategic Framework FY 2022–2026 (Dec. 2021) at *https://www.transportation.gov/administrations/office-policy/fy2022-2026-strategic-framework.*

[3] The President's Port Action Plan may be found here: *https://www.whitehouse.gov/briefing-room/statements-releases/2021/11/09/fact-sheet-the-biden-harris-action-plan-for-americas-ports-and-waterways/.*

[4] Executive Order 13985 defines ''equity'' as the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

[5] Pre-award costs are only costs incurred directly pursuant to the negotiation and anticipation of the Marine Highway grant award where such costs are necessary for efficient and timely performance of the scope of work, as determined and pre-approved in writing by MARAD.

Disabilities Act, and Section 504 of the Rehabilitation Act of 1973. MARAD seeks to obligate FY 2022 AMH funds under this notice by September 30, 2025 and expects grant recipients to expend funds within five years of obligation. As part of the review and selection process described in Section E.2., MARAD will consider a project's likelihood of obligating funds by September 30, 2025 and liquidation of these obligations within five years after the date of obligation.

MARAD reserves the right to revoke any award of Marine Highway Grant funds and to award such funds to another project to the extent that such funds are not expended in a timely or acceptable manner and in accordance with the project schedule and requirements detailed in the grant agreement.

Prior recipients of Marine Highway Grants may apply for funding to support additional phases of a designated project. However, to be competitive, the grant applicant should demonstrate the extent to which the previously funded project phase has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the new award.

C. Eligibility Information

To be selected for a Marine Highway Grant, an applicant must be an Eligible Applicant and the project must be an Eligible Project.

1. Eligible Applicants

Eligible Applicants for funding available under this notice are original Project Applicants of projects that the Secretary has previously designated as Marine Highway Projects or substitute applicants. A substitute applicant can be either a public entity or a private-sector entity that has been referred to the Program Office by the original Project Applicant in a written letter of support. This letter of support must be included as an attachment to the application for funding. Original Project Applicants are defined as those public entities named by the Secretary in original designated projects. Eligible applicants must have operational or administrative areas of responsibility that are adjacent to or near the relevant designated Marine Highway Project. Eligible Applicants include State governments (including State departments of transportation), metropolitan planning organizations, port authorities, and tribal governments, or private sector operators of marine highway services within designated Marine Highway Projects. Private-sector applicants should refer to Section D.2.vi.(G) for additional documentation that must be submitted to support an eligibility determination.

Eligible Applicants are encouraged to develop coalitions and public/private partnerships, which might include vessel owners and operators; third-party logistics providers; trucking companies; shippers; railroads; port authorities; state, regional, and local transportation planners; environmental organizations; impacted communities; or any combination of entities working in collaboration on a single grant application that can be submitted by the original Project Applicant or their designated substitute. All successful grant applicants, whether they are public or private entities, must comply with all Federal requirements, including the necessary NEPA review and documentation.

If multiple Eligible Applicants submit a joint grant application, they must identify in the application a lead Eligible Applicant as the primary point of contact. Joint grant applications must include a description of the roles and responsibilities of each applicant, including designating the one entity that will receive the Federal funds directly from MARAD, and must include a signed letter of support from each Eligible Applicant as an attachment. Refer to Section D.5., *Funding Restrictions,* for more information.

2. Cost Sharing or Matching

An Eligible Applicant must provide at least 20 percent of grant project costs from non-Federal sources. Non-Federal sources include State funds originating from programs funded by State revenue, local funds originating from State or local revenue-funded programs, or private funds. The application should demonstrate, such as through a commitment letter or other documentation, the sources of these non-Federal funds. Preference will be given to those projects that provide a larger percentage of costs from non-Federal sources. MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the matching requirement for any project. Matching funds are subject to the same Federal requirements described in Section F.2. as Federally awarded funds, including applicable domestic content requirements. Refer to Section D.2. for information on documenting cost sharing in the application.

For each project that receives a Marine Highway Grant award, the terms of the award will require the recipient to complete the project using at least the level of non-Federal funding that was specified in the application. If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for increasing the non-Federal contribution. If the actual costs of the project are less than the costs estimated in the application, the Department may reduce the Federal contribution.

3. Other

i. Eligible Projects

(A) Capital Projects

Pursuant to the BIL, eligible projects proposed for funding must support the development and expansion of vessels documented under 46 U.S.C. Chapter 121 or port and landside infrastructure. Only projects or their components that the Secretary has designated as Marine Highway Projects by the closing date of this notice are eligible for this round of grant funding. The current list of designated Marine Highway Projects can be found on the MARAD website at: *https://cms.marad.dot.gov/sites/marad.dot.gov/files/2021-08/AMH%20Project%20Designations%20Aug%202021.pdf.*

Improvements to Federally owned facilities are ineligible under the Marine Highway Grant program.

(B) Planning Projects

Grant funds may also be requested for eligible project planning activities; however, market-related studies are ineligible to receive Marine Highway Grants. Activities eligible for funding under Marine Highway planning grants are related to the planning, preparation, or design—including site design, engineering drawings, cost estimation, feasibility analysis, environmental review, permitting, and preliminary engineering and design work—of eligible documented vessel or port and landside infrastructure projects.

ii. Application Limit

Each applicant may submit no more than one grant application per designated project.

D. Application and Submission Information

1. Address To Request Application Package

This announcement contains all the information needed for applicants to apply for this funding opportunity. Applications may be found at and must be submitted through *Grants.gov.*

2. Content and Form of Application Submission

The application must include the Standard Form 424 (Application for

Federal Assistance), which can be found on *Grants.gov*, and the Project Narrative. MARAD recommends that the Project Narrative follows the basic outline below to address the program requirements and assist evaluators in locating relevant information.

I. First Page of Project Narrative	See D.2.i.
II. Project Description	See D.2.ii.
III. Project Location	See D.2.iii.
IV. Grant Funds, Sources, and Uses of Project Funds	See D.2.iv.
V. Selection Criteria	See D.2.v. and E.1.
VI. Other Application Requirements	See D.2.vi.

The Project Narrative should include the information necessary for MARAD to determine that the project satisfies the requirements described in Sections B and C, and to assess the selection criteria specified in Section E.1., including a detailed project description, location, and budget. To the extent practicable, applicants should provide supporting data and documentation in a form that is directly verifiable by MARAD. Applicants are strongly encouraged to provide quantitative information, including baseline information, that demonstrates a project's merits and economic viability. MARAD may ask any applicant to supplement data in its application but expects applications to be complete upon submission. Incomplete applications may not be considered for an award.

The Project Narrative should also include a table of contents, maps, and graphics, as appropriate, to make the information easier to review. MARAD recommends that the Project Narrative be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins, and the narrative text in one column only). The Project Narrative may not exceed 12 pages in length, excluding the table of contents and appendices. The only substantive portions that may exceed the 12-page limit are documents supporting assertions or conclusions made in the 12-page Project Narrative. If possible, website links to supporting documentation should be provided rather than copies of these supporting materials. It is important to ensure that the website links are currently active, accessible, and working. If supporting documents are submitted, applicants should clearly identify within the Project Narrative the relevant portion of the Project Narrative that each supporting document supports. MARAD recommends using appropriately descriptive file names (*e.g.,* ''Project Narrative,'' ''Maps,'' ''Letters of Support'') for all attachments. At the applicant's discretion, relevant materials provided previously in support of a Marine Highway Project application may be referenced, updated, or described as unchanged. To the extent documents provided previously are referenced, they need not be resubmitted in support of a Marine Highway Grant application.

