

## FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL

### 40 CFR Part 1900

[Docket Number 2023–001]

RIN 3121–AA04

### Revising Scope of the Mining Sector of Projects That Are Eligible for Coverage Under Title 41 of the Fixing America’s Surface Transportation Act

**AGENCY:** Federal Permitting  
Improvement Steering Council.

**ACTION:** Extension of comment period.

**SUMMARY:** The Federal Permitting Improvement Steering Council (Permitting Council) is extending by 30 days the deadline for submitting comments on its proposal to amend its regulations to revise the scope of “mining” as a sector with infrastructure projects eligible for coverage under Title 41 of the Fixing America’s Surface Transportation Act (FAST–41) to: (1) apply solely to critical minerals mining projects; and (2) expand the scope of the sector to include infrastructure constructed to support critical minerals supply chain activities, including critical minerals beneficiation, processing, and recycling.

**DATES:** Comments now must be submitted on or before November 22, 2023.

**ADDRESSES:** You may send comments, identified by Permitting Council Docket Number 2023–001 or RIN 3121–AA04, by any of the following methods:

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

- *Mail:* Federal Permitting Improvement Steering Council, Office of the Executive Director, 1800 M St. NW, Suite 6006, Washington, DC 20036, Attention: RIN 3121–AA04.

**FOR FURTHER INFORMATION CONTACT:** John G. Cossa, General Counsel, Federal Permitting Improvement Steering Council, 1800 M St. NW, Suite 6006, Washington, DC 20036, [john.cossa@fpisc.gov](mailto:john.cossa@fpisc.gov), or by telephone at 202–255–6936.

Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact this individual during normal business hours or to leave a message at other times. FIRS is available 24 hours a day, 7 days a week. You will receive a reply to a message during normal business hours.

**SUPPLEMENTARY INFORMATION:** On September 22, 2023, the Permitting

Council published in the **Federal Register** a proposed rule that would amend the Permitting Council’s regulations at 40 CFR part 1900 to revise the scope of the FAST–41 “mining” sector to: (1) apply solely to critical minerals mining projects; and (2) expand the scope of the sector to include infrastructure constructed to support critical minerals supply chain activities, including critical minerals beneficiation, processing, and recycling. 88 FR 65350. The proposal provided a 30-day comment period, which would have expired on October 23, 2023.

On October 13, 2023, the Permitting Council received a letter submitted on behalf of various environmental and Tribal entities requesting an extension of the 30-day comment period by an additional 60 days, through December 22, 2023. The Permitting Council has reviewed the request and has determined that an extension of 30 days is warranted to provide the public additional time to review the proposed rule and prepare comments. The full 60-day request was not granted given that the proposed rule is administrative in nature and does not make any critical minerals mining or supply chain project more or less likely to be approved or implemented, or any environmental or economic effect that may be associated with a critical minerals infrastructure project to occur. Accordingly, the Permitting Council is extending the comment period for this proposed rulemaking from October 23, 2023, to November 22, 2023. Comments on the proposed rule now must be submitted on or before November 22, 2023.

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**Eric Beightel,**

*Executive Director, Federal Permitting Improvement Steering Council.*

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## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 102–83

[FMR Case 2023–102–1; Docket No. GSA–FMR–2023–0012; Sequence No. 1]

RIN 3090–AK69

### Federal Management Regulation; Designation of Authority and Sustainable Siting

**AGENCY:** Office of Government-wide Policy (OGP), General Services Administration (GSA).

**ACTION:** Proposed rule.

**SUMMARY:** GSA, in furtherance of its authority to furnish space to Federal agencies, proposes to amend the Federal Management Regulation (FMR) to elaborate on the factors that are advantageous to the Government when planning for location decisions. In addition, the proposed revisions are necessary to bring the current regulation into compliance with updated terminology in statute and Office of Management and Budget (OMB) bulletins. The objective of these changes is to direct agencies to better integrate strategic, holistic analysis into planning for agency location decisions and to provide consistency in application of these regulations across Federal agencies and regions.

**DATES:** Interested parties should submit comments in writing on or before December 26, 2023 to be considered in the formulation of the final rule.

**ADDRESSES:** Submit comments in response to FMR Case 2023–102–1 to [Regulations.gov](http://www.regulations.gov) at <http://www.regulations.gov> via the Federal eRulemaking portal by searching for “FMR Case 2023–102–1.” Select the link “Comment Now” that corresponds with “FMR Case 2023–102–1.” Follow the instructions provided at the “Comment Now” screen. Please include your name, company name (if any), and “FMR Case 2023–102–1” on your attached document. If your comment cannot be submitted using <https://www.regulations.gov>, call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternative instructions.

*Instructions:* Please submit comments only and cite FMR Case 2023–102–1 in all correspondence related to this case. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal or business confidential information, or both, provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov) approximately two-to-three days after submission to verify posting.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact Mr. Chris Coneeney, Office of Government-wide Policy, at 202–208–2956. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, 202–501–4755. Please cite FMR Case 2023–102–1.

## SUPPLEMENTARY INFORMATION:

### I. Background

The Administrator of General Services (Administrator) is authorized to acquire