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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.

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

DEPARTMENT OF AGRICULTURE

2 CFR Chapter IV

[Docket No. USDA–2024–0002]

RIN 0505–AA18

USDA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

AGENCY: Office of the Chief Financial Officer, USDA.

ACTION: Final rule.

SUMMARY: The U.S. Department of Agriculture (USDA) is revising parts of the USDA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. USDA's revision provides policy changes and clarifications including plain language revisions. These revisions are intended in many cases to reduce agency and recipient burden.

DATES: This rule is effective on October 1, 2024.

FOR FURTHER INFORMATION CONTACT:

Tyson P. Whitney, Office of the Chief Financial Officer, Director, Transparency and Accountability Reporting Division, U.S. Department of Agriculture, 1400 Independence Avenue SW, Washington, DC 20250–9011, 202–720–8978, tyson.whitney@usda.gov.

Individuals who require alternative means for communication should contact the U.S. Department of Agriculture (USDA) Target Center at (202) 720–2600 (voice).

SUPPLEMENTARY INFORMATION:

Background

The regulations found at 2 CFR Chapter IV provide the USDA adoption of subparts A through F of 2 CFR part 200, as supplemented by USDA-specific exceptions and requirements. 2 CFR Chapter IV additionally includes the regulatory implementation of several statutory requirements which provide USDA-wide applicability.

On July 1, 2024, USDA published a proposed rule to provide conforming updates to OMB's April 22, 2024 updates to 2 CFR part 200, implement plain language use, and to propose revisions intended in many cases to reduce agency and recipient burden. USDA proposed both policy changes and clarifications to existing requirements. See 89 FR 54372. A correction was published to clarify that the public comment period extended through July 31, 2024. See 89 FR 55114.

USDA solicited comments concerning the proposed rule ending July 31, 2024, and received one comment by that date. An anonymous submitter requested that USDA prioritize environmental protection due to concern over costs from damages to public lands and the environment from commercial operations. The submitter also requested that USDA only provide grants for research or projects that reduce fossil fuel production and consumption. As this regulation does not propose specific environmental regulations, describe specific program activities that would impact public lands, or authorize specific USDA grant programs, the public comment is not relevant to the regulations and will not be addressed in the regulatory text.

Therefore, for the reasons given in the proposed rule and in this document, we are adopting the proposed rule as a final rule, without change.

Executive Orders 12866 and 13563

Executive Order 12866, "Regulatory Planning and Review" and Executive Order 13563, "Improving Regulation and Regulatory Review" direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The assessment should include potential economic, environmental, public health and safety effects, distributive impacts, and equity. Executive Order 13563 emphasized the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Management and Budget (OMB) designated this proposed rule as not significant under Executive Order 12866, "Regulatory Planning and Review," and therefore, OMB has not reviewed it.

Executive Order 12988

This proposed rule has been reviewed under E.O. 12988 on "Civil Justice Reform." This proposed rule would not preempt state or local laws, regulations, or policies unless they represent an irreconcilable conflict with it.

Paperwork Reduction Act

This final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

USDA Non-Discrimination Policy

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family or parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Individuals who require alternative means of communication for program information (for example, braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or the USDA TARGET Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail to: U.S. Department

of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: *program.intake@usda.gov*.

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List of Subjects

2 CFR Part 400

Administration of Federal financial assistance, Administrative practice and procedure, Federal financial assistance programs

2 CFR Part 401

Federal financial assistance programs, Construction Industry

2 CFR Part 415

Agriculture programs, Administration of Federal financial assistance, Administrative practice and procedure

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2 CFR Part 417

Administrative practice and procedure; Grant programs; Loan programs; Reporting and recordkeeping requirements

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2 CFR Part 422

Agricultural research, Administration of Federal financial assistance, Administrative practice and procedure

2 CFR Part 423

Reporting and recordkeeping requirements, Administration of Federal financial assistance

Accordingly, USDA amends 2 CFR Chapter IV as follows:

- 1. Revise part 400 to read as follows:

PART 400—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

Sec.

400.0 Definitions.

400.1 Applicability.

400.2 Conflict of interest.

Authority: 5 U.S.C. 301; 2 CFR part 200.

§ 400.0 Definitions.

The definitions in this part are for terms used in this chapter, and to define for USDA terms present in 2 CFR Subtitle A but not defined in that subtitle. Different definitions may be found in Federal statutes, regulations, or other sources that apply more specifically to particular programs or activities. Where parts of this chapter provide alternate definitions than those in this part, those definitions take precedence over any definition in this part. For terms used in this chapter that are not defined in this part, the definitions in 2 CFR part 200 apply. All terms not otherwise defined will use the dictionary definition.

Audiovisual means a product containing visual imagery or sound or both. Examples of audiovisuals are motion pictures, live or prerecorded radio or television programs, slide shows, filmstrips, audio recordings, and multimedia presentations.

Awarding official means a person with the authority to enter into, administer, and/or terminate financial assistance awards and make related determinations and findings.

Construction means construction, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other real property. For purposes of this definition, the terms “buildings, structures, or other real property” include, but are not limited to, improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, cemeteries, pumping stations, railways, airport facilities, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, canals, and channels. For the purposes of 2 CFR part 184, construction also encompasses structures, facilities, and equipment incorporated into an infrastructure project regardless of whether they constitute real property.

Department means the U.S. Department of Agriculture.

Discretionary award means an award in which the Federal awarding agency, in keeping with specific statutory authority that enables the agency to exercise judgment (“discretion”), selects the recipient and/or the amount of Federal funding awarded through a competitive process or based on merit of proposals. A discretionary award may be selected by a USDA awarding agency on a non-competitive basis exclusively under the conditions set forth at 2 CFR 415.1.

Eligible applications means those materials which have been submitted by a recipient for consideration for an

award of Federal financial assistance and have been determined to comply with the minimum documentation and other requirements, which may be identified in respective notices of funding opportunities and applicable Federal statutes or regulations that apply more specifically to particular programs or activities.

Federal financial assistance support means the transfer of anything of value by a USDA awarding agency through a Federal financial assistance instrument as defined at 2 CFR part 200.1, inclusive of Federally funded subawards and subcontracts under such instruments, to a recipient. Such support may be provided as a cash or in-kind contribution.

Geospatial data means information that is tied to a location on the Earth, including by identifying the geographic location and characteristics of natural or constructed features and boundaries on the Earth, and that is generally represented in vector datasets by points, lines, polygons, or other complex geographic features or phenomena; may be derived from, among other things, remote sensing, mapping, and surveying technologies; includes images and raster datasets, aerial photographs, and other forms of geospatial data or datasets in digitized or non-digitized form.

Information means any communication or representation of knowledge, such as facts, data, or opinions in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual forms.

Information dissemination product means any recorded information, regardless of physical form or characteristics, disseminated to the public.

Maintenance means those activities conducted for the repair or upkeep of buildings, structures, facilities, and equipment which neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition.

Production of an audiovisual means any steps that lead to a finished audiovisual, including but not limited to design, layout, script-writing, filming, editing, fabrication, sound recording or taping. The term does not include the placing of captions to make accessible films or videotapes not originally produced for use by individuals who are Deaf or hard of hearing.

Secretary means the Secretary of the U.S. Department of Agriculture.

USDA means the U.S. Department of Agriculture.

USDA awarding agency means any component agency or staff office of the U.S. Department of Agriculture which provides any Federal financial assistance to or executes a Federal financial assistance instrument with a recipient.

§ 400.1 Applicability.

This part adopts the OMB guidance in subparts A through F of 2 CFR part 200, as supplemented by this chapter, as USDA policies and procedures for uniform administrative requirements, cost principles, and audit requirements for Federal awards. It thereby gives regulatory effect for the USDA to the OMB guidance, as supplemented by this chapter.

§ 400.2 Conflict of interest.

(a) Each USDA awarding agency must establish conflict of interest policies for its Federal financial assistance actions. Each USDA awarding agency employee must comply with the requirements set forth at 5 CFR part 2635, as well as 5 CFR part 8301 where applicable, when the USDA employee takes any action related to Federal financial assistance.

(b) Recipients must disclose in writing any potential conflicts of interest to the USDA awarding agency or pass-through entity.

(1) Recipients must maintain written standards of conduct covering conflicts of interest and governing the performance of their employees in the selection, award and administration of Federal awards. No employee, officer or agent may participate in the selection, award, or administration of a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a Federal award. The recipient may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

(2) If the recipient has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because

of the relationships with a parent company, affiliate, or subsidiary organization, the recipient is unable or appears to be unable to be impartial in conducting a Federal award action involving a related organization.

(3) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. Recipients are responsible for notifying the respective USDA awarding agency in writing of any conflicts of interest that may arise during the period of performance of an award, including those which have been reported by subrecipients, no later than 5 calendar days following discovery. Upon receipt of such a disclosure, the respective USDA awarding agency must review and make a determination in writing if a potential or real conflict of interest exists and develop a plan for addressing or mitigating the issue, which may include remedies found at 2 CFR 200.339. USDA awarding agencies must make a determination within 30 calendar days of disclosure unless a longer period of time is necessary due to the complexity of the situation.

■ 2. Add part 401 to read as follows:

PART 401—BUY AMERICA PREFERENCES FOR INFRASTRUCTURE PROJECTS

Sec.

401.1 What does this part do?

401.2 Waivers.

Authority: 5 U.S.C. 301; Pub. L. 117–58, 135 Stat. 1294; 2 CFR part 184; 2 CFR part 200.

§ 401.1 What does this part do?

This part identifies the USDA policy for the implementation of waivers to the domestic content procurement preferences as required by 2 CFR 184.7(b).

§ 401.2 Waivers.

On its public website, USDA must maintain waiver request submission instructions and guidance on the format, contents, and supporting materials required for waiver requests by which:

(a) USDA awarding agencies may request waivers to the application of the Buy America Preference; and,

(b) Prime recipients and subrecipients may request project-specific waivers from the respective USDA awarding agencies to the application of the Buy America Preference.

■ 3. Revise part 415 to read as follows:

PART 415—GENERAL PROGRAM ADMINISTRATIVE REGULATIONS

Sec.

Subpart A—Application for Federal Assistance

415.1 Administrative standards for discretionary grants and cooperative agreements.

Subpart B—Miscellaneous

415.2 Acknowledgement of USDA Support on Information Dissemination Products.

Subpart C—Intergovernmental Review of Department of Agriculture Programs and Activities

415.3 Purpose.

415.4 Definitions.

415.5 Applicability.

415.6 Secretary's general responsibilities.

415.7 Federal interagency coordination.

415.8 State selection of programs and activities.

415.9 Communication with State and local elected officials.

415.10 State comments on proposed Federal financial assistance and direct Federal development.

415.11 Processing comments.

415.12 Accommodation of intergovernmental concerns.

415.13 Interstate situations.

415.14 Simplification, consolidation, or substitution of State plans.

415.15 Waivers.

Authority: 5 U.S.C. 301; 31 U.S.C. 901–903; 2 CFR part 200; 7 CFR 2.28.

Subpart A—Application for Federal Assistance

§ 415.1 Administrative standards for discretionary grants and cooperative agreements.

(a) All USDA awarding agencies must demonstrate a commitment to encouraging free and open competition in all discretionary grant and cooperative agreement funding opportunities. USDA awarding agencies must ensure that all eligible applications for discretionary grants and cooperative agreements receive fair and impartial review, be evaluated only on criteria as stated in the respective notice of funding opportunity, and that no applicant receive an unfair advantage.

(b) USDA awarding agencies must enter into discretionary grants and cooperative agreements only after competition. Exceptions to this requirement may only be made by USDA awarding agencies where expressly provided by statute, when directed by Congress, where the requirement is determined to be inconsistent with international assistance objectives of USDA, or as specified in paragraph (d) of this section or as approved by the Secretary and OMB under paragraph (e). A USDA awarding agency's competitive award process must adhere to the following standards:

(1) All notices of funding opportunities for discretionary grants and cooperative agreements must be published on *Grants.gov* as described in 2 CFR 200.204(a). When notices of funding opportunities contain an information collection requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) or its implementing regulations at 5 CFR part 1320, USDA awarding agencies must seek and obtain OMB approval before collecting information from the public.

(i) Supplementary to the requirements at paragraph (b)(1), USDA awarding agencies may make use of other methods of disseminating public information concerning notices of funding opportunities. In doing so, USDA awarding agencies must:

(A) Pursue the broadest dissemination of information concerning notices of funding opportunities in order to reach the greatest number and diversity of potential applicants.

(B) Avoid any appearance that an unfair advantage has been provided to any entity, inclusive of the memberships or networks of such entities, which may arise from the use of any dissemination method.

(C) Provide only public information concerning notices of funding opportunities.

(D) Seek the greatest cost savings to the Government, whenever possible.

(ii) Nothing in this part will be interpreted as to limit, impede, or otherwise prevent the attendance of any USDA awarding agency's staff, acting in their official capacity, at a conference, event, or similar activity, for the purposes of disseminating public information concerning notices of funding opportunities.

(2) Applications must be evaluated objectively by independent reviewers in accordance with evaluation criteria set forth in writing by the USDA awarding agency. USDA awarding agencies must establish written procedures to gain reasonable assurance that individuals selected to serve as independent reviewers are qualified to conduct any assigned review activity and that applications are scored by independent reviewers solely on the basis of criteria announced in the respective published notice of funding opportunity. Independent reviewers must make written comments or make a written determination of scoring, as appropriate, concerning each application to which they are assigned.

(i) Independent reviewers may be from the private or public sector, including another Federal agency, or within the awarding agency. Independent reviewers must not be any

individual who holds or has been delegated approval or award authority for the applications being reviewed or components thereof.

(ii) Anyone who has or might appear to have a conflict of interest with any element of an application considered for selection or funding will be ineligible to serve as an independent reviewer. A conflict of interest might arise when the prospective independent reviewer, the reviewer's immediate family members, or the reviewer's partner, have been associated with the applicant or applicant organization within the past two years as an owner, partner, officer, director, employee, or consultant; has any financial or other interest in or tangible personal benefit from the applicant or applicant organizations; or is negotiating for, or has any arrangement, concerning prospective employment.

(3) Notwithstanding this paragraph (b), unless directed by Congress or authorized by statute, USDA awarding agencies may, but are not required to, review, evaluate for eligibility, or otherwise consider for funding any unsolicited application, proposal materials, ideas, pitches, or any other request for Federal funds provided by any entity for the purpose of obtaining Federal financial assistance.

(c) The final decision to award is at the discretion of the awarding official in each USDA awarding agency. The awarding official must consider the ranking, comments, and recommendations from the respective independent reviewers, and any other pertinent information before deciding which applications to approve and their order of approval. Any appeals by applicants regarding the awarding decision must be handled by the awarding agency using existing, written agency appeal procedures.

(d) The awarding official may make a determination that competition is not deemed appropriate for a particular transaction. Such determination must be made in writing on a case-by-case basis and be limited to transactions where it can be adequately justified that a noncompetitive award is in the best interest of the Government and necessary to the accomplishment of the goals of USDA. Reasons for considering noncompetitive awards are:

(1) Nonmonetary awards of property or services.

(2) Awards of less than \$100,000.

(3) Awards to fund continuing work already started under a previous award for which competition for continued support would have a significant adverse effect on continuity or completion of the activity.

(4) Time constraints associated with a public health, safety, welfare, or national security requirement preclude competition.

(e) USDA awarding agencies may establish alternate exceptions from competition for discretionary awards. All such alternative exceptions will be subject to review and approval both by the Secretary and by OMB, pursuant to 2 CFR 200.102, and 2 CFR 200.107 when applicable, and publicly set forth in writing by the USDA awarding agency.

(f) All actions taken USDA awarding agencies for the purpose of accomplishing any element of Federal financial assistance programs, awards, and any related or subsequent transactions, must comply with the direction set forth in Office of Federal Procurement Policy (OFPP) Policy Letter 11-01 and successor policy regarding the performance of inherently governmental and critical functions.

Subpart B—Miscellaneous

§ 415.2 Acknowledgement of USDA support on information dissemination products.

Recipients must have an acknowledgement of USDA awarding agency support placed on any information dissemination products produced with any Federal financial assistance support, including those which report the results or, or describe, a Federal financial assistance-supported activity.

(a) Unless the provisions of the Federal financial assistance award make it apply, this requirement does not apply to:

(1) Audiovisuals produced as research instruments or for documenting experimentation or findings and not intended for presentation or distribution to the public.

(2) [Reserved]

(b) USDA awarding agencies must require award terms and conditions imposed for the specific purpose of complying with law, regulation, or USDA policy, related to the acknowledgement of USDA awarding agency Federal financial assistance support.

Subpart C—Intergovernmental Review of Department of Agriculture Programs and Activities

§ 415.3 Purpose.

(a) The regulations in this part implement Executive Order 12372, "Intergovernmental Review of Federal Programs", issued July 14, 1982, and amended on April 8, 1983. These regulations also implement applicable

provisions of section 401 of the Intergovernmental Cooperation Act of 1968 and section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

(b) These regulations are intended to foster an intergovernmental partnership and a strengthened Federalism by relying on State processes and on State, areawide, regional and local coordination for review of proposed Federal financial assistance and direct Federal development.

(c) The regulations are intended to aid the internal management of the Department, and are not intended to create any right or benefit enforceable at law by a party against the Department or its officers.

§ 415.4 Definitions.

As used in this part, the following definitions apply:

Order means Executive Order 12372, issued July 14, 1982, and amended April 8, 1983, and titled Intergovernmental Review of Federal Programs.

State means any of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the U.S. Virgin Islands.

§ 415.5 Applicability.

The Secretary must publish, no less than annually, a list of the Department's programs and activities that are subject to these regulations and identifies which of these are subject to the requirements of section 204 of the Demonstration Cities and Metropolitan Development Act. This list must be available on the USDA's public website.

§ 415.6 Secretary's general responsibilities.

(a) The Secretary provides opportunities for consultation by elected officials of those State and local governments that would provide the non-Federal funds for, or that would be directly affected by, proposed Federal financial assistance from, or direct Federal development by, the Department.

(b) If a State adopts a process under the Order to review and coordinate proposed Federal financial assistance and direct Federal development, the Secretary, to the extent permitted by law:

(1) Uses the State process to determine official views of State and local elected officials;

(2) Communicates with State and local elected officials as early in a program planning cycle as is reasonably

feasible to explain specific plans and actions;

(3) Makes efforts to accommodate State and local elected officials' concerns with proposed Federal financial assistance and direct Federal development that are communicated through the State process;

(4) Allows the States to simplify and consolidate existing Federally required State plan submissions;

(5) Where State planning and budgeting systems are sufficient and where permitted by law, encourages the substitution of State plans for Federally required State plans;

(6) Seeks the coordination of views of affected State and local elected officials in one State with those of another State when proposed Federal financial assistance or direct Federal development has an impact on interstate metropolitan urban centers or other interstate areas; and

(7) Supports State and local governments by discouraging the reauthorization or creation of any planning organization which is Federally funded, which has a limited purpose, and which is not adequately representative of, or accountable to, State or local elected officials.

§ 415.7 Federal interagency coordination.

The Secretary, to the extent practicable, consults with and seeks advice from all other substantially affected Federal departments and agencies in an effort to assure full coordination between such agencies and the Department regarding programs and activities covered under these regulations.

§ 415.8 State selection of programs and activities.

(a) A State may select any program or activity published in the **Federal Register** or on *Grants.gov*, in accordance with § 415.5 for intergovernmental review under these regulations. Each State, before selecting programs and activities, must consult with local elected officials.

(b) Each State that adopts a process must notify the Secretary of the Department's programs and activities selected for that process.

(c) A State may notify the Secretary of changes in its selections at any time. For each change, the State must submit to the Secretary an assurance that the State has consulted with elected local officials regarding the change. The Department may establish deadlines by which States are required to inform the Secretary of changes in their program selections.

(d) The Secretary uses a State's process as soon as feasible, depending

on individual programs and activities, after the Secretary is notified of its selections.

§ 415.9 Communication with State and local elected officials.

(a) The Secretary provides notice to directly affected State, areawide, regional, and local entities in a State of proposed Federal financial assistance or direct Federal development if:

(1) The State has not adopted a process under the Order; or

(2) The assistance or development involves a program or an activity that is not covered under the State process.

(b) This notice may be made by publication in the **Federal Register** or other appropriate means, which the Department in its discretion deems appropriate.

(c) In order to facilitate communication with State and local officials the Secretary has established an office within the Department to receive all communications pertinent to this Order. Communications should be sent to:

(1) The Office of the Chief Financial Officer, Room 143-W, 1400 Independence Avenue SW, Washington, DC 20250, Attention: E.O. 12372; or,

(2) As identified on the USDA's public website, an email address for electronic communications.

§ 415.10 State comments on proposed Federal financial assistance and direct Federal development.

(a) Except in unusual circumstances, the Secretary gives State processes or directly affected State, areawide, regional, and local officials and entities:

(1) At least 30 days from the date established by the Secretary to comment on proposed Federal financial assistance in the form of noncompetitive continuation awards; and

(2) At least 60 days from the date established by the Secretary to comment on proposed direct Federal development or Federal financial assistance other than noncompetitive continuation awards.

(b) This section also applies to comments in cases in which the review, coordination and communication with the Department have been delegated.

(c) Applicants for programs and activities subject to section 204 of the Demonstration Cities and Metropolitan Development Act must allow areawide agencies a 60-day opportunity for review and comment.

§ 415.11 Processing comments.

(a) The Secretary follows the procedures in § 415.12 if:

(1) A State office or official is designated to act as a single point of

contact between a State process and all Federal agencies; and

(2) That office or official transmits a State process recommendation for a program selected under § 415.8.

(b)(1) The single point of contact is not obligated to transmit comments from State, areawide, regional or local officials and entities where there is no State process recommendation.

(2) If a State process recommendation is transmitted by a single point of contact, all comments from State, areawide, regional and local officials and entities that differ from it must also be transmitted.

(c) If a State has not established a process, or is unable to submit a State process recommendation, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department.

(d) If a program or activity is not selected by a State process, State, areawide, regional and local officials and entities may submit comments either to the applicant or to the Department. In addition, if a State process recommendation for a non-selected program or activity is transmitted to the Department by the single point of contact, the Secretary follows the procedures of § 415.12.

(e) The Secretary considers comments which do not constitute a State process recommendation submitted under these regulations and for which the Secretary is not required to apply the procedures of § 415.12, when such comments are provided by a single point of contact by the applicant, or directly to the Department by a commenting party.

§ 415.12 Accommodation of intergovernmental concerns.

(a) If a State process provides a State process recommendation to the Department through its single point of contact, the Secretary either—

- (1) Accepts the recommendations;
- (2) Reaches a mutually agreeable solution with the State process; or
- (3) Provides the single point of contact with a written explanation of the decision, as determined by the Secretary. The Secretary may also supplement the written explanation by also providing the explanation to the single point of contact by telephone, other telecommunication, or other means.