To ensure the Project Narrative is sufficiently detailed and informative, MARAD recommends applications include the following sections:

i. First Page of Project Narrative

The first page of the Project Narrative should provide the following items of information:

(A) Marine Highway Designated Project name and the original Project Applicant (as stated on the Marine Highway Program's list of Designated Projects);

(B) Primary point of contact, including the name, phone number, email address, and business address of the primary point of contact for the Eligible Applicant. If submitting a joint application, the primary point of contact should be for the lead Eligible Applicant;

(C) Total amount of the proposed grant project cost in dollars and the amount of Federal grant funds the applicant is seeking, along with sources and share of matching funds;

(D) Executive Summary, which should include an outline of the background of the project, the need for the project, and how the grant funding will be applied in the context of the service referenced in the original Project Designation application;

(E) The public and private partners engaged in the Marine Highway Project;

(F) The Unique Entity Identifier (UEI) Number[6] associated with the application—Marine Highway Grant Recipients and their first-tier sub-awardees must obtain UEI numbers, which are available in *SAM.gov;* and

(G) Evidence of registration with the System for Award Management (SAM) at *https://www.SAM.gov.*

ii. Project Description

The next section of the application should provide a description of the project. The project description must be in paragraph form providing a high-level view of the overall project and its major components. This section should discuss the project's history, including a description of any previously completed components. The applicant may use this section to place the project into a broader context of other transportation infrastructure investments being pursued by the grant applicant, and, if applicable, how it will benefit communities in rural areas. The project description should be sufficiently detailed so that the NEPA class of action can be determined without additional requests for information.

This section should also include a timeline for implementing the project, including identifying major project milestones. The project schedule should be sufficiently detailed to demonstrate that the project can complete construction and expend all funds within five years after obligation. See Section B.

Additionally, if a project addresses regional or national supply chain delays on the freight transportation network or strengthens supply chain resiliency, this section of the application should include sufficient information to enable evaluation of: (i) An existing or anticipated regional or national supply chain delay and (ii) how the project will address the identified delay. Applications should also address how quickly the project can mitigate the supply chain delay or strengthen supply chain resiliency.

This section should also describe whether the project addresses equity and barriers to opportunity. Applicants are encouraged to describe credible planning activities and actions to resolve potential inequities and barriers to equal opportunity in the project as reflected in Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009).

[6] On April 4, 2022, the Federal government will stop using the Data Universal Numbering System (DUNS) number to uniquely identify entities. At that point, entities doing business with the Federal government will use a Unique Entity Identifier (UEI) created in *SAM.gov.* If your entity is currently registered in *SAM.gov,* your UEI has already been assigned and is viewable in *SAM.gov.* This includes inactive registrations.

For example, the applicant should describe: How the project incorporates an equity impact analysis; how the project adopts an equity and inclusion program/plan or implementation of equity-focused policies related to project procurement, material sourcing, construction, inspection, or other activities designed to ensure racial equity in the overall project delivery and implementation; or documentation of equity-focused community outreach and public engagement in the project's planning and project elements in underserved communities, including Historically Disadvantaged Communities. DOT has been developing a definition of Historically Disadvantaged Communities as part of its implementation of the Justice40 Initiative and will use that definition for the purpose of this NOFO. Consistent with OMB's Interim Guidance for the Justice40 Initiative,[7] Historically Disadvantaged Communities include (a) certain qualifying census tracts, (b) any Tribal land, or (c) any territory or possession of the United States. Additionally, DOT is providing a mapping tool to assist applicants in identifying whether a project is located in a Historically Disadvantaged Community at Transportation Disadvantaged Census Tracts.[8] Any policies, plans, and outreach documentation related to advancing equity or removing barriers to opportunity should be briefly discussed and provided as an appendix to the Project Narrative.

Consistent with the Department's Rural Opportunities to Use Transportation for Economic Success (ROUTES) Initiative (*https://www.transportation.gov/rural*), the Department encourages applicants to describe how activities proposed in their applications would address the unique challenges facing rural transportation networks, regardless of the geographic location of those activities.

iii. Project Location

This section of the application should describe the project location, including a detailed geographical description of the proposed project, a map of the project's location and connections to existing transportation infrastructure, and geospatial data describing the project location.

The application should also identify:

(A) Whether the project is located in a Federally designated community development zone[9] such as a qualified Opportunity Zone;[10] Empowerment Zone;[11] Promise Zone;[12] or Choice Neighborhood;[13]

(B) whether the project is located in a Historically Disadvantaged Community, including the relevant census tract(s) (as defined in Section D.2.ii.); and

(C) whether the project is located in a 2010 Census-designated urban area[14] or rural area.[15]

iv. Grant Funds, Sources, and Uses of Project Funds

This section of the application should describe the project's budget (*i.e.,* the project scope that includes Marine Highway funding and non-Federal cost share). The budget should not include any previously incurred expenses. At a minimum, it should include:

(A) Project costs;

(B) The sources and amounts of funds to be used for project costs;

(C) For non-Federal funds to be used for eligible project costs, documentation of funding commitments should be referenced here and included as an appendix to the application;

(D) For other Federal (non-AMHP) funds to be used for eligible project costs, the amounts, nature, and sources of any required non-Federal match for those funds; and

(E) A budget showing how each source of funds will be spent. The budget should show how each funding source will share in each project component, and present that data in dollars and percentages. Funding sources should be grouped into three categories: Non-Federal; Marine Highway Grant funding; and other Federal. A letter of commitment from each funding source should be an attachment to the application. If the project contains individual components, the budget should separate the costs of each project component. The budget should sufficiently demonstrate that the project satisfies the statutory cost-sharing requirements described in Section C.2.

v. Selection Criteria

This section of the application should demonstrate how the project proposed for grant funding aligns with the criteria described below and in Section E.1. MARAD encourages applicants to address each criterion, or expressly state that the project does not address the criterion. Applicants are not required to follow a specific format, but MARAD recommends applicants address each criterion separately using the outline suggested below and provide a clear discussion that assists project evaluators in evaluating how each project meets the selection criteria. Guidance describing how MARAD will evaluate projects against the selection criteria is in Section E.1. of this notice. Applicants also should review that section before considering how to organize and complete their applications. To minimize redundant information in an application, MARAD encourages applicants to cross-reference from this section of their application to relevant substantive information in other sections of the application.

(A) Primary Selection Criteria

(1) This section of the application should demonstrate the extent to which the project is financially viable. Per 46 U.S.C. 55601(g)(3), preference will be given to projects or components that present the most financially viable transportation services.

(2) This section of the application should demonstrate that the funds received will be spent efficiently and effectively.

(3) This section of the application should demonstrate that a market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

(4) This section of the application should describe the public benefits

[7] *https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf.*

[8] Information on DOT's Disadvantaged Census Tract tool (Transportation Disadvantaged Census Tracts) can be found at: *https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a.* For technical assistance in using this tool, please contact *gmo@dot.gov* or the AMHP contact.