(b) In any explanation under paragraph (a)(3) of this section, the Secretary informs the single point of contact that:

- (1) The Department will not implement its decision for at least ten days after the single point of contact receives the explanation; or

(2) The Secretary has reviewed the decision and determined that, because of unusual circumstances, the waiting period of at least ten days is not feasible.

(c) For purposes of computing the waiting period under paragraph (b)(1) of this section, a single point of contact is presumed to have received written notification five days after the date of mailing of such notification.

§ 415.13 Interstate situations.

(a) The Secretary is responsible for:

(1) Identifying proposed Federal financial assistance and direct Federal development that have an impact on interstate areas;

(2) Notifying appropriate officials in States which have adopted a process and which selected the Department's program or activity;

(3) Making efforts to identify and notify the affected State, areawide, regional and local officials and entities in those States that have not adopted a process under the Order or do not select the Department's program or activity; and

(4) Responding, pursuant to § 415.12, if the Secretary receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Department have been delegated.

(b) The Secretary uses the procedures in § 415.12 if a State process provides a State process recommendation to the Department through a single point of contact.

§ 415.14 Simplification, consolidation, or substitution of State plans.

(a) As used in this section:

(1) Simplify means that a State may develop its own format, choose its own submission date, and select the planning period for a State plan.

(2) Consolidate means that a State may meet statutory and regulatory requirements by combining two or more plans into one document and that the State can select the format, submission date, and the planning period for the consolidated plan.

(3) Substitute means that a State may use a plan or other document that it has developed for its own purposes to meet Federal requirements.

(b) If not inconsistent with law, a State may decide to try to simplify, consolidate, or substitute Federally required State plans without prior approval by the Secretary.

(c) The Secretary reviews each State plan a State has simplified, consolidated or substituted and accepts the plan only if its contents meet Federal requirements.

§ 415.15 Waivers.

In an emergency, the Secretary may waive any provision in Subpart C— Intergovernmental Review of Department of Agriculture Programs and Activities, 2 CFR 415.3 to 415.14.

■ 4. Revise part 416 to read as follows:

PART 416—GENERAL PROGRAM ADMINISTRATIVE REGULATIONS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Sec.

416.1 Special procurement provisions.

416.2 [Reserved]

Authority: 5 U.S.C. 301; 31 U.S.C. 901–903; 7 CFR 2.28.

§ 416.1 Special procurement provisions.

(a) In order to ensure objective contractor performance and eliminate unfair competitive advantage, a prospective contractor that develops or drafts specifications, requirements, statements of work, invitations for bids, request for proposals, contract term and conditions or other documents for use by a State in conducting a procurement under the USDA entitlement programs specified in 2 CFR 200.101(f)(4) through (7) must be excluded from competing for such procurements. Such prospective contractors are ineligible for contract awards resulting from such procurements regardless of the procurement method used. However, prospective contractors may provide States with specification information related to a State procurement under the USDA entitlement programs specified in 2 CFR 200.101(f)(4) through (7) and still compete for the procurement if the State, and not the prospective contractor, develops or drafts the specifications, requirements, statements of work, invitations for bid, and/or requests for proposals used to conduct the procurement.

(b) Procurements by States under USDA entitlement programs specified in 2 CFR 200.101(f)(4) through (7) must be conducted in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographic preferences.

§ 416.2 [Reserved]

■ 5. Revise part 417 to read as follows:

PART 417—NONPROCUREMENT DEBARMENT AND SUSPENSION

Sec.

417.10 What does this part do?

417.20 Does this part apply to me?

417.30 What policies and procedures must I follow?

Subpart A—General

417.137 Who in the USDA may grant an exception to let an excluded person participate in a covered transaction?

Subpart B—Covered Transactions

417.210 Which nonprocurement transactions are covered transactions?

417.215 Which nonprocurement transactions, in addition to those listed in 2 CFR 180.215, are not covered transactions?

417.220 Are any procurement contracts included as covered transactions?

417.221 How would the exclusions from coverage for the USDA's foreign assistance programs apply?

417.222 How would the exclusions from coverage for the USDA's export credit guarantee and direct credit programs apply?

Subpart C—Responsibilities of Participants Regarding Transactions

417.332 What methods must I use to pass down requirements to participants in lower-tier covered transactions with whom I intend to do business?

Subpart D—Responsibilities of Department of Agriculture Officials Regarding Transactions

417.437 What method do I use to communicate to a participant the requirements described in the OMB guidance at 2 CFR 180.435?

Subpart E—[Reserved]**Subpart F—[Reserved]****Subpart G—Suspension**

417.755 When will I know whether the USDA suspension is continued or terminated?

Subpart H—Debarment

417.865 How long may my debarment last?

417.870 When do I know if the USDA debarring official debar me?

Subpart I—Definitions

417.930 Debarring official (USDA supplement to government-wide definition at 2 CFR 180.930).

417.935 Disqualified (USDA supplement to government-wide definition at 2 CFR 180.935).

417.1010 Suspending official (USDA supplement to government-wide definition at 2 CFR 180.1010).

Subpart J—[Reserved]

Authority: 5 U.S.C. 301; 7 U.S.C. 2209j; Sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); Pub. L. 101–576, 104 Stat. 2838; E.O. 12549 (51 FR 6370, 3 CFR, 1986 Comp., p. 189); E.O. 12689 (54 FR 34131, 3 CFR, 1989 Comp., p. 235); 2 CFR part 180; 7 CFR 2.28.

§ 417.10 What does this part do?

This part adopts the OMB guidance in subparts A through I of 2 CFR part 180, as supplemented by this part, as the USDA policies and procedures for nonprocurement debarment and

suspension. It thereby gives regulatory effect for the USDA to the OMB guidance, as supplemented by this part. For any section of OMB guidance in subparts A through I of 2 CFR part 180 that has no corresponding section in this part, USDA policies and procedures are those in the OMB guidance. This part satisfies the requirements in section 3 of Executive Order 12549, “Debarment and Suspension” (3 CFR, 1986 Comp., p. 189), Executive Order 12689, “Debarment and Suspension” (3 CFR, 1989 Comp., p. 235) and 31 U.S.C. 6101 note (Section 2455, Pub. L. 103–355, 108 Stat. 3327).

§ 417.20 Does this part apply to me?

Through this part, pertinent portions of the OMB guidance in subparts A through I of 2 CFR part 180 (see table at 2 CFR 180.100(b)) apply to you if you are a:

(a) Participant or principal in a “covered transaction” (see subpart B of 2 CFR part 180 and the definition of “nonprocurement transaction” at 2 CFR 180.970, as supplemented by §§ 417.215 and 417.220);

(b) Respondent in a USDA debarment and suspension action;

(c) USDA debarment or suspension official; or

(d) USDA grants officer, agreements officer, or other official authorized to enter into any type of nonprocurement transaction that is a covered transaction.

§ 417.30 What policies and procedures must I follow?

The USDA policies and procedures that you must follow are the policies and procedures specified in this regulation and each applicable section of the OMB guidance in subparts A through I of 2 CFR part 180, as that section is supplemented by the section in this part with the same section number. The contracts that are covered transactions, for example, are specified by 2 CFR 180.220 as supplemented by § 417.220. For any section of OMB guidance in subparts A through I of 2 CFR part 180 that has no corresponding section in this part, USDA policies and procedures are those in the OMB guidance.

Subpart A—General**§ 417.137 Who in the USDA may grant an exception to let an excluded person participate in a covered transaction?**

Within the USDA, a debarring official may grant an exception to let an excluded person participate in a covered transaction as provided under 2 CFR 180.135.

Subpart B—Covered Transactions**§ 417.210 Which nonprocurement transactions are covered transactions?**

All nonprocurement transactions, as defined in 2 CFR 180.970, are covered transactions unless listed in § 417.215.

§ 417.215 Which nonprocurement transactions, in addition to those listed in 2 CFR 180.215, are not covered transactions?

(a) *Transactions not covered.* In addition to the nonprocurement transactions listed in 2 CFR 180.215, the following nonprocurement transactions are not covered transactions:

(1) An entitlement or mandatory award required by a statute, including a lower tier entitlement or mandatory award that is required by a statute.

(2) The export or substitution of Federal timber governed by the Forest Resources Conservation and Shortage Relief Act of 1990, 16 U.S.C. 620 *et seq.* (The “Export Act”), which prevents a debarred person from entering into any contract for the purchase of unprocessed timber from Federal lands. See 16 U.S.C. 620d(d)(1)(A).

(3) The receipt of licenses, permits, certificates, and indemnification under regulatory programs conducted in the interest of public health and safety, and animal and plant health and safety.

(4) The receipt of official grading and inspection services, animal damage control services, public health and safety inspection services, and animal and plant health and safety inspection services.

(5) If the person is a State or local government, the provision of official grading and inspection services, animal damage control services, animal and plant health and safety inspection services.

(6) The receipt of licenses, permits, or certificates under regulatory programs conducted in the interest of ensuring fair trade practices.

(7) Permits, licenses, exchanges and other acquisitions of real property, rights of way, and easements under natural resource management programs.

(8) Any transaction to be implemented outside the United States that is below the primary tier covered transaction in a USDA foreign assistance program.

(9) Any transaction to be implemented outside the United States that is below the primary tier covered transaction in a USDA export credit guarantee program or direct credit program.

(b) *Limited requirement to check SAM.gov.* Notwithstanding the fact that transactions to be implemented outside

the United States that are below the primary tier covered transaction in a USDA foreign assistance program, export credit guarantee program or direct credit program are not covered transactions, pursuant to paragraphs (a)(8) and (9) of this section, primary tier participants under these programs must check *SAM.gov* prior to entering into any transaction with a person at the first lower tier and must not enter into such a transaction if the person is excluded or disqualified in *SAM.gov*.

(c) *Exception.* A cause for suspension or debarment under 2 CFR 180.700 or 2 CFR 180.800 may be based on the actions of a person with respect to a procurement or nonprocurement transaction under a USDA program even if such transaction has been excluded from covered transaction status by this section or § 417.220.

§ 417.220 Are any procurement contracts included as covered transactions?

In addition to the procurement contracts listed in 2 CFR 180.220, the following procurement contracts are covered transactions:

(a) Specifically, a contract for goods or services is a covered transaction if any of the following applies:

(1) The contract is awarded by a participant in a nonprocurement transaction covered under § 417.210, and the contract amount is expected to equal or exceed \$25,000.

(2) [Reserved]

(b) Any procurement contract to be implemented outside the United States that is below the primary tier covered transaction in a USDA foreign assistance program is not a covered transaction, notwithstanding the provisions in 2 CFR 180.220(a) and 2 CFR 180.220(b) and paragraph (a) of this section.

(c) Any procurement contract to be implemented outside the United States that is below the primary tier covered transaction in a USDA export credit guarantee program or direct credit program is not a covered transaction, notwithstanding the provisions in 2 CFR 180.220(a) and 2 CFR 180.220(b) and paragraph (a) of this section.

(d) Notwithstanding the fact that procurement contracts to be implemented outside the United States that are below the primary tier covered transaction in a USDA foreign assistance program, export credit guarantee program or direct credit program are not covered transactions, pursuant to paragraph (b) and (c) of this section, primary tier participants under these programs must check *SAM.gov* prior to entering into any procurement contract that is expected to equal or exceed \$25,000 with a person at the first lower

tier and must not enter into such a procurement contract if the person is excluded or disqualified in *SAM.gov*.

§ 417.221 How would the exclusions from coverage for the USDA's foreign assistance programs apply?

The primary tier covered transaction would be the food aid grant agreement entered into between USDA and a program participant, such as a U.S. private voluntary organization. USDA would have to check *SAM.gov* before entering into the food aid grant agreement to ensure that the U.S. private voluntary organization that would be the primary tier participant is not excluded or disqualified. A transaction at the first lower tier might be a subrecipient agreement between the U.S. private voluntary organization and a foreign subrecipient of the commodities that were provided under the food aid grant agreement. Pursuant to § 417.215(a)(8), this nonprocurement transaction would not be a covered transaction. In addition, a transaction at the first lower tier might be a procurement contract entered into between the U.S. private voluntary organization and a foreign entity to provide supplies or services that are expected to equal or exceed \$25,000 in value and that are needed by such organization to implement activities under the food aid grant agreement. Pursuant to § 417.220(b), this procurement contract would not be a covered transaction. However, pursuant to §§ 417.215(b) and 417.220(d), the U.S. private voluntary organization would be prohibited from entering into, at the first lower tier, an agreement with a subrecipient or a procurement contract that is expected to equal or exceed \$25,000 with an entity that appears in *SAM.gov* as excluded or disqualified.

§ 417.222 How would the exclusions from coverage for the USDA's export credit guarantee and direct credit programs apply?

(a) *Export credit guarantee program.* In the case of the export credit guarantee program, the primary tier covered transaction would be the guarantee issued by the USDA to a U.S. exporter. The U.S. exporter usually assigns the guarantee to a U.S. financial institution, and this would create another primary tier covered transaction between USDA and the U.S. financial institution. USDA would have to check the *SAM.gov* before issuing a guarantee or accepting a guarantee assignment to ensure that the U.S. exporter or financial institution that would be the primary tier participant is not excluded or disqualified. A transaction at the first

lower tier under the export credit guarantee program might be a payment obligation of a foreign bank to the U.S. exporter to pay on behalf of the importer for the exported U.S. commodities that are covered by the guarantee. Similarly, a transaction at the first lower tier might be a payment obligation of a foreign bank under an instrument, such as a loan agreement or letter of credit, to the U.S. financial institution assigned the guarantee, which has paid the exporter for the exported U.S. commodities and, in so doing, issued a loan to the foreign bank, which the foreign bank is obligated to repay on deferred payment terms. Pursuant to § 417.215(a)(9), these nonprocurement transactions would not be covered transactions. In addition, a transaction at the first lower tier under the export credit guarantee program might be a procurement contract (*i.e.*, a contract for the purchase and sale of goods) that is expected to equal or exceed \$25,000 entered into between the U.S. exporter and the foreign importer for the U.S. commodities, the payment for which is covered by the guarantee. Pursuant to § 417.220(c), this procurement contract would not be a covered transaction. However, pursuant to §§ 417.215(b) and 417.220(d), the U.S. exporter or U.S. financial institution would be prohibited from entering into, at the first lower tier, an agreement with an importer (or intervening purchaser) or foreign bank or a procurement contract that is expected to equal or exceed \$25,000 with an entity that appears on the *SAM.gov* as excluded or disqualified.

(b) *Direct credit program.* In the case of the direct credit program, the primary tier covered transaction would be the financing agreement between the USDA and the U.S. exporter. USDA purchases the exporter's account receivable in a particular transaction pursuant to the financing agreement. On occasion, such a transaction may contemplate a payment obligation of a U.S. or foreign bank to make the required payments. USDA would have to check *SAM.gov* before entering into a financing agreement or accepting such a payor to ensure that the U.S. exporter or the bank, if any, that would be the primary tier participant is not excluded or disqualified. A transaction at the first lower tier might be a payment obligation of the importer to pay the exporter for the exported U.S. commodities that are covered by the financing agreement. Pursuant to § 417.215(a)(9), this nonprocurement transaction would not be a covered transaction. In addition, a transaction at the first lower tier might be a procurement contract that is

expected to equal or exceed \$25,000 entered into between the U.S. exporter and the foreign importer for the U.S. commodities, the payment for which is covered by the financing agreement. Pursuant to § 417.220(c), this procurement contract would not be a covered transaction. However, pursuant to §§ 417.215(b) and 417.220(d), the U.S. exporter would be prohibited from entering into, at the first lower tier, an agreement with an importer (or intervening purchaser) or bank, or a procurement contract that is expected to equal or exceed \$25,000 with an entity that appears in *SAM.gov* as excluded or disqualified.

Subpart C—Responsibilities of Participants Regarding Transactions

§ 417.332 What methods must I use to pass down requirements to participants in lower-tier covered transactions with whom I intend to do business?

You as a participant must include a term or condition in lower tier covered transactions requiring lower tier participants to comply with subpart C of the OMB guidance in 2 CFR part 180, as supplemented by subpart C of this part.

Subpart D—Responsibilities of Department of Agriculture Officials Regarding Transactions

§ 417.437 What method do I use to communicate to a participant the requirements described in the OMB guidance at 2 CFR 180.435?

To communicate to a participant the requirements described in 2 CFR 180.435, you must include a term or condition in the transaction that requires the participant's compliance with subpart C of 2 CFR part 180, as supplemented by subpart C of this part, and requires the participant to include a similar term or condition in lower tier covered transactions.

Subpart E—[Reserved]

Subpart F—[Reserved]

Subpart G—Suspension

§ 417.755 When will I know whether the USDA suspension is continued or terminated?

The record will remain open for the full 30 days, as called for in 2 CFR 180.725, even when you make a submission before the 30 days expire.

Subpart H—Debarment

§ 417.865 How long may my debarment last?

The Secretary must permanently debar from participation in USDA programs any individual, organization, corporation, or other entity convicted of a felony for knowingly defrauding the United States in connection with any program administered by USDA.

(a) *Reduction*. A debarment under this paragraph may be reduced by the Secretary to a period of not less than 10 years.

(b) *Exemption*. A debarment under this paragraph will not apply with regard to participation in USDA domestic food assistance programs. For purposes of this paragraph, participation in a domestic food assistance program does not include acting as an authorized retail food store in the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC), or as a nonbeneficiary entity in any of the domestic food assistance programs. The programs include:

- (1) Special Nutrition Assistance Program, 7 U.S.C. 2011, *et seq.*;
- (2) Food Distribution Program on Indian Reservations, 7 U.S.C. 2013(b);
- (3) National School Lunch Program, 42 U.S.C. 1751, *et seq.*;
- (4) Summer Food Service Program for Children, 42 U.S.C. 1761; Child and Adult Care Food Program, 42 U.S.C. 1766;
- (5) Special Milk Program for Children, 42 U.S.C. 1772; School Breakfast Program, 42 U.S.C. 1773;
- (6) Special Supplemental Nutrition Program for Women, Infants, and Children, 42 U.S.C. 1786;
- (7) Commodity Supplemental Food Program, 42 U.S.C. 612c note;
- (8) WIC Farmers Market Nutrition Program, 42 U.S.C. 1786;
- (9) Senior Farmers' Market Nutrition Program, 7 U.S.C. 3007; and
- (10) Emergency Food Assistance Program, 7 U.S.C. 7501, *et seq.*

§ 417.870 When do I know if the USDA debarment official debars me?

The record will remain open for the full 30 days, as called for in 2 CFR 180.820, even when you make a submission before the 30 days expire.

Subpart I—Definitions

§ 417.930 Debarment official (USDA supplement to government-wide definition at 2 CFR 180.930).

The head of an organizational unit within USDA (*e.g.*, Administrator, Food

and Nutrition Service), who has been delegated authority in 7 CFR part 2 to carry out a covered transaction, is delegated authority to act as the debarment official in connection with such transaction. This authority to act as a debarment official may not be redelegated below the head of the organizational unit, except that, in the case of the Forest Service, the Chief may redelegate the authority to act as a debarment official to the Deputy Chief for the National Forest System or an Associate Deputy Chief for the National Forest System.

§ 417.935 Disqualified (USDA supplement to government-wide definition at 2 CFR 180.935).

Disqualified means that a person is prohibited from participating in specified Federal procurement or nonprocurement transactions as required under a statute, Executive order (other than Executive Orders 12549 and 12689), or other authority. Examples of disqualifications include persons prohibited under—

(a) The Davis-Bacon Act (40 U.S.C. 3142);

(b) The equal employment opportunity acts and Executive orders; or

(c) The Clean Air Act (42 U.S.C. 7606), Clean Water Act (33 U.S.C. 1368), and E.O. 11738 (38 FR 25161, 3 CFR, 1973 Comp., p. 799);

(d) 515(h) of the Federal Crop Insurance Act (7 U.S.C. 1515(h));

(e) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021).

§ 417.1010 Suspending official (USDA supplement to government-wide definition at 2 CFR 180.1010).

The head of an organizational unit within USDA (*e.g.*, Administrator, Food and Nutrition Service), who has been delegated authority in 7 CFR part 2 to carry out a covered transaction, is delegated authority to act as the suspending official in connection with such transaction. This authority to act as a suspending official may not be redelegated below the head of the organizational unit, except that, in the case of the Forest Service, the Chief may redelegate the authority to act as a suspending official to the Deputy Chief for the National Forest System or an Associate Deputy Chief for the National Forest System.

Subpart J—[Reserved]

■ 6. Revise and republish part 418 to read as follows:

PART 418—NEW RESTRICTIONS ON LOBBYING

Sec.

Subpart A—General

418.100 Conditions on use of funds.
418.105 Definitions.
418.110 Certification and disclosure.

Subpart B—Activities by Own Employees

418.200 Agency and legislative liaison.
418.205 Professional and technical services.
418.210 Reporting.

Subpart C—Activities by Other Than Own Employees

418.300 Professional and technical services.

Subpart D—Penalties and Enforcement

418.400 Penalties.
418.405 Penalty procedures.
418.410 Enforcement.

Subpart E—Exemptions

418.500 Secretary of Defense.

Appendix A to Part 418—Certification Regarding Lobbying

Authority: 31 U.S.C. 1352; 5 U.S.C. 301; 2 CFR 200.450.

Subpart A—General**§ 418.100 Conditions on use of funds.**

(a) No appropriated funds may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) Each person who requests or receives from an agency a Federal contract, grant, loan, or cooperative agreement must file with that agency a certification, set forth in Appendix A, that the person has not made, and will not make, any payment prohibited by paragraph (a) of this section.

(c) Each person who requests or receives from an agency a Federal contract, grant, loan, or a cooperative agreement must file with that agency a disclosure form, in the OMB-approved format, if such person has made or has

agreed to make any payment using nonappropriated funds (to include profits from any covered Federal action), which would be prohibited under paragraph (a) of this section if paid for with appropriated funds.

(d) Each person who requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan must file with that agency a statement, set forth in Appendix A, whether that person has made or has agreed to make any payment to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with that loan insurance or guarantee.

(e) Each person who requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan must file with that agency a disclosure form, in the OMB-approved format, if that person has made or has agreed to make any payment to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with that loan insurance or guarantee.

§ 418.105 Definitions.

For purposes of this part:

(a) *Agency*, as defined in 5 U.S.C. 552(f), includes Federal executive departments and agencies as well as independent regulatory commissions and Government corporations, as defined in 31 U.S.C. 9101(1).

(b) *Covered Federal action* means:

(1) Any of the following Federal actions:
(i) The awarding of any Federal contract;
(ii) The making of any Federal grant;
(iii) The making of any Federal loan;
(iv) The entering into of any cooperative agreement; and,
(v) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) Covered Federal action does not include receiving from an agency a commitment providing for the United States to insure or guarantee a loan. Loan guarantees and loan insurance are addressed independently within this part.

(c) *Federal contract* means an acquisition contract awarded by an agency, including those subject to the Federal Acquisition Regulation (FAR), and any other acquisition contract for real or personal property or services not subject to the FAR.

(d) *Federal cooperative agreement* means a cooperative agreement entered into by an agency.

(e) *Federal grant* means an award of financial assistance in the form of money, or property in lieu of money, by the Federal Government or a direct appropriation made by law to any person. The term does not include technical assistance which provides services instead of money, or other assistance in the form of revenue sharing, loans, loan guarantees, loan insurance, interest subsidies, insurance, or direct United States cash assistance to an individual.

(f) *Federal loan* means a loan made by an agency. The term does not include loan guarantee or loan insurance.

(g) *Indian Tribe and Tribal organization* have the meaning provided in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304). Alaskan Natives are included under the definitions of Indian tribes in that Act.

(h) *Influencing or attempting to influence* means making, with the intent to influence, any communication to or appearance before an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any *COM007* covered Federal action.

(i) *Loan guarantee and loan insurance* means an agency's guarantee or insurance of a loan made by a person.

(j) *Local government* means a unit of government in a State and, if chartered, established, or otherwise recognized by a State for the performance of a governmental duty, including a local public authority, a special district, an intrastate district, a council of governments, a sponsor group representative organization, and any other instrumentality of a local government.

(k) *Officer or employee of an agency* includes the following individuals who are employed by an agency:

(1) An individual who is appointed to a position in the Government under 5 U.S.C., including a position under a temporary appointment;

(2) A member of the uniformed services as defined in 37 U.S.C. 101(3);

(3) A special Government employee as defined in 18 U.S.C. 202; and,

(4) An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, 5 U.S.C. Appendix 2.

(l) *Person* means an individual, corporation, company, association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for

profit or not for profit. This term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

(m) *Reasonable compensation* means, with respect to a regularly employed officer or employee of any person, compensation that is consistent with the normal compensation for such officer or employee for work that is not furnished to, not funded by, or not furnished in cooperation with the Federal Government.

(n) *Reasonable payment* means, with respect to professional and other technical services, a payment in an amount that is consistent with the amount normally paid for such services in the private sector.

(o) *Recipient* includes all contractors, subcontractors at any tier, and subgrantees at any tier of the recipient of funds received in connection with a Federal contract, grant, loan, or cooperative agreement. The term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

(p) *Regularly employed* means, with respect to an officer or employee of a person requesting or receiving a Federal contract, grant, loan, or cooperative agreement or a commitment providing for the United States to insure or guarantee a loan, an officer or employee who is employed by such person for at least 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person for receipt of such contract, grant, loan, cooperative agreement, loan insurance commitment, or loan guarantee commitment. An officer or employee who is employed by such person for less than 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person will be considered to be regularly employed as soon as he or she is employed by such person for 130 working days.

(q) *State* means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, an agency or instrumentality of a State, and a multi-State, regional, or interstate entity having governmental duties and powers.

§ 418.110 Certification and disclosure.

(a) Each person must file a certification, and a disclosure form, if required, with each submission that

initiates agency consideration of such person for:

(1) Award of a Federal contract, grant, or cooperative agreement exceeding \$100,000; or

(2) An award of a Federal loan or a commitment providing for the United States to insure or guarantee a loan exceeding \$150,000.

(b)(1) Each person must file a certification, and a disclosure form, if required, upon receipt by such person of:

(i) A Federal contract, grant, or cooperative agreement exceeding \$100,000; or

(ii) A Federal loan or a commitment providing for the United States to insure or guarantee a loan exceeding \$150,000.

(2) Unless such person previously filed a certification, and a disclosure form, if required, under paragraph (a) of this section.

(c) Each person must file a disclosure form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed by such person under paragraphs (a) or (b) of this section. An event that materially affects the accuracy of the information reported includes:

(1) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or

(2) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or,

(3) A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal action.

(d) Any person must file a certification, and a disclosure form, if required, to the next tier above who requests or receives from a person referred to in paragraphs (a) or (b) of this section:

(1) A subcontract exceeding \$100,000 at any tier under a Federal contract;

(2) A subcontract, contract, or subcontract exceeding \$100,000 at any tier under a Federal grant;

(3) A contract or subcontract exceeding \$100,000 at any tier under a Federal loan exceeding \$150,000; or,

(4) A contract or subcontract exceeding \$100,000 at any tier under a Federal cooperative agreement.

(e) All disclosure forms, but not certifications, must be forwarded from tier to tier until received by the person referred to in paragraphs (a) or (b) of this section. That person must forward all disclosure forms to the agency.

(f) Any certification or disclosure form filed under paragraph (e) of this section will be treated as a material representation of fact upon which all receiving tiers must rely. All liability arising from an erroneous representation will be borne solely by the tier filing that representation and must not be shared by any tier to which the erroneous representation is forwarded. Submitting an erroneous certification or disclosure constitutes a failure to file the required certification or disclosure, respectively. If a person fails to file a required certification or disclosure, the United States may pursue all available remedies, including those authorized by 31 U.S.C. 1352.

(g) No reporting is required for an activity paid for with appropriated funds if that activity is allowable under either subpart B or C of this part.

Subpart B—Activities by Own Employees

§ 418.200 Agency and legislative liaison.

(a) The prohibition on the use of appropriated funds, in § 418.100(a), does not apply in the case of a payment of reasonable compensation made to an officer or employee of a person requesting or receiving a Federal contract, grant, loan, or cooperative agreement if the payment is for agency and legislative liaison activities not directly related to a covered Federal action.

(b) For purposes of paragraph (a) of this section, providing any information specifically requested by an agency or Congress is allowable at any time.

(c) For purposes of paragraph (a) of this section, the following agency and legislative liaison activities are allowable at any time only where they are not related to a specific solicitation for any covered Federal action:

(1) Discussing with an agency (including individual demonstrations) the qualities and characteristics of the person's products or services, conditions or terms of sale, and service capabilities; and,

(2) Technical discussions and other activities regarding the application or adaptation of the person's products or services for an agency's use.

(d) For purposes of paragraph (a) of this section, the following agencies and legislative liaison activities are allowable only where they are prior to formal solicitation of any covered Federal action:

(1) Providing any information not specifically requested but necessary for an agency to make an informed decision about initiation of a covered Federal action;

(2) Technical discussions regarding the preparation of an unsolicited proposal prior to its official submission; and,

(3) Capability presentations by persons seeking awards from an agency pursuant to the provisions of the Small Business Act, as amended by Public Law 95–507 and other subsequent amendments.

(e) Only those activities expressly authorized by this section are allowable under this section.

§ 418.205 Professional and technical services.

(a) The prohibition on the use of appropriated funds, in § 418.100(a), does not apply in the case of a payment of reasonable compensation made to an officer or employee of a person requesting or receiving a Federal contract, grant, loan, or cooperative agreement or an extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement if payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal contract, grant, loan, or cooperative agreement or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal contract, grant, loan, or cooperative agreement.

(b) For purposes of paragraph (a) of this section, “professional and technical services” will be limited to advice and analysis directly applying any professional or technical discipline. For example, drafting of a legal document accompanying a bid or proposal by a lawyer is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of a piece of equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client’s proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not

providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission or negotiation of a covered Federal action.

(c) Requirements imposed by or pursuant to law as a condition for receiving a covered Federal award include those required by law or regulation, or reasonably expected to be required by law or regulation, and any other requirements in the actual award documents.

(d) Only those services expressly authorized by this section are allowable under this section.

§ 418.210 Reporting.

No reporting is required with respect to payments of reasonable compensation made to regularly employed officers or employees of a person.

Subpart C—Activities by Other Than Own Employees

§ 418.300 Professional and technical services.

(a) The prohibition on the use of appropriated funds, in § 418.100(a), does not apply in the case of any reasonable payment to a person, other than an officer or employee of a person requesting or receiving a covered Federal action, if the payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal contract, grant, loan, or cooperative agreement or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal contract, grant, loan, or cooperative agreement.

(b) The reporting requirements in § 418.110(a) and (b) regarding filing a disclosure form by each person, if required, will not apply with respect to professional or technical services rendered directly in the preparation, submission, or negotiation of any commitment providing for the United States to insure or guarantee a loan.

(c) For purposes of paragraph (a) of this section, “professional and technical services” will be limited to advice and analysis directly applying any professional or technical discipline. For example, drafting of a legal document accompanying a bid or proposal by a lawyer is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of

a piece of equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client’s proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission or negotiation of a covered Federal action.

(d) Requirements imposed by or pursuant to law as a condition for receiving a covered Federal award include those required by law or regulation, or reasonably expected to be required by law or regulation, and any other requirements in the actual award documents.

(e) Persons other than officers or employees of a person requesting or receiving a covered Federal action include consultants and trade associations.

(f) Only those services expressly authorized by this section are allowable under this section.

Subpart D—Penalties and Enforcement

§ 418.400 Penalties.

(a) Any person who makes an expenditure prohibited herein will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

(b) Any person who fails to file or amend the disclosure form (in the OMB-approved format) to be filed or amended if required herein, will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(c) A filing or amended filing on or after the date on which an administrative action for the imposition of a civil penalty is commenced does not prevent the imposition of such civil

penalty for a failure occurring before that date. An administrative action is commenced with respect to a failure when an investigating official determines in writing to commence an investigation of an allegation of such failure.

(d) In determining whether to impose a civil penalty, and the amount of any such penalty, by reason of a violation by any person, the agency will consider the nature, circumstances, extent, and gravity of the violation, the effect on the ability of such person to continue in business, any prior violations by such person, the degree of culpability of such person, the ability of the person to pay the penalty, and such other matters as may be appropriate.

(e) First offenders under paragraphs (a) or (b) of this section will be subject to a civil penalty of \$10,000, absent aggravating circumstances. Second and subsequent offenses by persons will be subject to an appropriate civil penalty between \$10,000 and \$100,000, as determined by the agency head or his or her designee.

(f) An imposition of a civil penalty under this section does not prevent the United States from seeking any other remedy that may apply to the same conduct that is the basis for the imposition of such civil penalty.

§ 418.405 Penalty procedures.

Agencies must impose and collect civil penalties pursuant to the provisions of the Program Fraud and Civil Remedies Act, 31 U.S.C. 3803 (except subsection (c)), 3804 through 3808, and 3812, insofar as these provisions are not inconsistent with the requirements herein.

§ 418.410 Enforcement.

The head of each agency must take such actions as are necessary to ensure that the provisions herein are vigorously implemented and enforced in that agency.

Subpart E—Exemptions

§ 418.500 Secretary of Defense.

(a) The Secretary of Defense may exempt, on a case-by-case basis, a covered Federal action from the prohibition whenever the Secretary determines, in writing, that such an exemption is in the national interest. The Secretary must transmit a copy of each such written exemption to Congress immediately after making such a determination.

(b) The Department of Defense may issue supplemental regulations to implement paragraph (a) of this section.

Appendix A to Part 418—Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned must complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned must require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients must certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned must complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PART 421—REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

■ 7. The authority citation for part 421 continues to read as follows:

Authority: 41 U.S.C. 701–707.

■ 8. Amend § 421.10 by revising the introductory text and paragraph (b) as follows:

§ 421.10 What does this part do?

This part requires that the award and administration of USDA grants and cooperative agreements comply with Office of Management and Budget (OMB) guidance implementing the portion of the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101–8106, as amended, hereafter referred to as "the Act") that applies to grants. It thereby—

* * * * *

(b) Establishes USDA policies and procedures for compliance with the Act that are the same as those of other Federal agencies, in conformance with the requirement in 41 U.S.C. 8106 for Governmentwide implementing regulations.

■ 9. Revise § 421.400 to read as follows:

§ 421.400 What method do I use as an agency awarding official to obtain a recipient's agreement to comply with the OMB guidance?

To obtain a recipient's agreement to comply with applicable requirements in the OMB guidance at 2 CFR part 182, you must include the following term or condition in the award:

Drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of part 421, which adopts the Governmentwide implementation (2 CFR part 182) of sec. 5152–5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100–690, Title V, Subtitle D; 41 U.S.C. 8101–8106).

■ 10. Revise and republish part 422 to read as follows:

PART 422—RESEARCH INSTITUTIONS CONDUCTING USDA-FUNDED EXTRAMURAL RESEARCH; RESEARCH MISCONDUCT

Sec.

422.1 Definitions.

422.2 Procedures.

422.3 Inquiry, investigation, and adjudication.

422.4 USDA Panel to determine appropriateness of research misconduct policy.

422.5 Reservation of right to conduct subsequent inquiry, investigation, and adjudication.

- 422.6 Notification of USDA of allegations of research misconduct.
- 422.7 Notification of ARIO during an inquiry or investigation.
- 422.8 Communication of research misconduct policies and procedures.
- 422.9 Documents required.
- 422.10 Reporting to USDA.
- 422.11 Research records and evidence.
- 422.12 Remedies for noncompliance.
- 422.13 Appeals.
- 422.14 Relationship to other requirements.

Authority: 5 U.S.C. 301; 7 CFR 2610.1(c); Federal Policy on Research Misconduct (65 FR 76260)

§ 422.1 Definitions.

The following definitions apply to this part:

Adjudication. The stage in response to an allegation of research misconduct when the outcome of the investigation is reviewed, and appropriate corrective actions, if any, are determined. Corrective actions generally will be administrative in nature, such as termination of an award, debarment, award restrictions, recovery of funds, or correction of the research record. However, if there is an indication of violation of civil or criminal statutes, civil or criminal sanctions may be pursued.

Agency Research Integrity Officer (ARIO). The individual appointed by a USDA agency that conducts research and who is responsible for:

- (1) Receiving and processing allegations of research misconduct as assigned by the USDA RIO;
- (2) Informing OIG and the USDA RIO and the research institution associated with the alleged research misconduct, of allegations of research misconduct in the event it is reported to the USDA agency;
- (3) Ensuring that any records, documents and other materials relating to a research misconduct allegation are provided to OIG when requested;
- (4) Coordinating actions taken to address allegations of research misconduct with respect to extramural research with the research institution(s) at which time the research misconduct is alleged to have occurred, and with the USDA RIO;
- (5) Overseeing proceedings to address allegations of extramurally funded research misconduct at intramural research institutions and research institutions where extramural research occurs;
- (6) Ensuring that agency action to address allegations of research misconduct at USDA agencies performing extramurally funded research is performed at an organizational level that allows an

independent, unbiased, and equitable process;

(7) Immediately notifying OIG, the USDA RIO, and the applicable research institution if:

- (i) Public health or safety is at risk;
- (ii) USDA's resources, reputation, or other interests need protecting;
- (iii) Research activities should be suspended;
- (iv) Federal action may be needed to protect the interest of a subject of the investigation or of others potentially affected;
- (v) A premature public disclosure of the inquiry into or investigation of the allegation may compromise the process;
- (vi) The scientific community or the public should be informed; or
- (vii) Behavior that is or may be criminal in nature is discovered at any point during the inquiry, investigation, or adjudication phases of the research misconduct proceedings;

(8) Documenting the dismissal of the allegation, and ensuring that the name of the accused individual and/or institution is cleared if an allegation of research misconduct is dismissed at any point during the inquiry or investigation phase of the proceedings;

(9) Other duties relating to research misconduct proceedings as assigned.

Allegation. A disclosure of possible research misconduct through any means of communication. The disclosure may be by written or oral statement, or by other means of communication to an institutional or USDA official.

Applied research. Systematic study to gain knowledge or understanding necessary to determine the means by which a recognized and specific need may be met.

Assistant Inspector General for Investigations. The individual in OIG who is responsible for OIG's domestic and foreign investigative operations through OIG's national and regional investigative offices.

Basic research. Systematic study directed toward fuller knowledge or understanding of the fundamental aspects of phenomena and of observable facts without specific applications towards processes or products in mind.

Extramural research. Research conducted by any research institution or entity other than the Federal agency to which the funds supporting the research were appropriated. Research institutions conducting extramural research may include Federal research facilities.

Fabrication. Making up data or results and recording or reporting them.

Falsification. Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

Finding of research misconduct. The conclusion, proven by a preponderance of the evidence, that research misconduct occurred, that such research misconduct represented a significant departure from accepted practices of the relevant research community, and that such research misconduct was committed intentionally, knowingly, or recklessly.

Inquiry. The stage in the response to an allegation of research misconduct when an assessment is made to determine whether the allegation has substance and whether an investigation is warranted.

Intramural research. Research conducted by a Federal Agency, to which funds were appropriated for the purpose of conducting research.

Investigation. The stage in the response to an allegation of research misconduct when the factual record is formally developed and examined to determine whether to dismiss the case, recommend a finding of research misconduct, and/or take other appropriate remedies.

Office of Inspector General (OIG). The Office of Inspector General of the United States Department of Agriculture.

Office of Science and Technology Policy (OSTP). The Office of Science and Technology Policy of the Executive Office of the President.

Plagiarism. The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Preponderance of the evidence. Proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

Research. All basic, applied, and demonstration research in all fields of science, engineering, and mathematics. This includes, but is not limited to, research in economics, education, linguistics, medicine, psychology, social sciences, statistics, and research involving human subjects or animals regardless of the funding mechanism used to support it.

Research institution. All organizations using Federal funds for research, including, for example, colleges and universities, Federally funded research and development centers, national user facilities, industrial laboratories, or other research institutes. Activities which meet this definition constitute research for purposes of this part, whether or not they are conducted or supported under a program which is considered "research" for other purposes. For example, some demonstration and service programs

may include research/scientific activities.

Research misconduct. Fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

Research record. The record of data or results that embody the facts resulting from scientific inquiry, and includes, but is not limited to, research proposals, research records (including data, notes, journals, laboratory records (both physical and electronic)), progress reports, abstracts, theses, oral presentations, internal reports, and journal articles.

USDA. United States Department of Agriculture.

USDA Research Integrity Officer (USDA RIO). The individual designated by the Office of the Under Secretary for Research, Education, and Economics (REE) who is responsible for:

- (1) Overseeing USDA agency responses to allegations of research misconduct;
- (2) Ensuring that agency research misconduct procedures are consistent with this part;
- (3) Receiving and assigning allegations of research misconduct reported by the public;
- (4) Developing Memoranda of Understanding with agencies that elect not to develop their own research misconduct procedures;
- (5) Monitoring the progress of all research misconduct cases; and
- (6) Serving as liaison with OIG to receive allegations of research misconduct when they are received via the OIG Hotline.

§ 422.2 Procedures.

Research institutions that conduct extramural research funded by USDA must foster an atmosphere conducive to research integrity. They must develop or have procedures in place to respond to allegations of research misconduct that ensure:

- (a) Appropriate separations of responsibility for inquiry, investigation, and adjudication;
- (b) Objectivity;
- (c) Due process;
- (d) Whistleblower protection;
- (e) Confidentiality—to the extent possible and consistent with a fair and thorough investigation and as allowed by law, knowledge about the identity of subjects and complainants is limited to those who need to know; and
- (f) Timely resolution.

§ 422.3 Inquiry, investigation, and adjudication.

A research institution that conducts extramural research funded by USDA bears primary responsibility for prevention and detection of research misconduct and for the inquiry, investigation, and adjudication of research misconduct allegations reported directly to it. The research institution must perform an inquiry in response to an allegation, and must follow the inquiry with an investigation if the inquiry determines that the allegation or apparent instance of research misconduct has substance. The responsibilities for adjudication must be separate from those for inquiry and investigation. In most instances, USDA will rely on a research institution conducting extramural research to promptly:

- (a) Initiate an inquiry into any suspected or alleged research misconduct;
- (b) Conduct a subsequent investigation, if warranted;
- (c) Acquire, prepare, and maintain appropriate records of allegations of extramural research misconduct and all related inquiries, investigations, and findings; and
- (d) Take action to ensure the following:
 - (1) The integrity of research;
 - (2) The rights and interests of the subject of the investigation and the public are protected;
 - (3) The observance of legal requirements or responsibilities including cooperation with criminal investigations; and
 - (4) Appropriate safeguards for subjects of allegations, as well as complainants (see § 422.6). These safeguards should include timely written notification of subjects regarding substantive allegations made against them; a description of all such allegations; reasonable access to the data and other evidence supporting the allegations; and the opportunity to respond to allegations, the supporting evidence and the proposed findings of research misconduct, if any.

§ 422.4 USDA Panel to determine appropriateness of research misconduct policy.

Before USDA will rely on a research institution to conduct an inquiry, investigation, and adjudication of an allegation in accordance with this part, the research institution where the research misconduct is alleged must provide the ARIO its policies and procedures related to research misconduct at the institution. The research institution has the option of

providing either a written copy of such policies and procedures or a website address where such policies and procedures can be accessed. The ARIO to whom the policies and procedures were made available must convene a panel comprised of the USDA RIO and ARIOs from the Forest Service, the Agricultural Research Service, and the National Institute of Food and Agriculture. The Panel will review the research institution's policies and procedures for compliance with the OSTP Policy and render a decision regarding the research institution's ability to adequately resolve research misconduct allegations. The ARIO will inform the research institution of the Panel's determination that its inquiry, investigation, and adjudication procedures are sufficient. If the Panel determines that the research institution does not have sufficient policies and procedures in place to conduct inquiry, investigation, and adjudication proceedings, or that the research institution is in any way unfit or unprepared to handle the inquiry, investigation, and adjudication in a prompt, unbiased, fair, and independent manner, the ARIO will inform the research institution in writing of the Panel's decision. An appropriate USDA agency, as determined by the Panel, will then conduct the inquiry, investigation, and adjudication of research misconduct in accordance with this part. If an allegation of research misconduct is made regarding extramural research conducted at a Federal research institution (whether USDA or not), it is presumed that the Federal research institution has research misconduct procedures consistent with the OSTP Policy. USDA reserves the right to convene the Panel to assess the sufficiency of a Federal agency's research misconduct procedures, should there be any question whether the agency's procedures will ensure a fair, unbiased, equitable, and independent inquiry, investigation, and adjudication process.

§ 422.5 Reservation of right to conduct subsequent inquiry, investigation, and adjudication.

(a) USDA reserves the right to conduct its own inquiry, investigation, and adjudication into allegations of research misconduct at a research institution conducting extramural research subsequent to the proceedings of the research institution related to the same allegation. This may be necessary if the USDA RIO or ARIO believes, using sound discretion, that despite the Panel's finding that the research institution in question had appropriate

and OSTP-compliant research misconduct procedures in place, the research institution conducting the extramural research at issue:

(1) Did not adhere to its own research misconduct procedures;

(2) Did not conduct research misconduct proceedings in a fair, unbiased, or independent manner; or

(3) Has not completed research misconduct inquiry, investigation, or adjudication in a timely manner.

(b) Additionally, USDA reserves the right to conduct its own inquiry, investigation, and adjudication into allegations of research misconduct at a research institution conducting extramural research subsequent to the proceedings of the research institution related to the same allegation for any other reason that the USDA RIO or ARIO considers it appropriate to conduct research misconduct proceedings in lieu of the research institution's conducting the extramural research at issue. This right is subject to paragraph (c) of this section.