[9] For projects that are located in a Federally designated community development zone, the applicant must identify the zone and provide related identifying data (such as the Opportunity Zone number).

[10] See *https://opportunityzones.hud.gov/.*

[11] See *https://www.hud.gov/hudprograms/empowerment_zones.*

[12] See *https://www.hud.gov/program_offices/field_policy_mgt/fieldpolicymgtpz.*

[13] See *https://www.hud.gov/program_offices/public_indian_housing/programs/ph/cn.*

[14] For the purpose of this NOFO, a project is designated as urban if it is located within (or on the boundary of) a Census-designated urbanized area (UA) that had a population greater than 50,000 in the 2010 Census. Lists of 2010 UAs as defined by the Census Bureau are available on the Census Bureau website at *https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html.* For the purpose of this NOFO, the definition of urban and rural is based on the 2010 Census-designated urban areas since urban areas have not been designated for the 2020 Census at the time of this NOFO publication.

[15] MARAD will consider a project to be in a rural area if the majority of the project (determined by geographic location(s) where the majority of the money is to be spent) is located outside of a Census-designated urbanized area with a population of 50,000 or greater. Grant funds utilized in an urbanized area border, including an intersection with an urbanized area, will be considered urban for the purposes of the Marine Highway Grants program.

anticipated by the proposed grant project, as outlined in 46 CFR 393.3(c)(8), and described below. The public benefits described in the relevant Marine Highway Project Designation application may be referenced, updated, or described as unchanged. Applicants will need to clearly demonstrate that the original public benefits outlined in the original Project Designation application apply to the specific grant funding request associated with this notice, and provide any updates or supplemental information regarding the original public benefits, as necessary. To the extent referenced, this information need not be resubmitted in support of a Marine Highway Grant application. Applicants should organize the external net cost savings and public benefits of the proposed grant project based on the following six categories:

i. Emissions benefits;
ii. Energy savings;
iii. Landside transportation infrastructure maintenance savings;
iv. Economic competitiveness;
v. Safety improvements; and
vi. System resiliency and redundancy.

vi. Other Application Requirements

(A) National Environmental Policy Act (NEPA) Requirements

(1) Information about the NEPA status of the Project. Projects selected for grant award must comply with NEPA and any other applicable environmental laws. The application should include sufficient detail on the project in order for MARAD to determine the NEPA class of action. The application should indicate the anticipated NEPA level of review for the project and describe any environmental analysis in progress or completed. This includes Categorical Exclusion, Environmental Assessment/Finding of No Significant Impact, or Environmental Impact Statement/Record of Decision. The applicant should review the Maritime Administration Manual of Orders MAO 600–1 (available at *https://www.maritime.dot.gov/sites/marad.dot.gov/files/docs/environment-security-safety/office-environment/596/mao600-001-0.pdf*) prior to submission. The application should detail the type of NEPA review underway, where the project is in the process, provide a website link or other reference to copies of any environmental documents prepared, and indicate the anticipated date of completion of all milestones and of the final NEPA determination. If the last agency action with respect to NEPA documents occurred more than three years before the application date, the applicant should describe why the project has been delayed and include a proposed approach for verifying and, if necessary, updating this material in accordance with applicable NEPA requirements. The applicant should be aware that the final determination of NEPA class of action will be made by MARAD after grant award announcement. The successful applicant will be responsible for the completion of MARAD's NEPA documentation, in collaboration with MARAD's Office of Environmental Compliance, prior to execution of the grant agreement.

(2) Environmental Permits and Reviews. The application should demonstrate receipt (or reasonably anticipated receipt) of all environmental permits and approvals necessary, such as Army Corps of Engineers permits. Additionally, the successful applicant, in collaboration with MARAD, will be responsible for the completion of Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and Section 7 of the Endangered Species Act, 16 U.S.C. 1531, consultations prior to completing NEPA. Applications should also identify any additional Federal, State, and local permits and approvals necessary for project completion.

(B) Other Federal, State, and Local Actions

An application must indicate whether a proposed project is likely to require actions by other agencies, indicate the status of such actions, provide a website link or other reference to materials submitted to the other agencies, and demonstrate compliance with other Federal, state, or local regulations and permits as applicable. This section should also include a description of whether the project is dependent on, or affected by, U.S. Army Corps of Engineers investment as well as the U.S. Army Corps of Engineers planned activities as it relates to the project.

(C) Domestic Preference

If a project intends to use any product with foreign content or of foreign origin, this information should be listed and addressed in the application. Applications should expressly address how the applicant plans to comply with domestic preference requirements and the applicant's current efforts and planned efforts to maximize domestic content. If an applicant anticipates any potential foreign-content issues with its proposed project, applications should demonstrate that the domestic source is not available and how that determination was reached.

(D) Addressing Climate Change and Decarbonization

MARAD seeks to fund projects under the AMHP that proactively consider climate change and align with the President's greenhouse gas reduction goals and promote energy efficiency. As part of the Department's implementation of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619), MARAD also seeks to fund projects that address environmental justice, particularly for communities that disproportionally experience climate change-related consequences. In support of this priority, applications should address whether the project has incorporated climate change and environmental justice [16] in project planning and/or design components, particularly for communities that disproportionally experience climate change-related consequences. To address the planning element of this criterion, the application should describe what specific climate change or environmental justice activities have been completed or are planned for the project. This could include identifying how emissions reductions will specifically benefit disadvantaged communities or to what extent it will create employment opportunities and economic benefits to the local community. The application should indicate whether a project is incorporated in a climate action plan, whether an equitable development plan has been prepared, and whether (and how) the results of planning tools such as DOT's Disadvantaged Census Tract tool or EPA's EJSCREEN have been incorporated into the project.[17]

To address whether the project has incorporated climate change and environmental justice in the design components, the application should describe specific and direct ways that the project will mitigate or reduce climate change impacts. This may include a description of how the project incorporates multimodal infrastructure to reduce climate impacts, such as by ensuring that cargo is moved by the most climate-efficient/friendly mode of transportation. This section should also describe ways that the project reduces emissions or uses technology to increase energy efficiency, and whether the

[16] Environmental justice, as defined by the Environmental Protection Agency, is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

[17] The EJSCREEN tool can be found on the EPA site: *https://ejscreen.epa.gov/mapper/.*

proposed grant project demonstrates a movement towards lower carbon emissions or near-zero emissions. This may include, but is not limited to:

(1) The use of alternative, low carbon fuels for vessels or cargo handling equipment;

(2) The use of alternative technologies, such as fuels cells, batteries, hybrid systems, etc. for vessels or cargo handling equipment;

(3) The procurement or leasing of low or no emission cargo-handling equipment that make greater reductions in energy consumption and harmful emissions than comparable equipment;

(4) The use of port-based alternative energy sources such as low carbon-powered microgrids or charging stations; and/or

(5) Best practices that promote low carbon/energy efficiency cargo movement or handling operations.