(c) In cases where the USDA RIO or ARIO believes it is necessary for USDA to conduct its own inquiry, investigation, and adjudication subsequent to the proceedings of the research institution related to the same allegation, the USDA RIO or ARIO will reconvene the Panel, which will determine whether it is appropriate for the relevant USDA agency to conduct the research misconduct proceedings related to the allegation(s) of research misconduct. If the Panel determines that it is appropriate for a USDA agency to conduct the proceedings, the ARIO will immediately notify the research institution in question. The research institution must then promptly provide the relevant USDA agency with documentation of the research misconduct proceedings the research institution has conducted to that point, and the USDA agency will conduct research misconduct proceedings in accordance with the Agency research misconduct procedures.

§ 422.6 Notification of USDA of allegations of research misconduct.

(a) Research institutions that conduct USDA-funded extramural research must promptly notify OIG and the USDA RIO of all allegations of research misconduct or violations of Federal criminal statutes involving USDA funds when the institution inquiry into the allegation warrants the institution moving on to an investigation.

(b) Individuals at research institutions who suspect research misconduct at the institution should report allegations in accordance with the institution's

research misconduct policies and procedures. Anyone else who suspects that researchers or research institutions performing Federally funded research may have engaged in research misconduct is encouraged to make a formal allegation of research misconduct to OIG.

(1) OIG has established a hotline for USDA employees and the general public to report fraud, waste, abuse, and mismanagement in USDA programs including allegations of research misconduct. Complaints, which may be submitted anonymously, must be filed with the OIG by submitting a complaint via the hotline on OIG's public website, sending a fax, or writing a letter.

(i) The OIG hotline may be accessed at <https://usdaoig.oversight.gov/hotline>.

(ii) Complainants who submit to the hotline on OIG's public website and who wish to provide additional documentation may fax them to (202) 690-2474.

(iii) Letters may be mailed to: United States Department of Agriculture, Office of Inspector General, P.O. Box 23399, Washington, DC 20026-3399.

(2) The USDA RIO may be reached at: USDA Research Integrity Officer, 214W Whitten Building, Washington, DC 20250. Telephone: (202) 690-0745. Email: researchintegrity@usda.gov.

(c) To the extent known, the following details should be included in any formal allegation:

(1) The name of the research projects involved, the nature of the alleged misconduct, and the names of the individual or individuals alleged to be involved in the misconduct;

(2) The source or sources of funding for the research project or research projects involved in the alleged misconduct;

(3) Important dates;

(4) Any documentation that bears upon the allegation; and

(5) Any other potentially relevant information.

(d) Safeguards for complainants give individuals the confidence that they can bring allegations of research misconduct made in good faith to the attention of appropriate authorities or serve as complainants to an inquiry or an investigation without suffering retribution. Safeguards include protection against retaliation for complainants who make good faith allegations, fair and objective procedures for the examination and resolution of allegations of research misconduct, and diligence in protecting the positions and reputations of those persons who make allegations of research misconduct in good faith. The identity of complainants who wish to

remain anonymous will be kept confidential to the extent permitted by law or regulation.

§ 422.7 Notification of ARIO during an inquiry or investigation.

(a) Research institutions that conduct USDA-funded extramural research must promptly notify the ARIO should the institution become aware during an inquiry or investigation that:

(1) Public health or safety is at risk;

(2) The resources, reputation, or other interests of USDA are in need of protection;

(3) Research activities should be suspended;

(4) Federal action may be needed to protect the interest of a subject of the investigation or of others potentially affected;

(5) A premature public disclosure of the inquiry into or investigation of the allegation may compromise the process;

(6) The scientific community or the public should be informed; or

(7) There is reasonable indication of possible violations of civil or criminal law.

(b) If research misconduct proceedings reveal behavior that may be criminal in nature at any point during the proceedings, the institution must promptly notify the ARIO.

§ 422.8 Communication of research misconduct policies and procedures.

Institutions that conduct USDA-funded extramural research are to maintain and effectively communicate to their staff policies and procedures relating to research misconduct, including the guidelines in this part. The institution is to inform their researchers and staff members who conduct USDA-funded extramural research when and under what circumstances USDA is to be notified of allegations of research misconduct, and when and under what circumstances USDA is to be updated on research misconduct proceedings.

§ 422.9 Documents required.

(a) A research institution that conducts USDA-funded extramural research must maintain the following documents related to an allegation of research misconduct at the research institution:

(1) A written statement describing the original allegation;

(2) A copy of the formal notification presented to the subject of the allegation;

(3) A written report describing the inquiry stage and its outcome including copies of all supporting documentation;

(4) A description of the methods and procedures used to gather and evaluate

information pertinent to the alleged misconduct during inquiry and investigation stages;

(5) A written report of the investigation, including the evidentiary record and supporting documentation;

(6) A written statement of the findings; and

(7) If applicable, a statement of recommended corrective actions, and any response to such a statement by the subject of the original allegation, and/or other interested parties, including any corrective action plan.

(b) The research institution must retain the documents specified in paragraph (a) of this section for at least 3 years following the final adjudication of the alleged research misconduct.

§ 422.10 Reporting to USDA.

Following completion of an investigation into allegations of research misconduct, the institution conducting extramural research must provide to the ARIO a copy of the evidentiary record, the report of the investigation, recommendations made to the institution's adjudicating official, the adjudicating official's determination, the institution's corrective action taken or planned, and the written response of the individual who is the subject of the allegation to any recommendations.

§ 422.11 Research records and evidence.

(a) A research institution that conducts extramural research supported by USDA funds, as the responsible legal entity for the USDA-supported research, has a continuing obligation to create and maintain adequate records (including documents and other evidentiary matter) as may be required by any subsequent inquiry, investigation, finding, adjudication, or other proceeding.

(b) Whenever an investigation is initiated, the research institution must promptly take all reasonable and practical steps to obtain custody of all relevant research records and evidence as may be necessary to conduct the research misconduct proceedings. This must be accomplished before the research institution notifies the researcher/respondent of the allegation, or immediately thereafter.

(c) The original research records and evidence taken into custody by the research institution must be inventoried and stored in a secure place and manner. Research records involving raw data must include the devices or instruments on which they reside. However, if deemed appropriate by the research institution or investigator, research data or records that reside on or in instruments or devices may be

copied and removed from those instruments or devices as long as the copies are complete, accurate, and have substantially equivalent evidentiary value as the data or records have when the data or records reside on the instruments or devices. Such copies of data or records must be made by a disinterested, qualified technician and not by the subject of the original allegation or other interested parties. When the relevant data or records have been removed from the devices or instruments, the instruments or devices need not be maintained as evidence.

§ 422.12 Remedies for noncompliance.

USDA agencies' implementation procedures identify the administrative actions available to remedy a finding of research misconduct. Such actions may include the recovery of funds, correction of the research record, debarment of the researcher(s) that engaged in the research misconduct, proper attribution, or any other action deemed appropriate to remedy the instance(s) of research misconduct. The agency should consider the seriousness of the misconduct, including, but not limited to, the degree to which the misconduct was knowingly conducted, intentional, or reckless; was an isolated event or part of a pattern; or had significant impact on the research record, research subjects, other researchers, institutions, or the public welfare. In determining the appropriate administrative action, the appropriate agency must impose a remedy that is commensurate with the infraction as described in the finding of research misconduct.

§ 422.13 Appeals.

(a) If USDA relied on an institution to conduct an inquiry, investigation, and adjudication, the alleged person(s) should first follow the institution's appeal policy and procedures.

(b) USDA agencies' implementation procedures, which must be made available on a designated USDA public website, identify the appeal process when a finding of research misconduct is elevated to the agency.

§ 422.14 Relationship to other requirements.

Some of the research covered by this part also may be subject to regulations of other governmental agencies (e.g., a university that receives funding from a USDA agency and also under a grant from another Federal agency). If more than one agency of the Federal Government has jurisdiction, USDA will cooperate with the other agency(ies) in designating a lead agency. When USDA

is not the lead agency, it will rely on the lead agency following its policies and procedures in determining whether there is a finding of research misconduct. Further, USDA may, in consultation with the lead agency, take action to protect the health and safety of the public, to promote the integrity of the USDA-supported research and research process, or to conserve public funds. When appropriate, USDA will seek to resolve allegations jointly with the other agency or agencies.

■ 11. Add part 423 to read as follows:

PART 423—GEOSPATIAL DATA MANAGEMENT AND STANDARDS FOR FEDERAL FINANCIAL ASSISTANCE AWARDS

Sec.

423.1 What does this part do?

423.2 Disclosure of geospatial investments.

Authority: 43 U.S.C. Ch. 46; 5 U.S.C. 301.

§ 423.1 What does this part do?

This part implements the requirements at 43 U.S.C. 2808(b)(3) which pertain to the disclosure of USDA Federal financial assistance that involves geospatial data, as supplemented by this part.

§ 423.2 Disclosure of geospatial investments.

USDA awarding agencies must ensure that all Federal financial assistance instruments which involve the acquisition, storage, or distribution of geospatial data comply with USDA policy. For all such instruments, USDA awarding agencies must require award terms and conditions necessary for the specific purpose of complying with law, regulation, and USDA policy.

Lynn Moaney,

Deputy Chief Financial Officer, Office of the Chief Financial Officer.

[FR Doc. 2024-18544 Filed 8-23-24; 8:45 am]

BILLING CODE 3410-KS-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-2061; Amendment No. 71-56]

RIN 2120-AA66

Airspace Designations; Incorporation by Reference

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends 14 CFR part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order JO 7400.11J, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points incorporated by reference.

DATES: These regulations are effective September 15, 2024, through September 15, 2025. The incorporation by reference of FAA Order JO 7400.11J is approved by the Director of the Federal Register as of September 15, 2024, through September 15, 2025.

ADDRESSES: A copy of this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Sarah A. Combs, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, effective September 15, 2023, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in the Federal Aviation Regulations § 71.1, effective September 15, 2023, through September 15, 2024. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order JO 7400.11H in full text as proposed rule documents in the **Federal Register**, unless there was good cause to forego notice and comment. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects

the periodic integration of these final rule amendments into a revised edition of FAA Order JO 7400.11J, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order JO 7400.11J in section 71.1, as of September 15, 2024, through September 15, 2025. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. This rule also updates sections 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 to reflect the incorporation by reference of FAA Order JO 7400.11J.

Incorporation by Reference

This document incorporates by reference FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, in section 71.1. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this final rule. FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order JO 7400.11J, effective September 15, 2024, through September 15, 2025. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order JO 7400.11J in full text as proposed rule documents in the **Federal Register**, unless there is good cause to forego notice and comment. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of FAA Order JO 7400.11 and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in section 71.1.

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 so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List 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 14 CFR part 71 continues to read as follows:

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

■ 2. Section 71.1 is revised to read as follows:

§ 71.1 Applicability.

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552 (a) and 14 CFR part 51. The approval to incorporate by reference FAA Order JO 7400.11J is effective September 15, 2024, through September 15, 2025. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**, unless there is good cause to forego notice and comment. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. This incorporation by reference

material is available for inspection at the Federal Aviation Administration (FAA) and at the National Archives and Records Administration (NARA). Contact the FAA at: Rules and Regulations Group, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; phone: (202) 267-8783. An electronic version of FAA Order JO 7400.11J is available on the FAA website at www.faa.gov/air_traffic/publications. A copy of FAA Order JO 7400.11J may be inspected in Docket No. FAA-2024-2061; Amendment No. 71-56, on www.regulations.gov. For information on the availability of this material at NARA, email fr.inspection@nara.gov or visit www.archives.gov/federal-register/cfr/ibr-locations.

§ 71.5 [Amended]

■ 3. Section 71.5 is amended by removing the words “FAA Order JO 7400.11H” and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.15 [Amended]

■ 4. Section 71.15 is amended by removing the words “FAA Order JO 7400.11H” everywhere that they appear and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.31 [Amended]

■ 5. Section 71.31 is amended by removing the words “FAA Order JO 7400.11H” and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.33 [Amended]

■ 6. Paragraph (c) of section 71.33 is amended by removing the words “FAA Order JO 7400.11H” and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.41 [Amended]

■ 7. Section 71.41 is amended by removing the words “FAA Order JO 7400.11H” everywhere that they appear and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.51 [Amended]

■ 8. Section 71.51 is amended by removing the words “FAA Order JO 7400.11H” everywhere that they appear and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.61 [Amended]

■ 9. Section 71.61 is amended by removing the words “FAA Order JO 7400.11H” everywhere that they appear and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.71 [Amended]

■ 10. Paragraphs (b) through (f) of section 71.71 are amended by removing the words “FAA Order JO 7400.11H” everywhere that they appear and adding, in their place, the words “FAA Order JO 7400.11J.”

§ 71.901 [Amended]

■ 11. Paragraph (a) of section 71.901 is amended by removing the words “FAA Order JO 7400.11H” and adding, in their place, the words “FAA Order JO 7400.11J.”

Issued in Washington, DC, on August 21, 2024.

Frank Lias,

Manager, Rules and Regulations Group.

[FR Doc. 2024-19004 Filed 8-23-24; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-0144; Airspace Docket No. 23-ASO-34]

RIN 2120-AA66

Establishment of Multiple United States Area Navigation (RNAV) Routes; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes United States Area Navigation (RNAV) Routes Q-147, Q-149, and T-484 in the eastern United States. This action supports FAA Next Generation Air Transportation System (NextGen) efforts to provide a modern RNAV route structure to improve the safety and efficiency of the National Airspace System (NAS).

DATES: Effective date 0901 UTC, October 31, 2024. 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: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed

online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT:

Brian Vidis, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the NAS.

History

The FAA published a NPRM for Docket No. FAA 2024-0144 in the **Federal Register** (89 FR 14786; February 29, 2024), proposing to establish United States RNAV Routes Q-147, Q-149, and T-484 in the eastern United States. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

United States Area Navigation routes are published in paragraph 2006 and 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing RNAV Routes Q-147, Q-149, and T-484 in the eastern United States. This action supports the FAA's NextGen efforts to provide a modern RNAV route structure to improve the safety and efficiency of the NAS. The amendments are described below.

Q-147: Q-147 is a new RNAV route that extends between the BURGG, SC, waypoint (WP), and the Dryer, OH (DJB), Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME). The route overlays Jet Route J-85 between the BURGG WP and the Dryer VOR/DME. The new route provides RNAV routing between the Spartanburg, SC, area, and the Cleveland, OH, area.

Q-149: Q-149 is a new RNAV route that extends between the BURGG, SC, WP and the Dryer, OH (DJB), VOR/DME. The route overlays Jet Route J-83 between the BURGG WP and the Dryer VOR/DME. The new route provides alternate RNAV connectivity between the Spartanburg, SC, area, and the Cleveland, OH, area.

T-484: T-484 is a new RNAV route that extends between the NELLO, GA, Fix, and the BURGG, SC, WP. The route overlays VOR Federal Airway V-415 between the NELLO Fix and the BURGG WP. The new route provides RNAV connectivity between the Atlanta, GA, area and the Spartanburg, SC, area.

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 so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this airspace action of establishing United States RNAV Routes Q-147, Q-149, and T-484 qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); paragraph 5-6.5b, which categorically excludes from further environmental impact review "Actions regarding establishment of jet routes and Federal airways (see 14 CFR 71.15, *Designation of jet routes and VOR Federal airways*) . . ."; and paragraph 5-6.5i, which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do

not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 2006 United States Area Navigation Routes.

* * * * *

Q-147 BURGG, SC to Dryer, OH (DJB) [New]

BURGG, SC	WP	(Lat. 35°02'00.55" N, long. 081°55'36.86" W)
Charleston, WV (HVQ)	VOR/DME	(Lat. 38°20'58.83" N, long. 081°46'11.69" W)
JAMOX, OH	FIX	(Lat. 39°42'38.70" N, long. 081°51'44.12" W)
Dryer, OH (DJB)	VOR/DME	(Lat. 41°21'29.03" N, long. 082°09'43.09" W)

* * * * *

Q-149 BURGG, SC to Dryer, OH (DJB) [New]

BURGG, SC	WP	(Lat. 35°02'00.55" N, long. 081°55'36.86" W)
Appleton, OH (APE)	VORTAC	(Lat. 40°09'03.83" N, long. 082°35'17.88" W)
Dryer, OH (DJB)	VOR/DME	(Lat. 41°21'29.03" N, long. 082°09'43.09" W)

* * * * *

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T-484 NELLO, GA to BURGG, SC [New]

NELLO, GA	FIX	(Lat. 34°29'58.43" N, long. 084°25'00.24" W)
TALLE, GA	FIX	(Lat. 34°37'48.05" N, long. 083°40'48.64" W)
MILBY, SC	WP	(Lat. 34°41'02.23" N, long. 083°18'42.53" W)
BURGG, SC	WP	(Lat. 35°02'00.55" N, long. 081°55'36.86" W)

* * * * *

Issued in Washington, DC, on August 19, 2024.

Frank Lias,

Manager, Rules and Regulations Group.

[FR Doc. 2024-18879 Filed 8-23-24; 8:45 am]

BILLING CODE 4910-13-P

SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404 and 416

[Docket No. SSA-2022-0013]

RIN 0960-A171

Setting the Manner of Appearance of Parties and Witnesses at Hearings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: We are revising our hearing regulations to provide that claimants may appear at hearings in one of four ways: by agency video, by online video, by audio, or in person. Those four manners will all be standard manners of appearance in our hearing process. For online video and audio appearances, claimants may appear for hearings remotely, using private electronic devices that we do not own, operate, or approve. For online video appearances, a claimant may appear for a hearing using approved online video conferencing applications, rather than conferencing options using equipment that we own or approve. Additionally, while our current regulations permit us to schedule claimants to appear by telephone in limited circumstances only, this final rule will allow us to schedule claimants to appear by audio without similar restrictions, if the claimant does not object to appearing in that manner. We expect that this final rule will provide us and claimants with additional flexibility, allowing us to manage our hearing process more efficiently.

DATES: This final rule is effective November 23, 2024.

FOR FURTHER INFORMATION CONTACT: Susan Swansiger, Office of Hearings Operations, Social Security Administration, 250 E Street SW, Washington DC 20024, (703) 605-8500. For information on eligibility or filing for benefits, call our national toll-free

number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our internet site, Social Security Online, at <https://www.ssa.gov/>.

SUPPLEMENTARY INFORMATION: On May 19, 2023, we published a notice of proposed rulemaking (NPRM), *Setting the Manner of Appearance of Parties and Witnesses at Hearings*,¹ which proposed to update our hearing regulations by changing the term “video teleconference” to “video”; changing “telephone” to “audio”; and permitting “video” and “audio” to be used as standard manners of appearance. We proposed these changes to clarify that claimants may appear for hearings remotely using private electronic devices that we do not own, operate, or approve, and to make clear that a claimant may appear for a hearing using approved online video conferencing applications, rather than only conferencing options using equipment that we own or approve. We are making final the changes that we proposed in the NPRM, with certain modifications. The preamble to the NPRM provides the background for these changes, and we explain our reasons for modifications to the original proposal below.²

Background

When we determine your rights under title II or title XVI of the Social Security Act, we generally follow an administrative review process that consists of the following steps: an initial determination, and, as necessary, a reconsideration, a hearing with an administrative law judge (ALJ), and review by the Appeals Council.³ After completing these steps, a claimant may request judicial review of our final decision by filing a civil action in Federal district court.

As noted above, the third step in the administrative review process is a hearing held by an ALJ.⁴ Before the Coronavirus Disease 2019 (COVID-19)

national public health emergency, we generally scheduled a claimant to appear at a hearing in one of three ways: by video teleconferencing (VTC),⁵ in person, or by telephone. Further, we scheduled claimants to appear by telephone in certain limited circumstances only, such as when we found an appearance by VTC or in person was not possible, or if other extraordinary circumstances prevented the claimant from appearing by VTC or in person.⁶

As explained in the NPRM in more detail, in March 2020, we began offering claimants the option to appear at hearings by telephone and later offered claimants the additional option to appear by online video in response to the COVID-19 national public health emergency.⁷ Based on our positive experience with these manners of appearance during the COVID-19 national health emergency and beyond,⁸ and in an effort to incorporate greater flexibility into our rules for claimants, we are adopting audio and online video as standard manners of appearance in our hearing process.⁹

Under this final rule, there will be four standard manners of appearance: agency video (*i.e.*, what we previously had defined as VTC), online video, audio, and in person. In the NPRM, we proposed to use the broader term “video” to capture appearances by agency video (where a person attends a hearing at one of our offices using our video equipment) as well as by online video (where a person attends a hearing from a private location using private equipment). As we explain in greater

⁵ We have traditionally used the term VTC to refer to an appearance by video using our equipment or equipment that we approve in a Field Office or other pre-approved site.

⁶ 20 CFR 404.936(c)(2)-(3); 404.937(b)(2), (c); 416.1436(c)(2)-(3); and 416.1437(b)(2), (c).

⁷ We began offering appearances at hearings by telephone in March 2020 and by online video in December 2020. Currently, we conduct online video appearances using a software application called “Microsoft Teams.” For more information, see https://www.ssa.gov/appeals/hearing_video.html.

⁸ 88 FR at 32146.

⁹ We will generally direct anyone we call as a witness to appear by audio, agency video, or online video. A witness called by the claimant, like our previous policy, will generally appear in the same manner as the claimant, unless the witness is unable to do so. If the witness is unable to appear in the same manner as the claimant, we will generally direct the witness to appear by audio or agency video.

¹ 88 FR 32145.

² The preamble to the NPRM is available for public viewing at <https://www.regulations.gov> and searching for document “SSA-2022-0013” or <https://www.federalregister.gov/documents/2023/05/19/2023-10564/setting-the-manner-of-appearance-of-parties-and-witnesses-at-hearings>.

³ 20 CFR 404.900(a) and 416.1400(a).

⁴ Under 20 CFR 404.956(a) and 416.1456(a), the Appeals Council may assume responsibility for a hearing request(s) pending at the hearing level of our administrative review process.

detail below, this final rule distinguishes between agency video and online video appearances.

We are also revising our regulations regarding scheduling the manner of appearance for individuals who appear before the Appeals Council for oral argument to keep them aligned with the ALJ hearing process. Similar to the changes above, we are making agency video, online video, audio, and in person standard manners of appearance for oral arguments before the Appeals Council.

In addition, as proposed in the NPRM, we added language to 20 CFR 404.944 and 416.1444 to clarify that an ALJ may stop a hearing temporarily and continue it at a later date if the ALJ finds that one or more variables outside of our control materially affected a hearing.