(E) Certification Requirements

For an application to be considered for a grant award, the Chief Executive Officer, or equivalent, of the Eligible Applicant is required to certify, in writing, the following:

(1) That, except as noted in this grant application, nothing has changed from the original application for formal designation as a Marine Highway Project; and

(2) The Eligible Applicant will administer the project and any funds received will be spent efficiently and effectively; and

(3) The Eligible Applicant will provide information, data, and reports as required.

(F) Protection of Confidential Commercial Information

Eligible Applicants should submit, as part of or in support of applications, publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards to the extent possible. If an application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (i) Note on the front cover that the submission contains ''Confidential Commercial Information (CCI)''; (ii) mark each affected page ''CCI''; and (iii) highlight or otherwise denote the CCI portions. MARAD will protect such information from disclosure to the extent allowed under applicable law. In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

(G) Additional Application Information Needed From All Private-Sector Applicants, Including Previous Recipients of AMHP Grant Funding

(1) Written letter of support from the original Project Applicant stating that the private entity has been referred by the original Project Applicant for the relevant designated Marine Highway Project.

(2) A description of the entity including location of the headquarters; a description of the entity's assets (tugs, barges, etc.); years in operation; ownership; customer base; and website address, if any.

(3) Unique Entity Identifier of the parent company (when applicable): Data Universal Numbering System (DUNS + 4 number).

(4) The most recent year-end audited, reviewed, or compiled financial statements, prepared by a certified public accountant (CPA), per U.S. generally accepted accounting principles (not tax-based accounting financial statements). If CPA prepared financial statements are not available, provide the most recent financial statement for the entity. Do not provide tax returns.

(5) Statement regarding the relationship between applicants and any parents, subsidiaries, or affiliates, if any such entity is going to provide a portion of the matching funds.

(6) Evidence documenting applicant's ability to make proposed matching requirement (loan agreement, commitment from investors, cash on balance sheet, etc.).

(7) Pro-forma financial statements reflecting financial condition at beginning of period; effect on balance sheet of grant and matching funds (*e.g.,* a decrease in cash or increase in debt, additional equity and an increase in fixed assets); and impact on company's projected financial condition (balance sheet) of completion of project, showing that company will have sufficient financial resources to remain in business.

(8) Statement regarding whether during the past five years, the applicant or any predecessor or related company has been in bankruptcy or in reorganization under Chapter 11 of the Bankruptcy Code, or in any insolvency or reorganization proceedings, and whether any substantial property of the applicant or any predecessor or related company has been acquired in any such proceeding or has been subject to foreclosure or receivership during such period. If so, give details.

(9) Additional information may be requested as deemed necessary by MARAD to facilitate and complete its review of the application. If such information is not provided, MARAD may deem the application incomplete and cease processing it.

(10) Company Officer's certification of each of the following:

i. That the company operates in the geographic location of the designated Marine Highway Project;

ii. That the applicant has the authority to carry out the proposed project; and

iii. That the applicant has not, and will not, make any prohibited payments out of the requested grant, in accordance with the Department of Transportation's regulation restricting lobbying, 49 CFR part 20.

3. Unique Entity Identifier and System for Award Management (SAM)

MARAD will not make an award to an applicant until the applicant has complied with all applicable Unique Entity Identifier and SAM requirements. Each applicant must be registered in SAM before applying, provide a valid Unique Entity Identifier number in its application, and maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. Applicants may register with the SAM at *www.SAM.gov.* If an applicant has not fully complied with the requirements by the time MARAD is ready to make an award, MARAD may determine that the applicant is not qualified to receive a Federal award under this program.

4. Submission Dates and Times

Applications must be submitted to *Grants.gov* by 5:00 p.m. E.D.T. on April 29, 2022.

5. Funding Restrictions

Grant funds may only be used for the purposes described in this notice and may not be used as an operating subsidy. Market-related studies are ineligible for Marine Highway Grant funds, as are improvements to Federally owned facilities.

MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the matching requirement for any project. Unless authorized by MARAD in writing after MARAD's announcement of Marine Highway Grant awards, any costs incurred before a grant agreement is executed will not be reimbursed and

will not count towards cost share requirements.

Federal award recipients and sub-recipients are prohibited from obligating or expending grant funds to procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. See Section 889 of Public Law 115–232 (National Defense Authorization Act for Fiscal Year 2019) and 2 CFR 200.216 & 200.471.

6. Other Submission Requirements

Grant applications must be submitted electronically using *Grants.gov* (*https://www.grants.gov*). To submit an application through *Grants.gov,* applicants must:

i. Obtain a Unique Entity Identifier (UEI) number;

ii. Register with the System for Award Management (SAM) at *www.SAM.gov;*

iii. Create a *Grants.gov* username and password; and

iv. Complete Authorized Organization Representative (AOR) registration in *Grants.gov*. The E-Business Point of Contact (POC) at the applicant's organization must respond to the registration email from *Grants.gov* and login at *Grants.gov* to authorize the applicant as the AOR. Please note that there can be more than one AOR for an organization.

Please note that the *Grants.gov* registration process usually takes 2–4 weeks to complete and the Department will not consider late applications that are the result of a failure to register or comply with *Grants.gov* applicant requirements in a timely manner. For information and instruction on each of these processes, please see instructions at *https://www.grants.gov/applicants/applicant-faqs.html.* If applicants experience difficulties at any point during the registration or application process, please call the *Grants.gov* Customer Service Support Hotline at 1 (800) 518–4726.

Late applications that are the result of failure to register or comply with *Grants.gov* application requirements in a timely manner will not be considered. Applicants experiencing technical issues with *Grants.gov* that are beyond the applicant's control must contact *MH@dot.gov* or Fred Jones at (202) 366–1123 prior to the deadline with the username of the registrant and details of the technical issue experienced. The applicant must provide: (i) Details of the technical issue experienced; (ii) screen capture(s) of the technical issue experienced along with the corresponding ''Grant tracking number'' that is provided via *Grants.gov*; (iii) the ''Legal Name'' for the applicant that was provided in the SF–424; (iv) the name and contact information for the person to be contacted on matters involving submission that is included on the SF–424; (v) the Unique Entity Identifier number associated with the application; and (vi) the *Grants.gov* Help Desk Tracking Number.

E. Application Review Information

1. Selection Criteria

This section specifies the criteria that MARAD will use to evaluate and award applications for Marine Highway Grants. These criteria incorporate the statutory requirements for this program, as well as Departmental and programmatic priorities.

When reviewing grant applications, MARAD will consider how the proposed service could satisfy, in whole or in part, 46 U.S.C. 55601(b)(1) and (3) and the following criteria found at 46 U.S.C. 55601(g)(2)(B):

i. The project is financially viable;

ii. The funds received will be spent efficiently and effectively; and

iii. A market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

MARAD will also consider how the proposed request for funding outlined in the grant application supports the elements of 46 CFR 393.3(c)(8) (Public benefits) as a key programmatic objective.

In awarding grants under the program, MARAD will give preference to those projects or components that present the most financially viable marine highway transportation services and require the lowest total percentage Federal share of the costs.

After applying the above criteria, in support of Departmental priorities related to climate change, including advancing the goals outlined in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619), MARAD will evaluate whether the project incorporates climate change, environmental justice, and decarbonization activities in project planning and/or design elements. MARAD will give preference to projects that demonstrate a movement towards lower carbon emissions or near-zero emissions, as described in Section D.2.vi.(D).