Claimants may object to appearing by audio or agency video, and a claimant must agree to appear by online video before we will schedule that manner of appearance. If a claimant objects to audio and agency video and does not agree to online video, we will schedule that claimant to appear at a hearing in person. However, in certain limited circumstances, we will mandate an audio appearance notwithstanding a claimant's objection to appearing in that manner.¹⁰ If a claimant submits an untimely objection to appearing by audio or agency video, or if the claimant submits an untimely agreement to appear by online video, we will evaluate whether good cause exists for the late submission under the standards in sections 404.911 and 416.1411.¹¹

How This Final Rule Differs From the NPRM

In a number of places, this final rule differs from our proposed rule. We list the changes below and further explain the substantive changes in the section titled "Comments and Responses."

- We modified §§ 404.929 and 416.1429 to make clear that there are two ways to appear by "video": "agency video" and "online video." In the NPRM, we used the term "video" to refer to both types of video appearances. Commenters, however, expressed concerns about potential confusion

stemming from the general term "video." By identifying and defining these two types of video in the regulations, we anticipate alleviating these concerns and confusion. We defined "agency video" as "video, with audio functionality, using our equipment in one of our offices."¹² We defined "online video" as "video, with audio functionality, using a personal electronic device in a private location the claimant chooses."

- We made several revisions to §§ 404.936 and 416.1436. First, in paragraph (a), we clarified that we set the manner(s) of appearance for all hearings, and we set the place of a hearing only when we schedule a claimant to appear in person or by agency video. Thus, we do not set the place of the hearing when we schedule the claimant to appear by online video or audio. Second, in paragraphs (b), (c), and (d), we removed the general term "video" and instead used the more specific terms "online video" and "agency video," as appropriate. Third, in paragraph (c), we explained that we will only schedule a claimant to appear by online video if they agree to appear in that manner. This agreement requirement is a change from the NPRM, where we proposed to give claimants an opportunity to object to appearing by online video. Fourth, we relocated some information from paragraph (c) to paragraph (d) to clarify that in limited circumstances only, we will schedule an audio appearance notwithstanding a claimant's objection to an audio appearance. Fifth, we explained that for audio appearances under paragraph (d), we will call the individual using the individual's telephone number(s). Sixth, in paragraph (e), we explained that prior to scheduling a claimant's hearing, we will notify them that we may schedule them to appear by online video if they agree to appear in that manner. To agree to appear by online video, a claimant must notify us of their agreement in writing within 30 days of the date they receive that notice. If a claimant notifies us after the 30-day deadline, we will

¹² Agency video includes agency-approved sites and video equipment under the Representative Video Project (RVP). For more information on the Representative Video Project, see Chief Judge Bulletin (CJB) 11-04 and https://www.ssa.gov/appeals/documents/Representative_Video_Project_RVP-508.pdf.

¹⁰ See 20 CFR 404.936(d)(2) through (5); 404.937(b)(2), (c); 416.1436(d)(2) through (5); 416.1437(b)(2), (c).

¹¹ See 404.936(d)(1), (e) and 416.1436(d)(1), (e).

extend the time period if they show good cause for missing the deadline. Paragraph (e) also explains that a claimant may withdraw their agreement to appear by online video at any time before the start of the hearing, which should provide additional flexibility for claimants.

- In §§ 404.937 and 416.1437, we added the option for claimants to agree to appear by online video (instead of allowing audio as the only option) when the Hearing Office Chief ALJ determines that the claimant or other individual poses a reasonable threat to the safety of our employees or other participants in the hearing, or we have banned the claimant from any of our facilities.

- In §§ 404.938 and 416.1438, we explained in paragraph (b)(5) that the notice of hearing will tell the claimant the time and manner of appearance and, for in person and agency video appearances, the place of the hearing.

- In §§ 404.944 and 416.1444, we defined the term "materially affects" to mean prevents the hearing from proceeding.

- In §§ 404.950 and 416.1450, we made two revisions. First, in paragraph (a), we explained that a party to the hearing or their designated representative may appear before an ALJ in the manner described in §§ 404.936 and 416.1436. Second, in paragraph (e), we corrected cross references by replacing §§ 404.936(c)(4) and 416.1436(c)(4) with §§ 404.936(c)(2) and 416.1436(c)(2).

- In §§ 404.976 and 416.1476, we distinguished between "agency video" and "online video."

- We made other minor conforming changes throughout the final rule.

Comparison of Manners of Appearance Available at Different Times

Table 1 below compares the manner of appearance options that were available before the COVID-19 national public health emergency, those that were available during the COVID-19 national public health emergency to the effective date of this final rule, and those that will be available under this final rule when it becomes effective. It also notes whether a claimant may object to a manner of appearance or must consent to a manner of appearance.

TABLE 1—COMPARISON OF MANNERS OF APPEARANCE AVAILABLE AT DIFFERENT TIMES

Manner of appearance	Available before the COVID-19 national public health emergency	Available during the COVID-19 national public health emergency to the effective date of the final rule	Available when our final rule becomes effective
In-person	Yes (claimant cannot object)	Postponed from March 2020 through March 2022, when we began incrementally reopening our hearing offices to the public. (claimant cannot object).	Yes (claimant cannot object).
Agency Video (formerly "VTC").	Yes (claimant can object)	Postponed from March 2020 through March 2022, when we began incrementally reopening our hearing offices to the public. (claimant can object).	Yes (claimant can object).
Online video	No	Available as of December 2020 (claimant must agree before we schedule that manner of appearance).	Yes (claimant must agree before we will schedule).
Audio (formerly "telephone").	Yes, but only in very limited circumstances. (claimant cannot object when required).	Available as of March 2020 (claimant must agree before we schedule that manner of appearance, but we can require a claimant to appear by telephone in very limited circumstances).	Yes (claimant can object, unless we require the claimant to appear by audio, (called via telephone number) in very limited circumstances).

TABLE 2—SUMMARY OF MANNERS OF APPEARANCE AND POTENTIAL CLAIMANT ACTIONS UNDER THIS FINAL RULE

Manner of appearance	Can a claimant object to this manner of appearance?	Does a claimant need to agree to this manner before we schedule it?
Audio	Yes, though we may still require the claimant to appear by audio in very limited circumstances.	No, but claimants may object to this manner of appearance.
Online Video	Not Applicable. We will not schedule an online video appearance unless a claimant tells us they agree to appear in that manner.	Yes.
Agency Video	Yes	No, but claimants may object to this manner of appearance.
In-Person	No	No.

Comments Summary

We received 44 public comments on our NPRM during the comment period. Of the total comments, 42 are available for public viewing at <https://www.regulations.gov/docket/SSA-2022-0013>. We excluded a comment that was an exact duplicate submitted by the same commenter, and we excluded a comment submitted by one of our employees posted in an official capacity. The publicly available comments were from:

- Individual citizens;
- Advocacy groups comprising claimant representatives;
- Other advocacy groups;
- Organizations and firms that represent claimants; and
- Other organizations with an interest in our proceedings.

We carefully considered the public comments we received, and we responded to them below.

Comments and Responses

Support for Proposal

Comment: A majority of commenters supported our proposal to update our hearing regulations to permit "video" and "audio" as standard manners of appearance. Commenters said permanently adopting remote appearances as standard manners of appearance will result in greater flexibility for claimants and witnesses. They stated that both video and audio appearances can be advantageous for claimants who have limited

transportation options, live far from hearing offices, or have circumstances like limited mobility or severe anxiety. One commenter expressed that our proposal may reduce cost, stress, and scheduling conflicts experienced by claimants and representatives.

In addition, many commenters supported multiple manners of appearance being available to claimants, and supported the NPRM because it maintains the option of in-person appearances and permits objection to appearing by other means. Other commenters expressed that preserving the option of in-person appearances will continue to serve those who are most comfortable with this method, for reasons like unreliable access to technology or private, quiet spaces.

Several commenters also agreed that audio and video appearances will allow us to balance hearings across offices to help reduce administrative delays. Commenters said that the ability to schedule hearings remotely by audio or online video without requiring "extreme circumstances" will reduce delays and allow for more hearings to be held in a timely manner. One commenter stated they have experienced numerous occasions where claimants failed to make an in-person appearance due to unexpected traffic, having their transportation canceled at the last minute and being unable to find alternate transportation, having the physical inability to sit in the car long enough to travel to the hearing office, having a panic attack from being around

others due to a mental impairment, or being unable to be around others due to a compromised immune system.

Response: We acknowledge the general support received from many commenters.

Recommendations for Amendments to the Proposal

Expanding Audio and Video Appearances Further

Comment: Several commenters expressed that we should expand the use of video and audio beyond what we proposed. A commenter stated that "unrestricted use" of video and audio should be allowed during any Social Security proceeding. Commenters provided examples of when expanded use of video should be allowed, including all stages of the disability determination process in which claimants have the opportunity to appear (e.g., age 18 redeterminations and benefits termination following a continuing disability review). Other commenters expressed that we need to "eliminate barriers to the public" and always make remote hearings available, and that "safety and convenience mandate" the option of a video appearance for any official Social Security matter requiring face to face communication, including communication with any Social Security field office or Disability Determination Services (DDS) office.

Response: We acknowledge and appreciate the desire for greater

flexibility in all communications with us. While we may consider additional options in the future, for this final rule, we continue to focus on manners of appearance at ALJ hearings and before the Appeals Council.

Comment: One commenter suggested eliminating in-person appearances to mitigate climate change and practice fiscal responsibility. The commenter said that a cost-benefit analysis would show the costs of in-person appearances are “enormous,” and the benefits are minimal. The commenter also expressed that offering in-person appearances requires the agency to buy and maintain office space throughout the country and requires ALJs, hearing office staff, claimants, representatives, and hearing reporters to travel to hearing offices. According to the commenter, maintaining a large office presence and requiring hearing participants to travel generates carbon emissions and other pollution, and costs taxpayer money. In addition, the commenter said that eliminating in-person appearances would provide the agency with an advantage in recruiting and retaining personnel, and balancing workloads, by removing the need for personnel to be tied to a particular geographic location. Further, the commenter expressed that the agency’s experience over the past three years shows the number of claimants who want to appear in-person is “vanishingly small.” According to the commenter, in the relatively rare instances in which claimants have objected to telephone and video appearances, most of these objections have been “raised at the eleventh hour for the apparent strategic advantage of postponing hearings without showing good cause.” The commenter expressed that for the small number of claimants who want to be seen as well as heard, the availability of video appearances satisfies that need.

Response: We appreciate the commenter’s preference for audio and video appearances. This final rule, however, does not eliminate in-person appearances because some claimants value appearing in person for various reasons. For example, some commenters expressed that in-person appearances allow claimants to have meaningful interaction with decision-makers and allow decision-makers to fully observe a claimant’s condition. While our experiences demonstrate that audio and video appearances also allow meaningful interaction and provide a sufficient basis for an ALJ to reach a policy compliant decision, it is important to retain in-person appearances at this time to accommodate those claimants who

would object to or would have difficulty appearing by the other manners of appearance this final rule makes available. We also understand that some claimants feel more comfortable appearing in person. Depending on the facts of the case, we may find it necessary to schedule an appearance in person.¹³

Comment: A commenter said if the agency is to retain in-person appearances and provide an order of preference, audio appearances should be first, video appearances should be second, and in-person appearances should be last. The commenter expressed that the current phrasing of §§ 404.936(c)(2) and 416.1436(c)(2) appears to place video and in-person appearances in the highest order of preference, with audio appearances as a last resort. According to the commenter, this seems contrary to our explanation at the beginning of the NPRM, which suggests we wish to eliminate a showing of extraordinary circumstances as a requirement for audio hearings. The commenter said experiences during the COVID-19 pandemic have shown that the vast majority of claimants want to appear by audio, and audio appearances are also the simplest type to schedule, coordinate, and conduct. In addition, the commenter said that video appearances have been reasonably successful, but they involve greater technological complexity than audio appearances and require high internet bandwidth, and interruptions to hearings occur because deficiencies in these areas remain common. According to the commenter, if our rule specifies an order of preference, it should state that we will schedule a video appearance only if a claimant timely objects to an audio appearance, and an in-person appearance (if offered at all) will be scheduled only if the claimant timely objects to both audio and video. The commenter suggested that, alternatively, the rule could be written permissively to provide broad flexibility to hearing offices, without any particular hierarchy specified or implied among the options for manner of appearance. That is, the rule could simply state that the agency may schedule an audio or video appearance in any case in which the claimant does not timely opt out, without specifying an order of preference or requiring

extraordinary circumstances for any manner of appearance.

Response: We did not propose to establish any hierarchy for setting the manner of appearance, and we have made revisions to this final rule to clarify that. This final rule neither prioritizes a certain manner of appearance nor provides a hierarchy of scheduling preference. As the comments show, there is support for all manners of appearance: audio, both versions of video, and in person. When two or more manners are available to schedule,¹⁴ we will consider efficiency and the facts of a particular case when determining a claimant’s manner of appearance. In order to prevent any implication of an order of preference, under this final rule, we reorganized some of the regulatory text mentioned by the commenter to clarify that we may schedule an audio appearance in certain limited circumstances notwithstanding a claimant’s objection to an audio appearance, and that our regulations do not otherwise set a priority of scheduling.¹⁵ This flexibility will allow us to schedule more timely hearings for claimants.

Additionally, some commenters appear to have used the terms “opt out” and “object to” interchangeably in discussing our proposed rule. However, both our proposed rule and this final rule give claimants an opportunity to object to certain manners of appearance, not opt out of them. Furthermore, our current rules allow claimants to object to appearing by VTC, not opt out. An opt out process would allow a claimant to unilaterally eliminate a manner of appearance, whereas an objection process allows a claimant to tell us that they do not want to appear in a certain manner. Under this final rule, when a claimant objects to appearing by audio or agency video, there are limited circumstances when, despite the objection, we may still schedule that manner of appearance, such as when we have banned a claimant from our facilities to ensure the safety of the public and our employees, or when we cannot schedule a claimant to appear by agency video or by online video and extraordinary circumstances prevent them from appearing in person.¹⁶

¹⁴ If a claimant objects to an appearance by audio or agency video and does not agree to appear by online video, we will generally schedule the claimant to appear in person. Otherwise, we will determine the manner of appearance from among in person and the options to which the claimant agreed and/or did not object.

¹⁵ See 20 CFR 404.936(d)(2)–(5) and 416.1436(d)(2)–(5).

¹⁶ See 20 CFR 404.936(d)(2) through (5), 404.937(b)(2), 404.937(c), 416.1436(d)(2) through (5), 416.1437(b)(2), and 416.1437(c).

¹³ Under 20 CFR 404.936(c)(1)(ii) and 416.1436(c)(1)(ii) of this final rule, we consider two factors in deciding which manner of appearance to schedule: (1) which manner would be most efficient for conducting the hearing, and (2) any facts in the particular case that provide a good reason to schedule a certain manner of appearance.

Comment: One commenter suggested that we should automatically schedule hearings with audio as the default method, and if there is a “legitimate and valid reason” why we should conduct a hearing in another manner (video or in person), the claimant should specifically request it, and all parties should consent. Similarly, a commenter recommended that we confirm directly with the claimant in writing their wish for an in-person appearance rather than make an in-person appearance the default format. The commenter asserted that this approach would “further support efficiency and overall fairness of the hearing process.” A commenter expressed that representatives should not be required to “submit so much supplemental documentation the minute a claim is at the hearing level or even before that” to ensure the hearing gets scheduled by audio. The commenter stated hearing offices currently create unnecessary barriers for claimants and their representatives to ensure a hearing is scheduled by phone. The commenter expressed there are substantial delays and hurdles to overcome to correct an inadvertently scheduled in-person appearance.

Response: We understand the commenters’ preference for audio appearances. However, we did not adopt the recommendation to make audio the default manner of appearance, nor did we adopt the recommendation to require claimants to confirm a preference for an in-person appearance. The comments we received in response to our proposed rule show that different claimants benefit from and prefer different manners of appearance for different reasons. Thus, to account for those different needs and preferences, we did not select any particular manner of appearance to be the default manner. The scheduling provisions in this final rule provide flexibility for claimants and us.

We will, however, (1) implement a new publication and notice explaining the manners of appearance: Notice of Ways to Attend a Hearing (Form HA–L54); (2) revise an existing form for objecting to appearing by agency video or by audio: Objection to Appearing by Video Teleconferencing (Form HA–55); and (3) implement a new form providing the ability to agree to appear by online video: Agreement to Appearing by Online Video (Form HA–56).

The new notice, Notice of Ways to Attend a Hearing (Form HA–L54), will explain in detail how an appearance by audio, by agency video, by online video, and in person would work. It will also explain how and when to object to an

appearance by audio or agency video and agree to an appearance by online video. We are making this notice separate from our Request for Hearing Acknowledgement Letter (Form HA–L2) to ensure that the manner of appearance information stands out to claimants and does not get lost among the other information in the HA–L2.

The revised objection form, Objection to Appearing by Video Teleconferencing (Form HA–55), will allow claimants to object to appearing by audio, by agency video, or both. We explain on the form that claimants only need to complete the form if they object to appearing by audio or agency video. The objection form also summarizes the appearance options again so that claimants can make an informed decision even if they do not read the new notice.

The new online video agreement form, Agreement to Appearing by Online Video, (Form HA–56) will allow claimants to agree to appearing by online video. It will explain that claimants only need to complete the form if they agree to appearing in that manner. We made Form HA–56 separate from Form HA–55 to clearly distinguish an agreement to appear by online video from an objection to appear by audio or agency video. We anticipate that these new communications and information collection requests will enhance claimant modality options, streamline the scheduling process, and minimize scheduling errors.

Additionally, this final rule does not require a claimant, or representative, to submit any supplemental documentation before, or as soon as, a claim reaches the hearing level. Rather, a claimant, or representative, has a 30-day period to object or agree to a manner of appearance.

VTC

Comment: Some commenters expressed concerns that we proposed to use the broader term “video” to reference two different manners of appearance: 1. online video through an application like Microsoft Teams (Teams) and 2. more traditional VTC. Commenters said that our regulations should use different terminology to distinguish between the two because they have meaningful differences.

One commenter stated that providing the option of accepting or rejecting a “video” appearance without specifying whether it is by VTC or online video is misleading to the claimant. The commenter noted that there are distinctions between the two types. For example, an online video appearance does not necessarily require any travel by the claimant, whereas a VTC

appearance does require some travel. Another commenter said that VTC appearances are “in person” from the perspective of the claimant because the claimant must usually travel to one of our offices along with a representative, when applicable, and the judge participates by “video.” The commenter also said that too often the VTC locations are more difficult in terms of travel, expense, and the stress of security or long lines for entrance. According to the commenter, a video appearance using an online video “app” such as Teams is “entirely different” for both the claimant and representative because online video appearances allow participants to avoid travel—reducing cost, stress, and conflicts. One commenter stated they routinely object to VTC appearances but have “no problem” with online video appearances. The commenter said claimants usually prefer video to in-person appearances because they can appear from home, yet still see the ALJ and be seen clearly, with very few technological problems.

Another commenter expressed not being comfortable advising claimants to accept a video option if that option includes VTC. The commenter recommended more precise wording so claimants can make informed decisions about their manner of appearance for a hearing. One commenter recommended making it clear and easy for claimants to object separately to audio, video, and VTC appearances because limiting an objection to video appearances alone would be insufficient.

Response: We generally agree with these recommendations. As we explained in the NPRM, we originally intended to use the general term “video” because it allowed for greater flexibility. We planned to further explain the two video manners of appearance in our subregulatory policies. However, because there are significant differences between the two, we will distinguish them in the regulatory text. Therefore, this final rule distinguishes agency video from online video. “Agency video” means video, with audio functionality, using our equipment in one of our offices. In other words, agency video means a claimant travels to one of our offices for a hearing and attends the hearing using our video equipment. “Online video” means video, with audio functionality, using a personal electronic device in a private location the claimant chooses. In other words, online video means a claimant attends a hearing from a private location of the claimant’s choice using the claimant’s own smartphone, tablet, or computer and internet connection. We

will also highlight this distinction in our subregulatory policies; new notice, new publication, and new agreement form; and revised objection form related to this final rule.

Comment: One commenter expressed the opinion that VTC appearances are “inferior” to both in-person and online video appearances, and with the addition of online video appearances, they should be obsolete. The commenter said that VTC appearances are often held in a “small, cramped conference room” at a hearing or field office, which is often not sound-proofed. According to the commenter, in some hearing offices, the video equipment is located on the wall behind the desks where the representative and claimant sit, making it difficult for both the claimant and representative to be seen, to see the ALJ, and to review the file and notes at the same time. The commenter also stated that VTC appearances require additional SSA staff, as they require a hearing monitor with the ALJ, as well as a monitor or other staff member with the claimant to ensure the equipment is working. The commenter noted that VTC appearances require travel to the hearing office and do not have the same effect as in-person appearances because the video is often of lower quality and does not allow the ALJ to see the claimant in detail. They also expressed that VTC appearances are inferior to online video appearances because with online video, each party can be in a position most comfortable to them and adjust the viewing angle of the camera so that they can be seen well. For VTC appearances, the representative and claimant are limited to the design of the room in which the hearing is held and cannot adjust the camera.

The commenter noted that we previously introduced VTC appearances to allow us to schedule hearings quicker and to transfer workloads among offices to lighten the load at certain hearing offices. According to the commenter, because the same can be provided by both telephone (audio) and online video appearances, the need for VTC appearances becomes obsolete. The commenter said the proposed regulations did not provide any explanation as to why VTC appearances would remain necessary once audio and online video are offered as standard manners of appearance.

Response: This final rule provides for an appearance by agency video to enhance the overall flexibility in our hearing process. We agree that many claimants are likely to prefer to appear by online video instead of by agency video. Nonetheless, we expect there will be some claimants who cannot appear

by online video or do not want to appear by online video, but who do not object to appearing by agency video.¹⁷ Agency video helps ensure that all claimants are afforded the same options for virtual hearings, regardless of their ability to pay for or otherwise obtain a suitable device or internet connection on their own. It also allows us to retain the ability to transfer workloads to facilitate earlier scheduling when possible. Our new notice, new publication, new agreement form, and revised objection form related to this final rule will clearly explain the differences between the two video manners of appearance. Finally, we disagree that VTC appearances have inferior audio and video quality.¹⁸

Administrative Conference of the United States (ACUS) Recommendations

Comment: The Office of the Chair of ACUS repeated in their comments recommendations they previously issued related to audio and online hearings at Federal agencies. They said they have long encouraged agencies, particularly those with high-volume caseloads, to consider “whether the use of VTC [hearings] would be beneficial as a way to improve efficiency and/or reduce costs while also preserving the fairness and participant satisfaction of proceedings.” They noted that they have set forth best practices and practical guidelines for conducting traditional VTC hearings and, more recently, “virtual hearings” in which participants appear remotely from a location of their choosing using internet-based videoconferencing software.