In support of Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009), MARAD will also consider the extent to which applications address equity and the removal of barriers to opportunity through the activities described in Section D.2.ii., such as meaningful, equity-focused community outreach and public engagement of underserved communities, and adoption of an equity and inclusion program or plan or equity-focused policies related to the proposed project.

In addition, since the AMHP is intended to create transportation options that enhance supply chain reliance, MARAD will consider how a project improves the supply chain. Reviewers will consider the extent to which information in the narrative demonstrates how the project positively impacts the supply chain, as described further in Section D.2.ii. For example, reviewers will consider whether a project proposes elements that improve transportation links to critical infrastructure, promotes lower-carbon supply chain infrastructure, or invests in supply chain reliability improvements. Projects that have significant regional or national supply chain system impacts will be more competitive than ones that do not.

DOT will consider whether a project is located within a Historically Disadvantaged Community or a Federally designated community development zone (a qualified opportunity zone, Empowerment Zone, Promise Zone, or Choice Neighborhood). Applicants must specify in their narrative which zone (or zones) the project is in and provide sufficient identifying information (such as the Opportunity Zone tract number) so that reviewers can verify the claim. A project located in a Historically Disadvantaged Community or a Federally designated community development zone is more competitive than a similar project that is not. The Department will rely on applicant-supplied information to assist in making this assessment and will only consider this if the applicant expressly identifies the designation in their application.

MARAD will also consider a project's likelihood of obligating funds by September 30, 2025.

2. Review and Selection Process

Upon receipt, MARAD will conduct a technical review to evaluate applications using the criteria outlined above. Upon completion of the technical review, MARAD will forward the applications to an inter-agency review team (Intermodal Review Team). The Intermodal Review Team will include

members of MARAD, other Department of Transportation Operating Administrations, and representatives from the Office of the Secretary of Transportation. The Intermodal Review Team will review and provide comments to the Program Office for each application based on the criteria set forth above. The Program Office will use those comments to inform the recommendations that will be made to the Maritime Administrator and the Secretary.

3. Federal Awardee Performance and Integrity Information System (FAPIIS) Check

Before making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold of $250,000 (*see* 2 CFR 200.88 Simplified Acquisition Threshold), MARAD will review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (*see* 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. MARAD will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants.

F. Federal Award Administration Information

1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce the selected grant award recipients. The award announcement will be posted on the MARAD website (*https://www.maritime.dot.gov*).

Recipients of an award will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, Marine Highway Grant funds will reimburse recipients only after grant agreements have been executed, allowable expenses are incurred, and valid requests for reimbursement have been submitted and approved by the MARAD grants officer. Marine Highway Grant recipients must adhere to applicable requirements and follow established procedures to receive reimbursement. Unless authorized in writing by MARAD, an expense incurred before a grant agreement is executed will not be reimbursed or count towards cost share requirements.

2. Administrative and National Policy Requirements

All awards must be administered pursuant to the ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'' found at 2 CFR part 200, as adopted by the Department at 2 CFR part 1201. All procurement transactions for the acquisition of property or services under the Federal award must be conducted in a manner providing full and open competition unless MARAD authorizes a noncompetitive procurement in accordance with 2 CFR 200.320(c). Federal wage rate requirements included at 40 U.S.C. 3141–3148 apply to all projects receiving funds under this program and apply to all parts of the project, whether funded with Federal funds or non-Federal funds. Additionally, other applicable Federal laws, Executive Orders, and any rules, regulations, and requirements of MARAD will apply to projects that receive Marine Highway Grants.

As expressed in Executive Order 14005, *Ensuring the Future is Made in All of America by All of America's Workers* (86 FR 7475), it is the policy of the executive branch to use terms and conditions of Federal financial assistance awards to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Consistent with the requirements of the Build America, Buy America Act (Pub. L. 117–58, Division G, Title IX, Subtitle A, November 15, 2021), no amounts made available through this NOFO may be obligated for a project unless all iron, steel, manufactured products, and construction materials used in the project are produced in the United States. Depending on other funding streams, the project may be subject to separate ''Buy America'' requirements.

All recipients must comply with the requirements under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and their implementing regulations. Applicants should review these civil rights statutes carefully to ensure full compliance with these obligations. These requirements apply to recipients as well as all subrecipients. The successful applicant will be responsible for implementing an effective and compliant Title VI and Section 504 program under the technical assistance from MARAD's Office of Civil Rights.

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, nondiscrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied or other contracting decisions made on the basis of speech or other activities protected by the First Amendment. If the Department determines that a recipient has failed to comply with applicable Federal requirements, the Department may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

3. Reporting

a. Progress Reporting on Grant Activities

Award recipients are required to submit quarterly reports, signed by officers of the recipients, to the Program Office to keep MARAD informed of all activities during the reporting period. The reports will indicate progress made, planned activities for the next reporting period, and a listing of any purchases made with grant funds during the reporting period. In addition, the report will include an explanation of any deviation from the projected budget and timeline. Quarterly reports will also contain, at a minimum, the following: (i) A statement as to whether the award recipient has used the grant funds consistent with the terms contemplated in the grant agreement; (ii) if applicable, a description of the budgeted activities not procured by recipient; (iii) if applicable, the rationale for recipient's failure to execute the budgeted activities; (iv) if applicable, an explanation as to how and when recipient intends to accomplish the purposes of the grant agreement; and (v) a budget summary showing funds expended since commencement, anticipated expenditures for the next reporting period, and expenditures compared to overall budget.

b. Performance Reporting

Award recipients will also collect information and report on a project's observed performance with respect to the relevant long-term outcomes that are expected to be achieved through the project. Performance indicators will not include formal goals or targets, but will include observed measures under baseline (pre-project) as well as post-implementation outcomes for an agreed-upon timeline, and will be used to evaluate and compare projects and monitor the results that grant funds achieve to the intended long-term outcomes of the AMHP. Performance reporting continues for several years after the project is completed, and MARAD does not provide Marine Highway Grant funding specifically for performance reporting.

c. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings described in paragraph 2 of 2 CFR Appendix XII to Part 200. This is a statutory requirement under Section 872 of Public Law 110–417, as amended (41 U.S.C. 2313). As required by Section 3010 of Public Law 111–212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

G. Federal Awarding Agency Contacts

To ensure applicants receive accurate information about eligibility, the program, or in response to other questions, applicants are encouraged to contact MARAD directly, rather than through intermediaries or third parties. Please see contact information in the **FOR FURTHER INFORMATION CONTACT** section above.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2022–04599 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0063; Notice 2]

General Motors, LLC, Denial of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Denial of petition.

SUMMARY: General Motors, LLC, (GM) has determined that certain model year (MY) 2010–2017 GMC Terrain motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment.* GM filed a noncompliance report dated May 15, 2019. GM subsequently petitioned NHTSA on June 7, 2019, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces the denial of GM's petition.

FOR FURTHER INFORMATION CONTACT: Leroy Angeles, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5304, *leroy.angeles@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Overview

GM has determined that certain MY 2010–2017 GMC Terrain motor vehicles do not fully comply with paragraph S10.15.6 and Table XIX of FMVSS No. 108, *Lamps, Reflective Devices, and Associated Equipment* (49 CFR 571.108). GM filed a noncompliance report dated May 15, 2019, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* GM subsequently petitioned NHTSA on June 7, 2019, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance.*

Notice of receipt of GM's petition was published with a 30-day public comment period, on February 12, 2020, in the **Federal Register** (85 FR 8095). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2019–0063.''

II. Equipment and Vehicles Involved

Approximately 726,959 MY 2010–2017 GMC Terrain motor vehicles manufactured between May 21, 2009, and July 13, 2017, are potentially involved.

III. Noncompliance

GM explains that the noncompliance is that the subject vehicles are equipped with lower beam headlamps that do not meet the photometry requirements of paragraph S10.15.6 and Table XIX of FMVSS No. 108. Specifically, a reflection from the headlamps' housing is directed 80 degrees outboard and 45 degrees upward, as measured from each lamp's optical axis, which illuminates two small areas high above the vehicle. When tested by GM, this reflection from a single point on each lamp measured approximately 450–470 candela (cd). This is more than three times brighter than the designated maximum of 125 cd at test points 10°U to 90°U, as stated in Table XIX–a.

IV. Rule Requirements

Paragraph S10.15.6 and Table XIX of FMVSS No. 108 include the requirements relevant to this petition. Each replaceable bulb headlamp must be designed to conform to the photometry requirements of Table XVIII for upper beam and Table XIX for lower beam as specified in Table II–d for the specific headlamp unit and aiming method when tested according to the procedure of paragraph S14.2.5 using any replaceable light source designated for use in the system under test.

V. Summary of GM's Petition

The following views and arguments presented in this section, ''V. Summary of GM's Petition,'' are the views and arguments provided by GM and do not reflect the views of the Agency. GM described the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, GM submitted the following reasoning:

1. *The noncompliance caused by this reflection has no effect on vehicle safety for oncoming or surrounding vehicles.* The narrow reflection in question does not create a safety risk for oncoming or surrounding drivers, due to the extreme angle of the reflection. This angle, 80 degrees outboard and 45 degrees upward from each lamp's optical axis, is far above the range where the reflection could cause glare for oncoming or surrounding drivers, including the industry-recognized ''glare points'' referenced in Table XIX of FMVSS No. 108 at the following

ranges: 0.5°U–1.5°L to L, 1°U–1.5°L to L, 0.5°U–1°R to R, 1.5°U–°R to R.

2. *The noncompliance caused by this reflection has no effect on vehicle safety for drivers of the subject vehicles.* The areas illuminated by the narrow reflections in question are not visible to drivers of the subject vehicles. These two small areas appear high above the vehicle, one to the far left and the other to the far right of the vehicle, well outside of the driver's view.

GM says, while these reflections may be somewhat perceptible in certain extremely dense fog or snow conditions, there would be no effect on vehicle safety due to the small size and far outboard location in the driver's peripheral field of view. GM claims that any detectable light due to such reflection would be negligible compared to other outside sources of illumination such as glare from oncoming traffic or fog glare forward of the vehicle.

3. *GM is aware of only a single customer inquiry associated with this condition and is not aware of any crashes or injuries.* GM reviewed all relevant field data and found just a single customer inquiry within the US and Canadian vehicle population of nearly 820,000 vehicles sold, 726,595 of which were sold in the US and 92,747 were sold in Canada, over eight model years. The customer stated, ''Left head lamp seems to have a portion of the light that shines up in the trees at near a 45-degree angle.'' GM identified no other related field reports, including in warranty, Transportation Recall Enhancement, Accountability and Documentation (TREAD), Vehicle Owner Questionnaire (VOQ), and legal data.

4. *GM claims that the headlamps comply with recognized industry standards.* GM cited S6.1.1 of the SAE International Standard J1383, *Performance Requirements for Motor Vehicle Headlamps* (May 26, 2010), which sets forth certain industry-recognized intensity and size limits on headlamp photometrics. Specifically, for a zone extending 20° left to 20° right, and 10° to 60° up from the lamp optical axis, the light projected cannot exceed 550 candelas and cannot occupy more than five percent of the zone's total area. The reflection from the subject lamps is well outside of this zone. Even if the reflections were within this zone, the headlamps would remain compliant, as the reflection would not exceed the maximum of five percent of the total area or the maximum of 550 candelas.

5. *According to GM, the headlamps comply with applicable requirements for global regions, including UNECE R1123.* S6.2.4 and Annex 3, Figure B of UNECE R112 specify photometric test points for the passing beam (*i.e.,* lower beam headlamp). The photometric points extend to 4° above the lamp optical axis. The subject reflection is well above those test points.

6. *The subject condition has been corrected for service parts and does not affect current-generation vehicles.* GM is purging all affected service and replacement headlamps from dealer stock. The supplier, Stanley, has redesigned service and replacement headlamps to eliminate the reflections that cause the issue by adding graining to specific portions of the reflector. At the time of the original submission, GM projected the redesigned lamps would be available on June 12, 2019. Current-generation GMC Terrain vehicles (model years 2018 and newer) use a different headlamp design and are not affected by this condition.

GM concluded that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

VI. NHTSA's Analysis

The burden of establishing the inconsequentiality of a failure to comply with a *performance requirement* in a standard—as opposed to a *labeling requirement*—is more substantial and difficult to meet. Accordingly, the Agency has not found many such noncompliances inconsequential.[1] Potential performance failures of safety-critical equipment, like seat belts or air bags, are rarely deemed inconsequential.

An important issue to consider in determining inconsequentiality is the safety risk to individuals who experience the type of event against which the recall would otherwise protect.[2] The Safety Act is preventive, and manufacturers cannot and should not wait for deaths or injuries to occur in their vehicles before they carry out a recall. *See, e.g., United States* v. *Gen. Motors Corp.,* 565 F.2d 754, 759 (D.C. Cir. 1977). Indeed, the very purpose of a recall is to protect individuals from risk. *See id.*

NHTSA does not consider the absence of complaints or injuries to show that the issue is inconsequential to safety. ''Most importantly, the absence of a complaint does not mean there have not been any safety issues, nor does it mean that there will not be safety issues in the future.''[3] ''[T]he fact that in past reported cases good luck and swift reaction have prevented many serious injuries does not mean that good luck will continue to work.''[4]

Motor vehicle headlamps are, among other things, required to provide forward illumination for driving conditions in a manner that does not cause safety consequences for the driver of the vehicle, or other roadway drivers. In particular, this can include sources of glare caused by light reflected back to the driver or other roadway drivers.

Paragraph S10.15.6 with Table XIX of FMVSS No. 108 requires a maximum luminous intensity of 125 cd at test points within the boundaries of 10°U to 90°U and 90°L to 90°R. GM explains that in the subject vehicles, the lower beam headlamps have a reflection from the headlamp housing that is 80 degrees outboard and 45 degrees upward, which when measured has a luminous intensity of 450–470 cd that exceeds the 125 cd limit.