According to ACUS, our proposed rules addressed several of their recommended guidelines for conducting virtual hearings, such as the circumstances in which an individual’s virtual participation may be inappropriate; the process by which claimants can object to participating virtually; and the technological requirements for virtual hearings. They also said that our plan to permit

¹⁷ While a small percentage, we have continued to schedule claimants to appear by VTC even after the implementation of online video appearances. Since we began reopening our offices to the public in March 2022 following an initial closure during the COVID-19 national public health emergency, we have held approximately 1.5 percent of our hearings by VTC. See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, Final Rule, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

¹⁸ VTC appearances allow the claimant to see and hear the ALJ on a television screen over our secure network. For example, with our current systems, we transmit in Standard Definition on 50 to 65 inch monitors in hearing rooms or 27 inch monitors in VTC locations using desktop video units.

claimants to appear virtually by online video in a hearing office with agency-supplied electronic devices and internet connection (instead of only allowing this option for claimants using personal or borrowed devices in private locations) helps ensure that all claimants are afforded the same options for virtual hearings, regardless of their ability to pay for or otherwise obtain a suitable device or internet connection on their own.

In addition, ACUS recommended that we consider addressing whether to make available or require attendance at “a general training session or pre-hearing conference to discuss technological requirements, procedural rules, and standards of conduct for virtual hearings.” According to ACUS, such proactive measures may help to reduce or eliminate delays before or during hearings caused by participants’ unfamiliarity with the technology or videoconferencing software and prevent disruptions caused by a lack of understanding of applicable procedural rules or behavioral standards for virtual hearings.

Further, ACUS referred to our proposed revisions to 20 CFR 404.944 and 416.1444, which clarified that an ALJ could stop a hearing temporarily and continue it at a later date if they found that one or more variables outside of the agency’s control materially affected a hearing. They expressed that we may want to explain when a hearing is “materially affected” and provide examples. ACUS recommended that we clarify the actions that the ALJ or hearing office staff will take to attempt to remedy any technical problems before or after stopping the hearing when variables outside the agency’s control materially affect the hearing.

ACUS also suggested that, in our pre-hearing notices, we include information about the possible manners of appearance; explain the claimant’s ability to object to virtual hearings; and explain what the claimant would need to appear in each manner. They advised we should include any other information that would help claimants make informed decisions about their preferred manner of appearance, and that we should ensure this information stays up to date.

In addition, ACUS recommended that we continue to survey claimants who appear at virtual hearings to gauge their satisfaction with the process, and that we should “maintain open lines of communication with representatives in order to receive [their] feedback about the use of virtual hearing.” They suggested tracking and publishing disposition data for different hearing

modalities to measure how virtual hearings compare to in-person hearings in terms of procedural fairness and substantive outcomes.

Finally, ACUS stated that virtual hearings should be utilized and conducted in a manner that promotes the principles of fairness, efficiency, and participant satisfaction, which form the cornerstones of adjudicative legitimacy. Accordingly, when revising regulations and issuing subregulatory guidance, ACUS said we should ensure that virtual hearings provide a claimant experience that meets or exceeds the in-person hearing experience.

Response: Consistent with ACUS's recommendation, this final rule recognizes that it may not be appropriate in every circumstance for an individual to appear at a hearing virtually. Thus, claimants will have an opportunity to object to appearing by agency video or audio, and we will not schedule an online video appearance unless the claimant agrees to appear in that manner. Additionally, consistent with ACUS's recommendation, this final rule sets forth the process by which claimants can object to appearing by agency video or audio, and it explains how a claimant can tell us that they agree to appear by online video. Further, our new publication, which will explain the possible manners of appearance, will reflect ACUS's recommendation to explain the technological requirements for virtual hearings.

We also adopted ACUS's suggestion that we explain when audio quality or video quality "materially affects" a hearing under 20 CFR 404.944 and 416.1444. Under this final rule, "materially affects" means it prevents the hearing from proceeding. Examples include termination of the audio or video connection or poor audio or video quality that prevents the efficient administration of the hearing. If an ALJ determines that audio or video quality "materially affects" the hearing, the ALJ will stop the hearing and continue it at a later date. We will schedule the continued hearing no earlier than 20 days after the stoppage unless the claimant waives in writing the advanced hearing notice requirement.¹⁹ While we will try to reschedule the hearing as quickly as possible, the time to reschedule will depend on multiple factors, including representative, expert witness and ALJ availability, as well as available hearing slots. If necessary, we may schedule the claimant to appear by another available manner of appearance.

We also plan to post a publicly available video explaining the technical

requirements of online video and audio appearances. However, we did not adopt the recommendation to have a prehearing conference for the purpose of discussing technological requirements, procedural rules, and standards of conduct for online video and audio hearings, because doing so would be overly burdensome, given the hundreds of thousands of hearings we schedule per year. The public informational video, along with our new notice, new publication, new agreement form, and revised objection form, will appropriately explain the manners of appearance and their requirements. The notice of hearing will include contact information for use if technical difficulties arise during an audio or online video hearing. In terms of feedback from participants, we conducted feedback surveys for our online video appearances during the COVID-19 national public health emergency. Our survey data at that time showed that 83 percent of claimants were satisfied with their online video hearing.²⁰ When implementing this final rule, we plan to investigate further opportunities to gather feedback from claimants on their experience with the various manners of appearance.

Regarding communications with representatives, we regularly meet with representative organizations, including the National Organization of Social Security Claimants' Representatives (NOSSCR) and the National Association of Disability Representatives (NADR). We also have quarterly roundtable discussions with the advocacy community. During our meetings with these organizations, we solicit and receive feedback from representatives about our use of remote appearances.

As for the recommendation for a quality assurance system that tracks and publishes disposition data for each manner of appearance, we are working to develop this type of data, though it is not available at this time due to systems reporting limitations. We do, however, have a number of quality assurance measures, including routine quality reviews of decisions, in place.

Considerations of Equity and Supporting Underserved Communities

Comment: Some commenters asked us to consider how the proposed rule will impact underserved communities. Commenters cited E.O. 13985, *Advancing Racial Equity and Support for Underserved Communities Through*

the Federal Government, which prioritizes advancing equity throughout the Federal Government. The E.O. addresses removing barriers and increasing access to Federal programs by pursuing a comprehensive approach to advancing equity for people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. A commenter suggested that we implement changes to the rules regarding manners of appearance "through the lens of advancing equity and removing barriers to access."

Another commenter said "the harm [of defaulting to audio or video] that could come to claimants is not merely conjectural. Many lower income claimants do not have sufficiently regular access to technology to make audio and video hearings convenient." Several commenters cited research about limited broadband internet access in the United States and stated that people most impacted by the technological divide are those who have "less education and lower incomes; communities of color, such as Black and Latino; older adults; rural residents (and most acutely in Native communities); the physically disabled; the LGBTQ community; and those falling in the intersections of these groups."

Response: As our equity plan indicates,²¹ equity is a highly important priority for SSA. We strive to support underserved communities, including those identified by the commenters. To that end, we anticipate that appearances by audio and video will actually help underserved communities because those manners of appearance will often allow claimants the flexibility to attend their hearings more easily. For example, as other commenters have pointed out, both online video and audio appearances can be advantageous for claimants who have limited transportation options, who live far from hearing offices, or who have circumstances like limited mobility or severe anxiety. Additionally, as noted above, this final rule does not eliminate in-person appearances or agency video (for those who do not have equipment necessary for online video) or prioritize audio or video appearances. It merely provides a variety of ways for claimants to appear at their hearings. Moreover, under this final rule, we will not schedule a claimant to appear by online video unless the claimant agrees to appear in that manner.

²⁰ See *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, NPRM, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

²¹ Our Equity Plan is available at: <https://www.ssa.gov/open/materials/SSA-E.O.-13985-Equity-Action-Plan.pdf>.

¹⁹ 20 CFR 404.938 and 416.1438.

Reasonable Accommodations, Consideration of Functional Disability-Related Limitations, and Claimant Preferences

Comment: One commenter said claimants should always determine the manner of appearance for their hearing. According to the commenter, some claimants are “terrified” to appear in the “court-like atmosphere” of an in-person hearing, and others have physical, transportation, or financial difficulties associated with traveling to the hearing sites. Other commenters said we should provide a form that allows claimants to select their preferred manner of appearance.

Response: We did not adopt these recommendations because doing so would impede our ability to schedule timely hearings. First, we anticipate that some claimants would not provide us their preferred manner of appearance in a timely manner. Our experience over many years has been that it is often difficult to receive responses from some claimants when we ask them to contact us. Second, allowing claimants to select their preferred manner of appearance is not administratively feasible because it would significantly impede our ability to timely process the hundreds of thousands of hearings we schedule per year. When developing this final rule, we carefully balanced the two guiding principles that undergird our hearing process: that it be fair and that it works efficiently.²² This final rule is fair because it allows claimants to have input on their manner of appearance. At the same time, this final rule helps our hearing process to work efficiently by giving us additional scheduling flexibility, which will allow us to use our available resources to schedule more timely hearings.

Comment: Several commenters said we should ask claimants to identify their hearing format preferences at the earliest stage possible and suggested this could be done on the hearing request form (e.g., SSA HA-501). The commenters suggested this may help claimants who have difficulty corresponding by mail and may also allow people to provide feedback when they are in our field offices, where they may have assistance of field office staff who can answer questions, or when they may have help from community assisters (e.g., social workers) who may be assisting them with an appeal but may not be present when they receive the hearing election notice. Further, some commenters said we should

provide more than one opportunity to select the preferred hearing format.

Response: We did not adopt these recommendations because they would require an overhaul of our existing operational processes and systems of such magnitude that it would delay our ability to implement the flexibilities in this final rule for several years. For example, adopting these recommendations would require us to overhaul our iAppeals online internet service, which allows claimants to electronically file a reconsideration or hearing request.²³ In addition, we anticipate that the process set forth in this final rule will allow claimants sufficient opportunity to indicate whether they agree to appear by online video and whether they object to appearing by audio or agency video. We will provide a separate notice explaining the manners of appearance; a revised form for claimants to let us know whether they object to appearing by audio, agency video, or both; and a new form for claimants to let us know whether they agree to appear by online video. If a claimant misses the 30-day deadline to agree to appear by online video or to object to appearing by audio, agency video, or both, they have the opportunity to show us that they had good cause for missing the deadline.²⁴ In summary, our new notice, new agreement form, revised objection form, and the good cause provisions in this final rule will provide claimants with a reasonable opportunity to share their manner of appearance preferences with us.

Comment: One commenter said that some claimants will not be able to meaningfully participate when they appear at a hearing by video or audio, which will impede our ability to make accurate disability determinations and violate section 504 of the Rehabilitation Act (section 504). The commenter noted that Federal agencies have an affirmative duty to make “reasonable modifications for qualified individuals.” According to the commenter, some individuals require an in-person appearance to meaningfully participate. Several other commenters provided examples of individuals who may require an in-person appearance to meaningfully participate. Examples provided include claimants: with hearing or visual impairments; requiring an interpreter; who need to frequently shift between sitting and standing due

to pain; who speak softly or have speech impairments; with auditory or visual hallucinations; with seizure disorders; who distrust technology or fear being recorded; with intellectual disabilities; with developmental disorders; and who may be less familiar with VTC.

In addition, commenters said the difficulties faced by persons with disabilities may be exacerbated if they have limited English proficiency. They expressed that interpreter services do not adequately address the challenges faced by individuals with limited English proficiency who are deaf or hard of hearing. The commenters indicated that such individuals must be allowed to appear in a manner that accommodates their disabilities and that keeping the right to appear in person is required for procedural fairness.

Response: We are not eliminating the in-person manner of appearance. Under this final rule, a claimant may object to appearing by agency video and audio and may decide not to agree to appear by online video. In that circumstance, barring an exceptional circumstance, we would schedule the claimant to appear in person.²⁵ Additionally, this final rule does not preclude an individual from requesting an accommodation. Instead, this final rule adds flexibility to our hearing process, and we expect that it will make it easier for many claimants to appear at their hearings. Even when a claimant does not object to appearing by agency video or audio, we will not default to scheduling one of those manners of appearance. Rather, under 20 CFR 404.936(c)(1)(ii) and 416.1436(c)(1)(ii) of this final rule, we will consider which manner would be the most efficient and any facts that provide good reason for a specific manner of appearance.

Furthermore, this final rule does not affect or modify our existing responsibilities under section 504 of the Rehabilitation Act of 1973, or the procedures we follow in considering requests for reasonable accommodations under that statute. Separate and distinct from this final rule, we will continue to use our established procedures for handling section 504 accommodation requests.²⁶ We are not revising our obligations under section 504 or our

²⁵ We may schedule a claimant to appear in another manner when the claimant changes their residence, extraordinary circumstances prevent the claimant from appearing in person, the claimant is incarcerated, or it is necessary to ensure the safety of the public and our employees in our hearing process. See 20 CFR 404.936(d)(2) through (5); 404.937(b)(2), (c), 416.1436(d)(2) through (5); and 416.1437(b)(2), (c).

²⁶ HALLEX I-2-0-8 available at https://www.ssa.gov/OP/OP_Home/hallex/I-02/I-2-0-8.html.

²³ For more information on iAppeals, see our Program Operations Manual System (POMS) GN 03101.125 available at <https://secure.ssa.gov/poms.nsf/lnx/0203101125>.

²⁴ See 404.936(d)(1) and 416.1436(d)(1).

²² See *Richardson v. Perales*, 402 U.S. 389, 399 (1971).

reasonable accommodation process as part of this final rule.

Comment: One commenter said that the proposed regulatory language does not provide guidance on what may be considered a “good reason” for scheduling a hearing in person, by video, or by audio. The commenter recommended that we incorporate into our regulations the language referencing, at a minimum, the standards in 20 CFR 404.911 and 416.1411 to ensure that an individual’s physical, mental, educational, or linguistic limitations (including lack of facility with the English language) are considered when we choose the appropriate manner for an ALJ hearing. The commenter referred to section 504 of the Rehabilitation Act of 1973 and noted that section 504 requires Federal agencies to ensure that qualified individuals with disabilities are not, solely by reason of their disabilities, excluded from participation in, denied the benefits of, or subjected to discrimination under the programs and activities they conduct. The commenter said there is a “pronounced lack of emphasis on [our] legal obligation to ensure equal access to a transparent and fair adjudicative process for all individuals with disabilities, including those who may require access to in-person hearings for disability related reasons.” According to the commenter, clear regulatory instructions obligating our staff and ALJs to consider claimants’ functional limitations as they pertain to the claimants’ ability to effectively communicate and participate in the hearing process should be part of the evaluation of “good reasons” for scheduling a hearing in any manner. The commenter expressed that individuals with a wide range of disabilities, and those in the deaf and hard of hearing community specifically, face “failed communication” when dealing with our field offices and hearing offices, which may not provide methods of effective communication to deaf and hard of hearing individuals. The commenter states that such individuals will be adversely affected if they are unable to access onsite American Sign Language (ASL) interpretation when presenting testimony and interacting with adjudicators or witnesses.

Further, the commenter expressed that our staff must be able to recognize the need for an effective communication assessment. The commenter said that, if any technology is used for interpreting during video or audio hearings, staff must be able to use the required equipment and have sufficient understanding of different modes of

communication to recognize and remedy communication failures. The commenter expressed that, without these items addressed, a video or audio hearing will not provide effective communication and equal access to the administrative process.

Another commenter said hearing notices should include clear guidelines on the use of effective assistive technology during video or audio hearings, beyond the explanation that one needs “a desktop computer, laptop computer, tablet or phone with a camera, microphone, and speakers.” The commenter said, to ensure effective communication for deaf and hard of hearing claimants, remote technology should offer real-time, full motion synchronized video and audio. The commenter further stated that the technology should operate over dedicated lines or wireless networks offering high-speed, wide-bandwidth video connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication, and a clear, audible transmission of voices to support listening to and lipreading the hearing participants by the deaf or hard of hearing claimant.

Response: We understand the commenters’ concerns, and we expect that, overall, the audio and video manners of appearance will make it easier for claimants, especially those with functional limitations, to appear at their hearings. We did not adopt the recommendation to provide guidance on what constitutes a “good reason” for scheduling a certain manner of appearance because the broad “good reason” language in this final rule accounts for a wide latitude of possible considerations. These considerations may include, for example, the physical, mental, educational, or linguistic limitations contemplated in 20 CFR 404.911 and 416.1411. As other commenters suggested, we will provide more details on the requirements for each manner of appearance in our subregulatory policies, new notice and publication, and new and revised forms related to this final rule. Claimants may state their reasons for objecting or agreeing to a manner of appearance in the comment sections of our forms or in separate communications, including by telephone or writing. Additionally, if there are technical difficulties during a hearing, the ALJ may stop the hearing and continue it at a later date.²⁷ When rescheduling the continued hearing, we will reconsider which manner of

appearance to schedule using the factors in 20 CFR 404.936(c)(1) and 416.1436(c)(1).

Furthermore, as discussed above, this final rule does not affect or modify our existing responsibilities under section 504 of the Rehabilitation Act of 1973 or the procedures we follow in considering requests for reasonable accommodations. Separate and distinct from this final rule, we will continue to follow our long-standing procedures for handling section 504 accommodation requests when an individual requests an accommodation under this law. We are not revising our obligations under section 504 or our reasonable accommodation process as part of this final rule.

Comment: One commenter stated that the provision of full and fair hearings for persons with disabilities requires that we have a public-facing process for determining the need for reasonable accommodations and providing them at hearings. According to the commenter, it may be impossible to provide disability access effectively, including ASL and other language access, in many of the current VTC hearing sites, and for that reason, possible reasonable accommodations must include providing an in-person hearing, and this reasonable accommodation must be available even where the claimant has not timely opted out of a video or audio hearing.

The commenter cited the Hearings, Appeals, and Litigation Law Manual (HALLEX) I-2-0-8 and asserted that it does not describe who is responsible for receiving and processing accommodation requests for hearings or who is responsible for making sure accommodations are provided at the various types of hearing sites and how long that process would take. The commenter stated that the reasonable accommodation information is “buried among the hundreds of web pages on the SSA’s website” and is not connected to the Hearings and Appeals portal. The commenter also stated that the SSA Hearing Agreement Form and other written information related to our hearing and appeals process do not provide information on how to request a reasonable accommodation. The commenter asserted that it is not clear how an individual pursuing an administrative appeal would be aware of the process to request a reasonable accommodation, or even know whether they would need an accommodation during the hearing process. According to the commenter, individuals needing “nonstandard” accommodations would require a significant amount of lead time to make and document their

²⁷ See 20 CFR 404.944 and 416.1444.

accommodation requests. The commenter expressed that it is important that such individuals are able to change their preferred method of hearing outside the 30-day period.

Response: This final rule does not affect or modify the procedures we follow in considering requests for reasonable accommodations under current law. Rather, it simply provides additional manners of appearance, which will make it easier for claimants to appear at their hearings. While we understand that some commenters have expressed concerns with our existing reasonable accommodation process, including under HALLEX I-2-0-8, these comments are outside the scope of this regulation change because we are not revising our reasonable accommodation procedures. We will, however, take these comments under advisement and review our existing reasonable accommodation process, including how to find information about the process, for possible updates.

Technical, Communication, and Other Considerations

Comment: One commenter cited “poor communication between [Office of Hearings Operations] staff and representatives when a hearing is delayed due to scheduling or technical issues” for telephone and video appearances. The commenter also said judges and hearing reporters are not notified when representatives submit a phone number or email address change in advance, which may cause hearing office staff to dial incorrect phone numbers or use incorrect email addresses, potentially resulting in claimants or representatives being designated as “no-shows” at hearings. The commenter requested that we take additional steps to assist claimants with technical and other same-day problems that arise, and suggested a portal where the representative and claimant could check the real-time status of the hearing and update their contact information. Other commenters reported difficulty reaching a hearing office to address similar same-day problems. For example, one commenter said that when there is a significant delay with the start time of a hearing, it is difficult to reach the hearing office to confirm the hearing is going forward and address any miscommunication. The commenter urged us to make available a telephone contact for claimants and representatives when facing such problems during or prior to the start of a scheduled hearing and to ensure staff is available and responsive by telephone. Another commenter stated it is difficult to communicate specifically

with National Hearing Centers, in particular Baltimore or Chicago, causing unnecessary delays and continuances through no fault of the claimant or their office. They also said it is difficult to have accurate scheduling, causing delays due to conflicts.

Another commenter said it takes “too long to even get a phone hearing.” The commenter asserted that local hearing offices may need assistance from other States because of the “enormous backlog,” especially related to Federal remand hearings. The commenter asked us to “focus on speeding up the process.” Another commenter expressed that many claimants are experiencing long delays in having their hearings scheduled, partly because of the COVID-19 national public health emergency, but also due to employee shortages at their locations.

Response: We acknowledge the concerns raised by the commenters and are working diligently to implement procedural and efficiency improvements in our hearing process. The commenters’ recommendations relate to our internal practices and procedures, not the policy in this final rule. However, we appreciate the comments and plan to consider them as we continue evaluating and updating, as necessary, our internal practices and procedures to ensure appropriate support during audio and video appearances.

Comment: A commenter expressed that, for online video appearances, claimants are “overwhelmingly unable” to operate the Teams application without assistance, and even with assistance, there are often technical difficulties. Additionally, the commenter stated that ALJs “pushed” claimants to appear by telephone if there were technical difficulties during an online video appearance. The commenter asserted that these situations created concern that the “use of the Teams app allowed for inconsistent policies among ALJs.”

Response: The commenter’s reported experience does not match our data. Our survey data showed that 83 percent of claimants were satisfied with their online video hearing.²⁸ However, given the unique factors related to online video appearances, this final rule differs from our proposed rule in that it requires a claimant to agree to appear by online video before we will schedule that manner of appearance. Depending on the logistics of any given case, it

might be possible to schedule a hearing more quickly using one manner of appearance over another, but we will not pressure a claimant regarding their choice to agree to online video or to object to audio or agency video.

Regarding the commenter’s concern about difficulties that arise during online video appearances, this final rule, §§ 404.944 and 416.1444, provide that an ALJ may stop a hearing temporarily and continue it at a later date if one or more variables outside of our control, such as audio quality or video quality, materially affects the hearing. We will then determine the manner of appearance for a continued hearing like we would any other hearing. This determination involves considering which manner would be most efficient and any facts of the case that provide a good reason to schedule the claimant to appear in a certain manner. We plan to provide additional training to our ALJs to ensure consistent application of this rule.

Comment: One commenter said it is crucial to acknowledge explicitly the need for audio in video-based appearances, since otherwise people might think the video option did not include audio. The commenter stated that we must recognize the insufficiency of video alone for effective communication during hearings. According to the commenter, ignoring the audio aspect introduces an incomplete scenario that could lead to potential issues.

Response: We agree with the commenter that some individuals might not understand our presumption that video includes audio. Accordingly, this final rule explains that agency video and online video include the element of audio.

Comment: One commenter suggested that, in the event of an irresolvable technical disruption, an adjourned hearing be rescheduled expeditiously.