NHTSA concurs with GM's argument that the operator of the noncompliant vehicle will not likely be affected as the reflection is directed outboard. However, NHTSA does not concur with GM's argument that the narrow reflection has no effect on oncoming or surrounding vehicles due to its extreme angle. The requirement of having a maximum of 125 cd at test points 10°U to 90°U and 90°L to 90°R reduces the presence of glare and veiling glare from oncoming or surrounding vehicles. The beam of light coming from the noncompliant headlamp exceeds the photometric requirement by more than three times, and may cause glare or be distracting to surrounding vehicles. Furthermore, certain weather conditions such as snow and fog could result in light from the noncompliant lamp causing veiling glare to other motorists driving in the proximity of the vehicle having the noncompliant lamp.

NHTSA reviewed GM's other arguments that their products met other standards (SAE J1383 and UNECE R112) and did not find these arguments compelling because those standards are not substitutes for the requirements contained in FMVSS No. 108. Additionally, GM's explanation that the subject condition has been corrected for service parts and does not affect current-generation vehicles does not address the vehicles in the recall population and is

[1] *Cf. Gen. Motors Corporation; Ruling on Petition for Determination of Inconsequential Noncompliance,* 69 FR 19897, 19899 (Apr. 14, 2004) (citing prior cases where noncompliance was expected to be imperceptible, or nearly so, to vehicle occupants or approaching drivers).

[2] *See Gen. Motors, LLC; Grant of Petition for Decision of Inconsequential Noncompliance,* 78 FR 35355 (June 12, 2013) (finding noncompliance had no effect on occupant safety because it had no effect on the proper operation of the occupant classification system and the correct deployment of an air bag); *Osram Sylvania Prods. Inc.; Grant of Petition for Decision of Inconsequential Noncompliance,* 78 FR 46000 (July 30, 2013) (finding occupant using noncompliant light source would not be exposed to significantly greater risk than occupant using similar compliant light source).

[3] *Morgan 3 Wheeler Limited; Denial of Petition for Decision of Inconsequential Noncompliance,* 81 FR 21663, 21666 (Apr. 12, 2016).

[4] *United States* v. *Gen. Motors Corp.,* 565 F.2d 754, 759 (D.C. Cir. 1977) (finding defect poses an unreasonable risk when it ''results in hazards as potentially dangerous as sudden engine fire, and where there is no dispute that at least some such hazards, in this case fires, can definitely be expected to occur in the future'').

therefore not a basis to not carry out a recall.

VII. NHTSA's Decision

In consideration of the foregoing, NHTSA has decided that GM has not met its burden of persuasion that the subject FMVSS No. 108 noncompliance is inconsequential to motor vehicle safety. Accordingly, GM's petition is hereby denied, and GM is consequently obligated to provide notification of and free remedy for that noncompliance under 49 U.S.C. 30118 and 30120.

(*Authority:* 49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR 1.95 and 501.8)

Anne L. Collins,

Associate Administrator for Enforcement.

[FR Doc. 2022–04540 Filed 3–3–22; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Passive Activity Credit Limitations

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning reporting requirements for passive activity credit limitations.

DATES: Written comments should be received on or before May 3, 2022 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *omb.unit@irs.gov.* Include OMB control number 1545–1034 or Passive Activity Credit Limitations in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form should be directed to Kerry Dennis at (202) 317–5751, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Kerry.L.Dennis@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Passive Activity Credit Limitations.

OMB Number: 1545–1034.

Form Number: 8582–CR.

Abstract: Under Internal Revenue Code section 469, credits from passive activities, to the extent they do not exceed the tax attributable to net passive income, are not allowed, Form 8582–CR is used to figure the passive activity credit allowed and the amount of credit to be reported on the tax return.

Current Actions: There is no change to the regulation or burden at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations, and farms.

Estimated Number of Respondents: 300,000.

Estimated Time per Respondent: 7 hours, 53 minutes.

Estimated Total Annual Burden Hours: 2,370,600 hours.

The following paragraph applies to all the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained if their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 1, 2022.

Kerry L. Dennis,

Tax Analyst.

[FR Doc. 2022–04630 Filed 3–3–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Requesting comments on Enhanced Oil Recovery Credit

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the IRS is soliciting comments concerning enhanced oil recovery credit.

DATES: Written comments should be received on or before May 3, 2022 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *omb.unit@irs.gov.* Include OMB Number 1545–1292 or Enhanced Oil Recovery Credit in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to LaNita Van Dyke, at (202) 317–6009, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Enhanced Oil Recovery Credit.

OMB Number: 1545–1292.

Form Number: 8830.

Abstract: This regulation provides guidance concerning the costs subject to the enhanced oil recovery credit, the circumstances under which the credit is available, and procedures for certifying to the Internal Revenue Service that a project meets the requirements of section 43(c) of the Internal Revenue Code.

Current Actions: There are no changes being made to the regulations, at this time. Form 8830 was not issued for 2019–2020 because the section 43 credit was completely phased out and the form was not needed due to the continued high price of crude oil; however, it will apply again for tax years beginning in 2021. The changes made to Form 8830, reflect Notice 2021–47. This will increase the number of responses by

1,550 and annual burden by 11,067 hours.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households, and business or other for-profit organizations.

Estimated Number of Respondents: 1,590.

Estimated Time per Respondent: 7.87 hours.

Estimated Total Annual Burden Hours: 12,527.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 28, 2022.

Andres Garcia Leon,

Supervisory Tax Analyst.

[FR Doc. 2022–04547 Filed 3–3–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Treasury Advisory Committee on Racial Equity

AGENCY: Department of the Treasury.

ACTION: Notice of establishment of the Treasury Advisory Committee on Racial Equity.

SUMMARY: The Treasury Department has determined that it is in the public interest to establish the Treasury Advisory Committee on Racial Equity. A Charter for the Committee has been prepared and will be filed no earlier than 15 days following the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: Janis Bowdler, Counselor for Racial Equity, Department of the Treasury, (202) 622–3002, *Equity@Treasury.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act (FACA) (5 U.S.C. App., as amended), the Department of the Treasury (''Department'') intends to establish the Treasury Advisory Committee on Racial Equity (''Committee''). The Department has determined that establishing this committee is necessary and in the public interest in order to carry out the provisions of Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Throughout the Federal Government.*

Objectives and Duties

The purpose of the Committee is to provide advice and recommendations to the Department of the Treasury to assist the Offices of the Secretary and Deputy Secretary in carrying out their duties and authorities towards advancing racial equity and addressing acute disparities for communities of color who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.

The Committee shall be a continuing advisory committee with an initial two-year term, subject to two-year re-authorizations at the discretion of the Secretary of the Treasury. The Committee will provide an opportunity for experts to offer their advice and recommendations to the Office of the Secretary on a regular basis on aspects of the domestic economy that have directly and indirectly resulted in unfavorable conditions for Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color. Topics to be addressed by the Committee may include, but are not limited to, financial inclusion, capital access, housing stability, federal government supplier diversity and economic development.

The duties of the Committee shall be solely advisory and shall extend only to the submission of advice and recommendations to the Offices of the Secretary and Deputy Secretary, which shall be non-binding to the Department. No determination of fact or policy shall be made by the Committee.

Membership

In order to achieve a fairly balanced membership, the Committee shall include representatives from a wide range of views, such as the Federal government, financial services industry, state regulatory authorities, consumer or public advocacy organizations, community-based groups, academia, philanthropic organizations, as well as others focused on the advancement of equity priorities within the United States. Membership balance will not be static and may change, depending on the work of the Committee. The number of Committee members shall not exceed twenty-five.

The Committee shall meet at such intervals as are necessary to carry out its duties. It is estimated that the Committee will generally meet four times per year, virtually or in person. Generally, Committee meetings are open to the public. Nominations for membership will be solicited in a subsequent notice in the **Federal Register**.

Janis Bowdler,

Counselor for Racial Equity.

[FR Doc. 2022–04539 Filed 3–3–22; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

Evidence and Notification Delays

AGENCY: Department of Veterans Affairs.

ACTION: Notice of extension of timeframes for notification letters.

SUMMARY: The Veterans Benefits Administration (VBA) received notice that the vendor contracted to provide printing services to the Department of Veterans Affairs (VA) experienced staffing and equipment issues that resulted in a significant delay in the printing and mailing of benefit letters. To protect the interests of Veterans and other claimants affected by this delay, VBA is instituting temporary guidance extending a grace period on responses to time-sensitive letter notifications.

FOR FURTHER INFORMATION CONTACT: Raymond Tellez, Executive Director, Office of Business Integration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, 202–461–9367. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On August 12, 2021, the Office of Information and Technology informed VBA that the vendor, contracted to provide printing services to VA by the Government Publishing Office (GPO), experienced

staffing and equipment issues that resulted in a significant delay in the printing and mailing of letters sent through the Veterans Benefits Management System (VBMS) Package Manager or centralized printing. VBA was informed that since July 13, 2021, there were letters not timely mailed to Veterans and other claimants. This printing and mailing delay does not impact Insurance Service, Education Service or Loan Guaranty Service timeframes for applications, appeals or notifications. In addition, any automated ''batch'' letters have not been affected by this situation. VBA awarded a new contract on September 29, 2021, with full printing capability achieved by December 31, 2021. Any notification letters issued after this date will be printed and mailed timely.

The staffing and equipment issues impacted the ability of VBA to send timely notification letters to some claimants. Some of these letters require a claimant response within a set timeframe. Response periods are traditionally calculated based on the date of mailing and the date of the letter of notification is considered the date of mailing for this purpose. However, VBA is unable to ascertain the extent of delay between the date of the letter of notification and date of actual mailing of that letter for any given correspondence generated during the impacted period. As a result, some claimants may not be able to satisfy the required timeframe for response through no fault of their own due to printing and mailing delays. VA aims to protect the interests of claimants by extending a grace period on the timeframe for which claimants can respond to time-limited notification.

If a claimant does not reply to a time-limited notification generated during the period beginning July 13, 2021 and ending December 31, 2021, such as making an election of benefits or services, or reporting for a scheduled compensation and pension examination or scheduled hearing before VBA, VBA will not take adverse action to deny, reduce, or terminate benefits or services unless: (1) The claimant is contacted and there is documented notice of their right to respond; (2) the requested information is received; or (3) the response period has lapsed after affording the claimant at least an additional 90 days to respond. To determine the length of the extended response period, VA considered the number of days the mail was delayed. While this number has varied, once a claimant has been afforded the original time span in the letter (generally 30 or 60 days) followed by an additional 90 days, the additional timeframe would cover the period of delay for all impacted notices. If deemed necessary, further extensions for the impacted population may be announced.

For Veterans who filed an appeal with the Board of Veterans' Appeals (Board) please visit *https://www.bva.va.gov/* for information specific to Board correspondence, scheduled hearings at the Board and receiving your Board decision.

VA regulation 38 CFR 3.110 provides that, ''[i]n computing the time limit for any action required of a claimant or beneficiary, including the filing of claims or evidence requested by VA, the first day of the specified period . . . . shall be the date of mailing of notification to the claimant or beneficiary of the action required and the time limit therefor. The date of the letter of notification shall be considered the date of mailing for purposes of computing time limits.''

38 CFR 3.109(b) provides that time limits within which claimants or beneficiaries are required to act to perfect a claim or challenge an adverse VA decision may be extended for good cause shown. VA has determined that correspondence impacted by GPO printing vendor delays during the specified time frame serves as good cause to extend those time limits for correspondence generated during the impacted period.

38 CFR 3.103(b) (''Procedural due process and other rights'') provides guidance on the right to notice. In part, this regulation affirms that claimants are entitled to notice of any decision. Section 3.103(b)(2) states that no award of compensation, pension, or dependency and indemnity compensation shall be terminated, reduced, or otherwise adversely affected unless the claimant has been provided a period of 60 days in which to submit evidence. Section 3.103(c) provides the general rules regarding submission of evidence.

VBA hereby gives notice that if a claimant for VBA benefits other than insurance, education, and loan guaranty benefits does not reply to a time-limited notification, such as making an election of benefits or services, or reporting for a scheduled compensation and pension examination or scheduled hearing before VBA issued via VBMS Package Manager or centralized printing from July 13, 2021 until December 31, 2021, then VA will automatically extend the response period at least 90 days.

In addition to publishing this notice in the **Federal Register**, and to ensure all impacted claimants are aware of this information, VA issued a press release on November 30, 2021, addressing these delays and the remedial steps described above. *https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5744.* Furthermore, on December 6, 2021, VA transmitted an email notice to claimants at their last known email addresses that informed them of the printing delay and the extended response period. Additionally, VBA intends to mail a letter to all claimants impacted by these delays that informs them of the extension outlined above. This letter will encourage claimants who anticipated receiving a time-sensitive letter notification but have not yet received one to contact VA at 1–800–827–1000.

Signing Authority

Denis McDonough, Secretary of Veterans Affairs, approved this document on February 27, 2022 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.

Luvenia Potts,

Regulation Development Coordinator, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

[FR Doc. 2022–04631 Filed 3–3–22; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 87 Friday,

No. 43 March 4, 2022

Part II

The President

Notice of March 3, 2022—Continuation of the National Emergency With Respect to Zimbabwe

Federal Register
Vol. 87, No. 43
Friday, March 4, 2022

Presidential Documents

Title 3—

The President

Notice of March 3, 2022

Continuation of the National Emergency With Respect to Zimbabwe

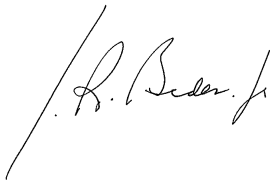
On March 6, 2003, by Executive Order 13288, the President declared a national emergency and blocked the property of certain persons, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions. These actions and policies had contributed to the deliberate breakdown in the rule of law in Zimbabwe, to politically motivated violence and intimidation in that country, and to political and economic instability in the southern African region.

On November 22, 2005, the President issued Executive Order 13391 to take additional steps with respect to the national emergency declared in Executive Order 13288 by ordering the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

On July 25, 2008, the President issued Executive Order 13469, which expanded the scope of the national emergency declared in Executive Order 13288 and authorized the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

The actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, the national emergency declared on March 6, 2003, and the measures adopted on that date, on November 22, 2005, and on July 25, 2008, to deal with that emergency, must continue in effect beyond March 6, 2022. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13288.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
March 3, 2022.

[FR Doc. 2022–04879
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