Response: We plan to schedule continued hearings following adjournments for technical difficulties as quickly as our available resources will allow. However, our regulations require us to send a notice of continued hearing at least 20 days in advance, unless a claimant waives the 20-day advance notice requirement.²⁹

Objection Period and Good Cause

Comment: Some commenters disagreed with the 30-day timeframe to allow claimants to object to a particular manner of appearance. One commenter said that confining the period to 30 days after the date the claimant receives the

²⁸ See the *Manner of Appearance*, NPRM, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

²⁹ 20 CFR 404.938(d) and 416.1438(d).

notice is more restrictive than current practice and would “fail to recognize the rapidly changing circumstances” of claimants. Another commenter said we should remove any deadline to object to the manner of appearance. Others suggested longer deadlines such as 60 days, five business days before a hearing, and the date the hearing is scheduled. Commenters expressed that additional time is necessary to locate unsheltered or very low-income claimants, especially those who lack consistent access to communication resources like working phones or mailing addresses. Another commenter stated that claimants should be entitled to change the manner of hearing from audio to video, or video to audio, at any point up to five business days before a scheduled hearing because, in the view of the commenter, that could be accomplished without disruption to the hearing schedule.

Response: Although we acknowledge commenters’ concerns about the potential for missed opportunities to object to a particular manner of appearance, we did not change the 30-day time period for objecting to appearances by agency video or by audio. Thirty days offers an appropriate balance between allocating enough time for claimants or their representatives to object, while also allowing us sufficient time to determine the manner of appearance and schedule the hearing. It is critical for us to know the available manners of appearance to schedule timely hearings because we schedule hundreds of thousands of hearings per year.³⁰ A longer or indefinite time period would delay scheduling and, therefore, lead to longer hearing wait times. Some of the longer time periods suggested by the commenters, and certainly those that approach the actual day of the hearing, do not take into account the disruption or delay such last-minute changes would cause. We schedule each hearing based on considerations for that particular case and the overall resources available.

We do not agree that this 30-day period is “more restrictive than current practice.” The 30-day time period to object to an appearance by agency video or by audio is consistent with the current VTC objection policy in our regulations. Even so, some commenters may still perceive this rule as “more restrictive” because under our current business process, we generally require a claimant’s agreement before we

schedule them to appear by telephone, whereas this final rule gives claimants an opportunity to object to appearing by audio. However, we expect that the overall flexibilities provided by this final rule will offset any seemingly greater restriction.

As discussed earlier, it is often difficult to receive responses from some claimants when we ask them to contact us. For example, during the period from December 2020, when we began offering appearances by online video, until the end of the COVID-19 national public health emergency in May 2023, 25 percent of claimants did not respond to our form asking if they would like to appear by telephone or online video.³¹ By not requiring an “opt in” for audio, we will be able to efficiently schedule audio hearings for claimants who do not respond. This efficient scheduling of audio hearings will allow us to provide more timely hearings to all claimants. For appearances by audio, we do not need to coordinate hearing room space because the claimants appear from private locations of their choice, and ALJs generally conduct hearings from a private location other than a hearing room. We can also transfer cases with audio appearances to offices and regions with more capacity, which reduces hearing wait times.

When we implement this final rule, we will create a new notice and publication explaining the different manners of appearance and the various requirements. We will also revise our existing objection form so that claimants can easily object to appearances by agency video or by audio, and we will create a new form on which claimants can agree, if they would like, to appear by online video.

Finally, as in our current rule, we will extend the time period if a claimant shows they had good cause for missing the deadline. We expect that this good cause provision will effectively accommodate those who lack consistent access to communication resources.

Unique Considerations for Online Video Appearances

Comment: Commenters stated that many claimants have limited or unreliable access to electronic devices or high-speed broadband access. One commenter said that many of the same claimants who could successfully use online hearing options are those best positioned to elect an alternative form of appearance.

Response: We understand from these comments that we need to consider appearances by online video differently than other manners of appearance. This difference is needed because appearances by online video require using private electronic devices that we do not own, operate, or specifically approve and also using third-party software. Therefore, in this final rule, we created two categories of video appearances: (1) agency video and (2) online video. Agency video means video, with audio functionality, using our equipment in one of our offices. Online video means video, with audio functionality, using a personal electronic device in a private location the claimant chooses.

Furthermore, because of the unique circumstances involved in appearances by online video, we will only schedule appearances by that manner if the claimant agrees. Thus, there will be no need for claimants to object to appearing by online video. We are not requiring claimants’ agreement for audio or agency video appearances because those manners of appearance do not involve the same unique circumstances as online video. Particularly significant is the fact that audio and agency video appearances do not require using third-party software.

We will send claimants a notice informing them that we may schedule them to appear by online video if they agree to appear in that manner. To agree to appear by online video, claimants must notify us in writing within 30 days of receiving that notice. We are adopting a 30-day deadline because we need to know early in the process whether a claimant agrees to appear by online video in order to help schedule timely hearings for all claimants. Moreover, changing the manner of appearance after we schedule a hearing requires us to send an amended notice of hearing at least 20 days before the hearing, which may require us to reschedule the hearing for a later date unless we are able to obtain a written waiver from the claimant.³² We will extend the 30-day time period for agreeing to online video if the claimant shows that they had good cause for missing the deadline. We will evaluate good cause using the standards in 20 CFR 404.911 and 416.1411. Within our discretion and where possible, even without a showing of good cause, we will still consider a request to change the manner of appearance to online video after the 30-day time period if it would be efficient to conduct the hearing in that manner and the circumstances in the case provide a

³⁰ See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, Final Rule, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

³¹ See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, Final Rule, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

³² 20 CFR 404.938 and 416.1438.

good reason to schedule the claimant's appearance by online video.

Good Cause for Missing the 30-Day Objection Period

Comment: According to one commenter, the examples of good cause for untimely objections identified in proposed 20 CFR 404.936(d)(2) and 416.1436(d)(2) are problematic, creating a loophole in the rule that would effectively eliminate the deadline for objecting to audio and video appearances. One example of good cause for an untimely objection that we provided in the NPRM was disagreement with the terms of service for a third-party application. The commenter said if that were enough to show good cause for an untimely objection, any claimant would be able to successfully raise an objection at any time simply by claiming to disagree with the terms of service of the third-party application we use. Thus, we would be required to schedule the claimant to appear in another manner whenever a claimant scheduled for an online video appearance stated disagreement with the terms of service, even if that claimant waited until a day before the originally scheduled hearing. The commenter expressed this would be disruptive to hearing operations, requiring last-minute postponement of hearings and loss of productivity, which has been a "major undesirable feature of the current opt-in, object-at-any-time hearing process." The commenter suggested that if we think the rule needs to specify examples of good cause for untimely objections, the examples should involve much more compelling circumstances, such as those currently required for untimely objections to VTC.³³ The commenter expressed it may be better not to provide examples, and rather leave it to ALJs to exercise their judgment in determining whether good cause for untimely objections has been shown.

Another commenter stated that the two examples of good cause from the NPRM (disagreement with the terms of service of the third-party application or lack of resources to appear by video) do not establish good cause because both scenarios can be ascertained within the 30-day timeframe for objection.

Response: We did not adopt the two examples of good cause provided in the NPRM because they pertained to objections to appearing by online video only. Under this final rule, a claimant does not need to object to appearing by online video. Rather, this final rule provides that we will not schedule a

claimant to appear by online video unless the claimant agrees to appear in that manner, and it provides that a claimant may withdraw their agreement to appear by online video at any time before the start of the hearing. If the claimant withdraws their agreement, we will reschedule the claimant to appear by one of the other available manners of appearance. While we will try to reschedule the hearing as quickly as possible, the time to reschedule will depend on multiple factors, including representative, expert witness and ALJ availability, as well as available hearing slots. Additionally, we can reschedule the hearing no earlier than 20 days after the withdrawal unless the claimant waives in writing the advanced written hearing notice requirement.³⁴ Although we did not adopt the two examples of good cause provided in the NPRM, a claimant may still submit a late objection to appearing by audio or agency video. If we receive a late objection, we will use the standards in 20 CFR 404.911 and 416.1411 to evaluate whether good cause exists for missing the deadline.

Comment: According to some commenters, we should expand upon the circumstances in which claimants can opt out of manners of appearance beyond the 30-day objection period. Some commenters said we should do this by adding more examples of what would constitute good cause to change the manner of appearance.³⁵ Other commenters said we should specify circumstances that would not require a good cause determination but would still permit us to change the manner of appearance beyond the objection period. According to one commenter, while retaining "good cause" exceptions for claimants with extenuating circumstances is important, it is not sufficient because good cause exceptions are individualized determinations based on judgment. Instead, according to the commenter, in certain situations, claimants should be able to automatically modify the manner of appearance. Some commenters stated that such requests should be processed by hearings staff, without involvement of the ALJ. Commenters provided

³⁴ 20 CFR 404.938 and 416.1438.

³⁵ Our regulations provide examples of good cause for missing a deadline in 20 CFR 404.911 and 416.1411. Also, in the NPRM, we proposed to include examples of some circumstances that would apply specifically to online video appearances: "Examples of good cause would include circumstances where the claimant disagrees with the terms of service for a third-party application or lacks the resources to appear by video." See 88 FR 32148, 32152, and 32153 (May 19, 2023). We removed the NPRM examples from this final rule.

examples of circumstances they asserted should allow claimants to change their manner of appearance beyond the proposed objection period without requiring a good cause determination. Some of the suggested circumstances include:

- If the claimant obtains counsel for their disability hearing.
- If claimants change or obtain new counsel.
- If there is a change of address.
- If there is a change in medical condition, including hospitalization, because some of these changes may impact accessibility to certain hearing formats.
- If the custody or guardianship of a child changes.
- If the claimant is homeless.
- If the claimant lacks necessary equipment, such as a personal electronic device with internet access.
- If the claimant never received the notice to object due to mailing problems, homelessness, illiteracy, or inability to read English.
- Lack of proper identification (for hearings in government buildings).

One commenter expressed that because claimants may have "long wait times of multiple years before getting to appear at a hearing before an ALJ, this process ought to account for changes in circumstances with flexibility and lenient consideration." Another commenter said that claimants unfamiliar with hearing modalities offered will not likely know whether they need to request an accommodation or may assume that accommodations will be easily provided. Additional commenters said that a claimant who elects or defaults to a video or audio appearance may not understand the nature of the appearance, and allowing changes in manner of appearance until a hearing is scheduled promotes informed decisions.

According to a commenter, the lack of clarity regarding what constitutes good cause to object to appearing by VTC (under current regulations) has resulted in ALJs denying late objections for circumstances that would likely have been granted if detailed with further clarity.

Finally, a commenter expressed that, in addition to the reasons we would allow a change, the rule should clarify whether, how, when, and how often a claimant can change their manner of appearance preference.

Response: We did not adopt these comments. This final rule does not include the two examples of good cause from the NPRM because, as discussed above, those examples are unnecessary based on changes to the final rule.

³³ The commenter cited 20 CFR 404.911.

We retained the policy in our current regulations for evaluating good cause for an untimely objection. Under that policy, we use the standards in 20 CFR 404.911 and 416.1411 to evaluate good cause. We have been using those standards to evaluate good cause for missing the deadline to object to a VTC appearance for nearly a decade.³⁶ Those standards are broad and effective, and they are appropriate for considering a wide range of reasons for missing a deadline, including those identified by the commenters.

Expanding the standards for evaluating good cause too broadly, including by adding more across-the-board examples that would require a change at any time, would disrupt the efficiency of our hearing process. Therefore, it is important to retain our current standards, which have worked well for a long time, and which allow us to make case-specific good cause determinations based on individual circumstances.

Our ALJs are well positioned to evaluate good cause and have extensive experience doing so. While a commenter suggested that ALJs do not evaluate good cause appropriately, the commenter did not provide examples, and the commenter's suggestion does not match our experience.

Comment: Some commenters expressed concerns that the proposal may cause a surge in discretionary good cause determinations. One commenter said many claimants will object after the 30-day period, and that requiring ALJ decisions on an "influx" of requests to change the manner of appearance for good cause will likely weigh the agency down with administrative burdens and erode uniformity and equity of claim outcomes. The commenter said that the addition of a new discretionary procedure will most likely hurt the least-resourced and furthest marginalized claimants.

A different commenter stated that there may be an increase in claimants unable to attend hearings by audio or video because they either did not know of those manners of appearance or are unable to attend in the manner scheduled, which "will further increase the administrative courts issuing Orders to Show Cause (OSC) for failure to appear." The commenter stated that ALJs will be required to rule on OSC responses, requiring subsequent administrative action that would be otherwise unnecessary.

Response: We disagree with these commenters. We do not anticipate an influx of untimely objections, and we do not anticipate delays or lack of uniformity in our good cause determinations. As we noted in our other responses, our ALJs have extensive experience evaluating good cause under the standards in 20 CFR 404.911 and 416.1411. Our ALJs have been doing so regarding VTC objections since 2014³⁷ and regarding other deadlines for nearly three decades.³⁸ There is nothing unique about appearances by agency video or by audio that would necessitate a change.

Moreover, we expect that the manners of appearance in this final rule will make it easier for many claimants, especially those facing barriers to service, to attend their hearings. As such, we anticipate that fewer—not more—claimants will fail to appear at their hearings, which will result in the need to issue fewer Requests to Show Cause for Failure to Appear (Form SSA-HA-L90s).

In-Person Appearances

Comment: Multiple commenters expressed support for retaining in-person hearings as the default manner of appearance. One commenter asserted that changing the default manner of appearance will "adversely affect vulnerable claimants." They expressed that many claimants, particularly those who are unhoused or lack reliable access to mail, are not always able to respond to notices regarding the manner of appearance. Some commenters said that mail service remains "spotty at best" in many low-income neighborhoods and claimants facing the most significant barriers, including homelessness, poverty, and housing instability, move frequently. According to some commenters, our inability to reach approximately 30 percent of claimants (data we reported in the NPRM) should not be "interpreted as endorsement of, or acquiescence to, the change in platforms." The commenter expressed that a change in the default manner of appearance could create a group of claimants who would have elected an in-person hearing, but because of housing insecurity, physical or behavioral deficits in their ability to read and understand, or other reasons, are forced into a manner of appearance which they did not choose.

Another commenter said the "onus should not be on the claimant to

affirmatively pursue and protect their right to appear at their hearing in person." According to the commenter, the proposed regulations "unfairly shift the burden of preserving the right to appear in person on the claimant by requiring them to object, but also require the claimant to navigate a duplicative, cumbersome process to do so." According to a different commenter, audio hearings are a "true disservice to the disabled individuals seeking benefits," and unless claimants specifically request audio, it "deprives them of a full and fair hearing, particularly if they are not represented." Another commenter asserted that telephone hearings do not provide claimants with an opportunity to fully present their case, which causes cases to be "decided unfavorably due to an error by the ALJ that would have been avoided in an in-person hearing." The commenter said that the denial rate for telephone hearings didn't reflect what they expected based on their experience with the ALJs in their region, and they found many decisions were "so deficient as to require appeal." The commenter expressed that in-person, local hearings should be the preferred manner of appearance.

Another commenter said that, unless a particular claimant has indicated a preference for an audio or video appearance, they should be scheduled for an in-person appearance to enable the "fullest evaluation of their claim." According to some commenters, in-person appearances are often necessary for an adjudicator to fully observe the physical manifestations of a claimant's disabilities (such as their physical functioning, scars, mannerisms, and hygiene) and accurately assess a claimant's credibility. A commenter stated that confused or anxious looks can be visual evidence of confusion or anxiety. Another commenter said that claimants often must testify to highly personal, emotional, traumatic symptoms and events, and that requiring them to testify in a manner contrary to their choice may lead to less claimant disclosure and decisions based on incomplete information.

One commenter said that scheduling audio or video appearances without providing a meaningful opportunity to opt out effectively removes a claimant's one chance to engage in an in-person interaction with a decision-maker for the entire disability determination process (since we usually rely on document review for the initial and reconsideration determinations, and the Appeals Council and District Court appellate processes). According to the commenter, allowing in-person

³⁶ In 2014, we added the provision that we would evaluate good cause for untimely VTC objections using the standards in 20 CFR 404.911 and 416.1411. 79 FR 35926.

³⁷ See 79 FR 35926.

³⁸ We set forth good cause provisions in 20 CFR 404.911 and 416.1411 in 1980, and we amended them to their current form in 1994.

appearances for all who choose it “demonstrates respect” and “promotes dignity and transparency in what may appear to be a largely invisible and impersonal process.” Further, the commenter said defaulting to audio or video appearances demotes this process to one that may feel “less legitimate, presenting a significant disruption to the human element of disability adjudication.” Another commenter stated this is the first interaction that some claimants have with the American legal system and the right to be heard in person. They expressed that this is a core value in our justice system and any changes we make should not erode this right.

Response: We are not eliminating in-person appearances, nor are we making in-person appearances the default. Under this final rule, we will generally schedule a claimant to appear in person if the claimant timely objects to appearing by audio and agency video and if the claimant does not timely agree to appear by online video.³⁹ Absent an objection, we will not default to scheduling claimants by agency video or by audio. Rather, under 20 CFR 404.936(c)(1)(ii) and 416.1436(c)(1)(ii) of this final rule, we will consider which manner would be the most efficient and any facts that provide a good reason for a specific manner of appearance. Thus, we may schedule an in-person appearance if we determine it is necessary.

This final rule adds flexibility to our policy on manners of appearance and gives claimants an opportunity to have input on their own manner of appearance. Many other commenters highlighted the benefits of, and indeed a preference for, appearances by audio and video. For example, commenters noted that audio and video appearances will result in greater overall flexibility for claimants. Commenters also stated that both video and audio appearances can be advantageous for claimants who have limited transportation options, who live far from hearing offices, or who have circumstances like limited mobility or severe anxiety. Furthermore, our experience stemming from the COVID-19 national public health emergency shows that many claimants desire to appear by audio or video.⁴⁰ Since we began reopening our offices to

³⁹In limited circumstances, we may not schedule the claimant to appear in person, see 20 CFR 404.936(d)(2)–(5); 404.937(b)(2), (c); 416.1436(d)(2)–(5); and 416.1437(b)(2), (c).

⁴⁰See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, NPRM, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

the public in March 2022, many claimants continue to choose a telephone or online video appearance. Since March 2022, approximately 70.5 percent of hearing appearances have occurred by telephone, 14.4 percent by online video, 13.6 percent in person, and 1.5 percent by VTC.⁴¹ Our survey data also showed that 83 percent of claimants were satisfied with their online video hearing.⁴² The audio, agency video, and online video manners of appearance in this final rule will help us to balance workloads and reduce wait and processing times, thereby providing more timely hearings for claimants.

We disagree with one commenter’s assertion that audio appearances result in more denials to claimants. The commenter did not provide any data to support the assertion. Furthermore, comments about assessing a claimant’s credibility are an inaccurate description of our rules because our ALJs do not evaluate a claimant’s credibility. Instead, our ALJs evaluate the intensity, persistence, and limiting effects of an individual’s symptoms based on all the evidence of record. We do not assess a claimant’s overall character or truthfulness in the manner typically used during adversarial litigation.⁴³

In conclusion, it would be as inappropriate for us to automatically assume that a claimant prefers to appear at a hearing in-person as it would be for us to assume the claimant wants to appear by online video. Indeed, we designed this final rule to allow claimants to have input into the manner in which they will appear at hearings.

Comment: One commenter said the proposed rule has the potential to improve on our current practice, primarily because it creates an opt-out

⁴¹See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, Final Rule, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

⁴²From July 2021 through July 2022, we sent surveys to claimants who appeared at hearings by online video to gauge their satisfaction with the process. We asked them to rate four statements regarding their online video experience on a scale from 1 to 5, where 1 meant “strongly disagree” and 5 meant “strongly agree.” The four statements were: (1) the instructions sent in advance were helpful; (2) it was easy to connect to my online video hearing; (3) I was satisfied with the audio quality of my online video hearing; and (4) I was satisfied with the video quality of my online video hearing. The overall satisfaction score was 4.2 or higher, and 83 percent or more of respondents in each month reported an overall satisfaction rate of a 4 or 5. See the *Setting the Manner of Appearance of Parties and Witnesses at Hearings*, NPRM, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

⁴³See 20 CFR 404.1529(c)(3) and 416.929(c)(3) and Social Security Ruling (SSR) 16-3p.

process for audio and video appearances and provides a deadline for opting out. This opt out process is in contrast to the current process, which requires opting in for audio and video appearances and allows claimants and representatives to “disrupt” hearing schedules by raising objections to audio and video appearances at any time. Another commenter stated that “in-person hearings should not be the automatic default for claimants” and that claimants usually prefer video to in-person hearings, as they can appear from home yet “still see the ALJ and be seen clearly, with very few cases of tech problems.”

Response: We agree that appearances by audio, agency video, and online video provide significant benefits to claimants, representatives, and us. However, as discussed above, under this final rule, we will only schedule an online video appearance if the claimant agrees because of the unique circumstances of that manner of appearance.

Comment: One commenter expressed concerns that our proposed regulations would lead to local hearing offices staffed with only a few ALJs willing to hold hearings with in-person appearances, and that there would be pressure on claimants to choose an alternative option to have their case heard “earlier” by a remote ALJ by video or audio. The commenter recommended that we continue to staff local hearing offices with sufficient ALJs to hold hearings with in-person appearances. Another commenter requested that we update our policy to describe the “need to conduct hearings using multiple formats during an [ALJ]’s day.” According to the commenter, too often, the convenience of our employees outweighs the needs of claimants to have their hearings held using first-in first-out scheduling.

Response: We will continue to staff our hearing offices, budgets permitting, with sufficient personnel, including ALJs, to accommodate in-person and agency video appearances. For an in-person appearance, we have a fixed number of hearing rooms, which we must coordinate the scheduling of among our ALJs and claimants. We also do not have the ability to transfer a case with an in-person appearance to a non-local hearing office with more capacity.

For appearances by audio and online video, we do not need to coordinate hearing room space because the claimants appear from private locations of their choice, and ALJs generally conduct hearings from a private location other than a hearing room. We can also transfer cases with audio, agency video,

and online video appearances to offices and regions with more capacity, which reduces hearing wait times. An advantage of this final rule is that it allows us to transfer cases to fill hearing office capacity without the geographic limitations of the current rules.

Although we strive wherever possible to process cases in order, the flexibilities and efficiencies this final rule provides may result in a slight deviation from the first in, first out order to optimize our hearing process overall. Depending on the logistics of a particular case, it might be possible to schedule appearances by audio or video more quickly than in person, but we will not pressure a claimant regarding their choice to agree to online video or to object to audio or agency video. This final rule does not prioritize the convenience of our employees over our claimants. Finally, because we temporarily closed our offices for a period during the COVID-19 national public health emergency and we reopened our offices gradually, we communicated to claimants that scheduling would be delayed for individuals who did not agree to appear by telephone or online video. Now that the emergency has ended, we no longer communicate that scheduling in-person appearances will be delayed.

Due Process

Comment: One commenter said our proposal would limit claimants' rights to request in-person hearings and thereby affect their right to due process. The commenter stated that the Supreme Court has held that, in a case involving welfare, a recipient has a due process right to a hearing before they can be deprived of benefits, and that due process requires the opportunity to be heard "at a meaningful time and in a meaningful manner." The commenter referred to a study that, according to the commenter, found a deprivation of an in-person hearing for people seeking asylum resulted in an increased risk of negative outcomes.⁴⁴ The commenter stated that a court today would find that due process requires the right to an in-person hearing, particularly in claims for Supplemental Security Income (SSI). As such, the commenter asserted that the rule, as proposed, would potentially violate the procedural due process rights of Social Security claimants.

Another commenter expressed that "procedural Due Process serves two basic goals: (1) preventing the wrongful deprivation of interests, and (2)

promoting fairness by providing a meaningful opportunity for individuals to share their side of the story with the government." According to the commenter, "imposed" audio or video appearances that conflict with a claimant's preferred manner of appearance militate against both goals. The commenter said a "sizeable number" of claimants will lack the capacity to respond in 30 days. According to the commenter, if these claimants are scheduled for an audio or video appearance and are unable to appear at the remote hearing because they lack notice and the necessary tools to appear, such as a phone or computer, their claims will likely be dismissed for failure to appear. The commenter stated, for this reason, this change in policy will increase procedural dismissals in substantively valid disability claims, significantly violating claimants' due process rights.

Response: This final rule will help to safeguard a claimant's right to a full and fair hearing. Barring limited circumstances, no provisions in this final rule limit a claimant's ability to appear at a hearing in person, if the claimant wants to appear in that manner. Moreover, the procedures set forth in this final rule are similar to the procedures in our current rules, procedures that have operated well for many years.

Under our current rules, if a claimant wants to appear at a hearing in person, instead of by VTC, the claimant can object to appearing by VTC within a 30-day period. Claimants who have good cause for missing the 30-day deadline can submit a late objection. If the claimant objects timely to appearing by VTC (or objects after the 30-day period and we find good cause for late filing), and the claimant's residence does not change, we will schedule the claimant to appear at a hearing in person. Similarly, under this final rule, if a claimant wants to appear at a hearing in person, instead of by audio, agency video, or online video, the claimant can object to appearing by audio and agency video within the same 30-day period, or can submit a late objection based on a showing of good cause for missing the deadline. We will not schedule an appearance by online video unless the claimant agrees. If the claimant objects timely to appearing by audio and agency video (or objects after the 30-day period and we find good cause for the late filing), the claimant's residence does not change, and the claimant has not agreed to appear by online video, we will schedule the claimant to appear at a hearing in person. Thus, a claimant has the same opportunity to appear at a

hearing in person under this final rule as under our current rules.

Under this final rule as well as under our current rules, there are very limited circumstances where we will schedule a claimant to appear at a hearing by audio despite the claimant's objection to appearing in that manner. For example, under this final rule, we will schedule a claimant to appear by audio when we cannot schedule the claimant to appear by video, e.g., because the claimant objected to appearing by agency video and did not agree to appear by online video, and extraordinary circumstances prevent the claimant from appearing in person.⁴⁵

We take seriously our responsibility to ensure that claimants receive full and fair hearings as well as accurate hearing decisions. Our experience with VTC appearances over the last 20 years, and our more recent experience with online video and telephone appearances during the COVID-19 national public health emergency shows that claimants do not have to appear in person to be heard meaningfully. Our ALJs look fully into the issues and follow the same policies and procedures, regardless of the claimant's manner of appearance. If a variable outside an ALJ's control, such as audio or video quality, were to materially affect a hearing, this final rule, §§ 404.944 and 416.1444, provide that the ALJ may stop the hearing temporarily and continue it at a later date.

While a commenter opined that due process requires an in-person appearance, particularly for claimants seeking SSI, the commenter did not explain why. Instead, the commenter referenced a study that, according to the commenter, concluded that VTC hearings for people seeking asylum resulted in an increased risk of negative outcomes.⁴⁶ Notably though, an asylum removal hearing differs significantly from a Social Security hearing. An asylum removal hearing is an adversarial proceeding, whereas a hearing on a claim for benefits under the Social Security Act is informal and non-adversarial.⁴⁷

⁴⁵ See 20 CFR 404.936(d)(2) and 416.1436(d)(2). Under this final rule, we may also schedule a claimant to appear by audio, despite a timely objection to appearing in that manner, as set forth in 20 CFR 404.936(d)(3)-(d)(5), 404.937(b)(2), 404.937(c), 416.1436(d)(3)-(d)(5), 416.1437(b)(2), and 416.1437(c).

⁴⁶ The article the commenter cited regards the use of video conferencing in asylum removal hearings. See Walsh & Walsh, *supra* note 43.

⁴⁷ See Johanna Selberg, Truth and Trauma: Exploring the Merits of Non-Adversarial Asylum Hearings, 35 Geo. Immigr. L.J. 929, 932 (2021) (describing defensive, adversarial asylum

⁴⁴ The commenter cited Frank M. Walsh; Edward M. Walsh, Effective Processing or Assembly-Line Justice—The Use of Teleconferencing in Asylum Removal Hearings, 22 Geo. Immigr. L.J. 259, 275 (2008).

Our ALJs are neutral decision-makers who develop all of the facts regarding a benefit claim. An immigration judge does not perform that same fact-finding function. Rather, an immigration judge rules on the evidence presented by the parties, one of whom is the United States, represented by an Immigration and Customs Enforcement attorney. Additionally, the study the commenter referenced notes that the testimony of an asylum applicant at an asylum hearing is especially important because, in order to meet the definition of “refugees,” they must have fled their country and may have little to no documentation to support their allegations of persecution.⁴⁸ Thus, an asylum removal hearing is not comparable to a Social Security hearing. As previously explained, our experience shows that claimants receive full and fair hearings regardless of whether they appear in person or by VTC, online video, or audio.

Furthermore, even in relation to the asylum example cited by the commenter, courts have upheld the use of video conferencing for asylum hearings. Those courts have examined whether the asylum petitioner received a full and fair hearing based on the facts of the individual case, including the use of video conferencing.⁴⁹

As noted elsewhere, this final rule recognizes that some claimants may not want to appear at a hearing by agency video or by audio, but, due to personal circumstances, may be unable to meet the deadline to object to those manners of appearance. In those circumstances, and others, we will extend the deadline for submitting an objection if the claimant shows good cause for missing it. And, again, this final rule specifies that we will only schedule a claimant to appear by online video if they agree to an appearance in that manner.

Ultimately, we expect this final rule will make it easier, not more difficult,

proceedings before an immigration judge); 20 CFR 404.900(b), 416.1400(b) (explaining that we conduct our administrative review process in an informal, non-adversarial manner).

⁴⁸ Walsh & Walsh, *supra* note 43, at 273.

⁴⁹ See, e.g., *Miller v. Att’y Gen. of U.S.*, 397 F. App’x 780, 783 (3d Cir. 2010) (finding that the petitioner did not show that use of video conferencing prevented the immigration judge from properly considering the record or testimony, and noting there was no basis to conclude that the immigration judge’s ruling would have been different if the petitioner had appeared in person); *Rapheal v. Mukasey*, 533 F.3d 521, 531 (7th Cir. 2008) (“No court has ever held that Congress has violated the due process clause by authorizing removal hearings to proceed via video conference.”); *Rusu v. U.S. I.N.S.*, 296 F.3d 316, 322–24 (4th Cir. 2002) (noting the potential negative impacts of video conferencing, but finding that the petitioner appeared to have a meaningful opportunity to be heard).

for claimants to attend hearings. As multiple commenters recognized, making audio and video appearances available helps claimants who, for a variety of reasons, have difficulty traveling to, or participating from, our offices.

Additionally, under our longstanding procedures, if neither the claimant nor the appointed representative, if any, appears for a scheduled hearing, we will not dismiss the request for hearing if the claimant shows good cause for failing to appear.⁵⁰

Comment: Another commenter said the proposed regulation’s shift of burden (modifying the requirement that a claimant “consent to appear at a hearing” to requiring claimants to “object to appearing at a hearing by video, audio, or both”) conflicts with the “individual’s right to appear, in person or through a representative.” According to the commenter, “absent direct expression by U.S. Congress to depart from this enacted right, the Administration cannot implement regulations to change it.” The commenter asserted that pursuant to Social Security Ruling (SSR) 79–19,⁵¹ an individual’s waiver of the right to personal appearance at a hearing needs to be “made voluntarily and knowingly.” The commenter said that a claimant who has not objected to appear remotely has neither “voluntarily nor knowingly” waived the right to appear in person. The commenter asserted that it follows that claimants also have the option to rescind an election for remote appearance at any time.

Response: The commenter has misconstrued SSR 79–19. That SSR provides guidance about waiver of a claimant’s statutory right to appear at a hearing, either personally or through a representative. Under our regulations, an ALJ may decide a case without a hearing if all the parties to the hearing indicate in writing that they do not wish to appear at a hearing.⁵² SSR 79–19 requires the agency to give a claimant who files a request for hearing a thorough explanation of the hearing procedures to help convey the importance of those procedures, and it sets forth the requirements for a valid waiver of the right to appear at a hearing. Contrary to the commenter’s statement, SSR 79–19 does not relate to manners of appearance, and neither SSR 79–19 nor any other authority requires a claimant to voluntarily and knowingly

waive the opportunity to appear in person before we can schedule another manner of appearance. Moreover, under our current rules, we routinely schedule claimants to appear at hearings by VTC, without requiring any waiver of the opportunity to appear in person.⁵³

Other

Comment: Multiple commenters said a claimant should have the right to a hearing before an ALJ who is local to the claimant’s residence. According to commenters, local healthcare options, cultural and other barriers to evidence, language, and other regional differences contribute to a claimant receiving a higher quality hearing before a local ALJ. Some commenters said that the proposed regulations “continue to encourage a problematic slide within our agency toward scheduling hearings with ALJs who lack knowledge of the claimant’s region.” Other commenters expressed that local ALJs are familiar with unique vocational factors and know the specific circuit’s case law. In addition, a commenter said local attorneys have sufficient experience and knowledge of local ALJs’ preferences, ranging from supplying evidence, to brief formatting and content, to how hearings are conducted. The commenter stated that familiarity with an ALJ’s preferences allows the entire hearing process to run more efficiently, and the consequential increased need to appear before non-local ALJs will result in longer hearings and more supplemental hearings, costing more in the end. The commenter said, in some cases, remote ALJs have seemed “disparaging and unreasonably disbelieving” of claimants from the commenter’s region, which has a “distinct cultural identity and racial and ethnic demography.”

Another commenter stated that the proposed notices do not inform claimants that choosing a remote appearance may result in their case being transferred to “any hearing office in the country,” and took issue with the lack of notice regarding the potential for cases to be transferred outside one’s local hearing office.

Response: We did not adopt these recommendations because claimants do not have a statutory right to a hearing in their region or locally. We administer a national program, and, unless a relevant acquiescence ruling applies, our ALJs apply our national policies to

⁵⁰ 20 CFR 404.957(b) and 416.1457(b).

⁵¹ See SSR 79–19, available at https://www.ssa.gov/OP/OP_Home/rulings/oasi/33/SSR79-19-oasi-33.html.

⁵² 20 CFR 404.948(b)(1)(i) and 416.1448(b)(1)(i).

⁵³ Under our current rules, we generally will not schedule a claimant to appear by VTC if the claimant timely objected to appearing in that manner. 20 CFR 404.936(d) and 416.1436(d).

all cases.⁵⁴ We also have extensive experience conducting hearings with ALJs who are in different locations than our claimants. For example, ALJs at our National Hearing Centers conduct hearings with claimants located throughout the nation. In addition, we transfer cases to other offices and regions to help balance our processing times. As we explained in our NPRM, we transferred approximately 17 percent of our cases in fiscal year 2022.⁵⁵

Our policy requires ALJs to conduct fair and impartial hearings⁵⁶ and we have processes and procedures in place to address any issues that arise.⁵⁷ Indeed, as previously explained in this rule, one of the driving factors behind this regulation is the desire to achieve greater equity for all claimants, including those from historically underserved racial or ethnic groups.

Comment: One commenter said claimants and their representatives should be allowed to opt for video appearances in every case, and they should never be required to appear by audio if they seek a video appearance (where the ALJ can observe the claimant).

Response: As we stated in an earlier response, it is not administratively feasible to allow claimants to select their preferred manner of appearance. However, this final rule provides for claimant input by allowing claimants to object to appearing by audio or agency video and by requiring a claimant's agreement to an appearance by online video. We must have flexibility in our scheduling process because we schedule hundreds of thousands of hearings per year, and flexibility enhances our efficiency.

If a claimant does not want to appear by audio, they can object to appearing in that manner. Under this final rule, we will generally not schedule an appearance by audio if the claimant timely objects to appearing in that manner. Generally, we will only schedule an appearance by audio,

notwithstanding an objection to appearing in that manner in very limited circumstances, when an appearance by video or in person is not available.⁵⁸ This is consistent with our current rules, which allow us to require an appearance by telephone in certain limited circumstances. Despite the current provisions, we have historically required a telephone appearance in very few cases. Even during the COVID-19 national public health emergency, we asked claimants if they agreed to appear by telephone before holding a hearing in that manner. Similarly, under this final rule, we expect that we will require a claimant to appear by audio notwithstanding their objection in few cases.

Comment: Multiple commenters indicated that the current election form⁵⁹ should be more user friendly. One commenter said that many claimants are confused by the current form, which has led those who would have preferred an audio or video appearance to wait years for an in-person appearance because they did not understand how to communicate their agreement to audio or video to us. The commenter provided a sample form and suggested we designate it as the "Manner of Appearance Election For Social Security Administrative Law Judge Hearings." They also suggested that we include the form with the letter that informs the claimant of the hearing process. Commenters said the letter should make clear that the claimant has 30 days to respond, or the hearing will be scheduled in person. According to the commenter, the proposed form could also be used to indicate a claimant's request to change the manner of appearance and the reason for the requested change.

Another commenter said the notice should explain how effectively ASL and other language access can be provided with each manner of appearance, including how all participants will be shown on the screen, when applicable, and whether there will be a number to call on the day of the hearing if they run into trouble accessing the hearing. An additional commenter expressed that there should be a more accessible method for claimants and representatives to state a preference for an in-person, audio, or video appearance.

⁵⁴ See 20 CFR 404.985 and 416.1485 and SSR 96-1p, available at https://www.ssa.gov/OP_Home/rulings/di/10/SSR96-01-di-10.html.

⁵⁵ See the *Manner of Appearance*, NPRM, Supporting Data Document, available at <https://www.regulations.gov> as a supporting document for Docket SSA-2022-0013.

⁵⁶ See HALLEX I-2-3-10 B.1 available at https://www.ssa.gov/OP_Home/hallex/I-02/I-2-3-10.html ("Regardless of a claimant's manner of appearance at the hearing, the [ALJ] must inquire fully into all matters at issue and conduct the hearing in a fair and impartial manner.")

⁵⁷ See SSR 13-1p available at https://www.ssa.gov/OP_Home/rulings/oasi/33/SSR2013-01-oasi-33.html and HALLEX I-1-8-4 available at https://www.ssa.gov/OP_Home/hallex/I-01/I-1-8-4.html and I-3-3-2 available at https://www.ssa.gov/OP_Home/hallex/I-03/I-3-3-2.html.

⁵⁸ See 20 CFR 404.936(d)(2)-(5); 404.937(b)(2), (c); 416.1436(d)(2)-(5); and 416.1437(b)(2), (c).

⁵⁹ Commenters likely referred to Remote Hearing Agreement Form (OMB control no. 0960-0671), available at: <https://www.ssa.gov/appeals/documents/RemoteHearingAgreementFormRepresentedClaimantandRepresentative.pdf>.

One commenter stated the new form should provide a check box near the top of the proposed form that states, "I wish to have an in-person hearing." According to the commenter, this would make this option a meaningful choice, and it would help claimants understand that in-person appearances are still an option. Multiple commenters advised the new form should remove the language that states, "I understand that by selecting this option my hearing may be delayed."

Finally, commenters expressed that it is important that the rule provides clear instructions for objecting to a remote appearance, opting for an in-person appearance, and for providing good cause for the late submission of an objection.

Response: We will provide a new notice and publication explaining the manners of appearance, a revised form (Form HA-55) allowing claimants to object to appearances by audio and agency video, and a new form allowing claimants to agree to appearances by online video. These documents will clearly explain the various manners of appearance, the requirements for each, and the time period for objecting to appearances by audio and by agency video and for agreeing to appearances by online video.

Our Request for Hearing Acknowledgment Letter (Form HA-L2) explains how claimants with limited English proficiency, or those who are deaf or hard of hearing, may request an interpreter, including for ASL. As we did throughout the COVID-19 national public health emergency, where requested, we will provide interpreters for all our manners of appearance. We also plan to revise our subregulatory policies to explain how we will offer interpreters for audio, agency video, and online video appearances. Based on our experience during the COVID-19 national public health emergency, we find that each manner of appearances is equally effective for all interpretation needs.

We also do not plan to adopt the suggestion to add a special checkbox for in-person appearances, because doing so would make it seem like in-person is the preferred or default manner. We will, though, seek approval from the Office of Management and Budget (OMB) for our revised objection form and new agreement form. As explained earlier, one of the goals of this regulation is to provide claimants with an opportunity to have input about their manner of appearance, based on what is best for them. As some of the public comments cited in this final rule indicate, an in-

person appearance is not necessarily what is best for every claimant.

Regulatory Procedures

Executive Order (E.O.) 12866, as Supplemented by E.O. 13563 and Amended by E.O. 14094

We have consulted with OMB and determined that this final rule meets the criteria for a significant regulatory action under E.O. 12866, as supplemented by E.O. 13563 and amended by 14094, and is subject to OMB review.

Anticipated Costs/Transfers to Our Program

The Office of the Chief Actuary estimates that there will be no significant changes in allowance rates for disability cases under the Old-Age, Survivors, and Disability Insurance (OASDI) and Federal SSI programs due to implementation of this final rule. The primary effects from implementing this final rule will be small cash flow effects due to conducting hearings and issuing decisions more timely. These changes are therefore expected to result in small changes of less than \$500,000 in scheduled OASDI benefit payments and Federal SSI payments over the period from fiscal year 2024 through fiscal year 2033.

Anticipated Administrative Cost/Savings

The Office of Budget, Finance, and Management estimates net administrative savings of less than 15 work years and \$2 million annually. We anticipate a small savings from lower ALJ, claimant, and representative travel costs, offset some by slightly higher costs from an increase in forms returned to us by claimants.

Anticipated Qualitative Benefits

As discussed in the NPRM, we expect that the flexibility provided by this rule will benefit claimants and our agency in several ways. First, we will be able to continue scheduling claimants to appear at hearings remotely, by audio (except when claimants object) and by online video (when claimants agree to this manner). Our experience, as well as that of claimants, during the COVID-19 national public health emergency showed that remote appearances are acceptable and beneficial to our hearing process. If claimants agree to appear by online video or do not object to appearing by audio, and we schedule them in one of those manners, they may save on costs associated with transportation (e.g., gas, maintenance of vehicle, bus fare), and they may save time that they would otherwise have

spent traveling. Likewise, they may not need to secure a replacement caregiver if they supervise family members or others, such as children, who cannot be left alone. In addition, if claimants have difficulty leaving the house because of limited mobility or other reasons, an online video or audio appearance will allow them to appear from a private location of their choice, such as their home.

This rule will also allow us to balance our workloads more efficiently among hearing offices because we can more easily transfer cases where the claimant is scheduled to appear by agency video, online video, or audio from one hearing office to another. We expect that this rule will help us to reduce overall wait and processing times across the country and reduce the disparities that exist from region to region and office to office.

Finally, the changes in this rule will allow us to be prepared for future emergency events, including localized events such as natural disasters and national public health emergencies similar to COVID-19 that could require us to temporarily suspend in-person or agency video appearances.

Congressional Review Act

This final rule is not a major rule as defined by the Congressional Review Act.⁶⁰

Executive Order 13132 (Federalism)

We analyzed this final rule in accordance with the principles and criteria established by Executive Order 13132 and determined that the final rule will not have sufficient federalism implications to warrant the preparation of a federalism assessment. We also determined that this final rule will not preempt any State law or State regulation or affect the States' abilities to discharge traditional State governmental functions.

Regulatory Flexibility Act

We certify that this final rule will not have a significant economic impact on a substantial number of small entities, as it affects individuals only. Therefore, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act, as amended.

Paperwork Reduction Act

SSA already has existing OMB PRA-approved information collection tools relating to this proposed rule under OMB Control No. 0960-0671: Form HA-504, Acknowledgement of Receipt (Notice of Hearing); Form HA-L83,

Acknowledgement of Receipt (Notice of Hearing) Cover Letter; Form HA-55, Objection to Appearing by Video Teleconferencing; Form HA-L2, Objection to Appearing by Video Teleconferencing Cover Letter; and Form HA-510, Waiver of Written Notice of Hearing. This final rule changes the ways in which the Social Security Administration conducts hearings, by expanding and clarifying our manner of appearance options. In addition, this rule clarifies that claimants may appear for hearings remotely using a telephone in the absence of extraordinary circumstances; and that claimants may also appear remotely by video using private electronic devices with approved online video conferencing applications, rather than only using SSA owned video equipment. We will need to revise the associated forms to reflect these changes. Overall, we do not anticipate significant burden changes due to this regulation. The burden chart below reflects our current burden estimates for the associated information collection tools, as well as the projected burden savings for the few Information Collections where we think the burden will change. We will obtain OMB approval for the revisions to the collection instruments concurrently with the effective date of this final rule.

In addition, due to the final rule, we are also creating a new notice, the HA-L54, Notice of Ways to Attend a Hearing, and a new Form, the HA-56, Agreement to Appearing by Online Video. The new notice, HA-L54, will explain in more detail the various ways to attend a hearing, the requirements for each appearance type, the ability to object to attending by audio or agency video, and the ability to agree to attending by online video. The HA-L54 will serve as a cover letter for Form HA-55 and new Form HA-56. The new form, HA-56, will allow claimants to agree to an appearance via online video (using MS Teams). Respondents will only use this form if they agree to an online video appearance. The instructions on both the HA-L54 and Form HA-56 will make this use of the Form HA-56 clear to the respondent. Claimants who wish to object to an appearance by audio or agency video will use the HA-55 to object.

The sections for the HA-56 and HA-L54 below report our anticipated public reporting burdens for these new forms.

Finally, as we created the new notice, HA-L54, we will no longer need to use the Claimant Enhanced Outreach Notices, since the new Notice replaces them. In addition, we also expect to replace the current Claimant Enhanced Outreach calls with one combined call,

⁶⁰ 5 U.S.C. 801 *et seq.*

since we will use the new HA-L54 to collect the necessary information prior to a hearing but may still need an Outreach call to initiate the hearing process. Since we are removing these information collections, we anticipate a

significant overall burden reduction for the public of about 168,366 hours. The chart below shows the overall burden reduction for this final rule. We will obtain OMB approval both for the modifications to the existing collection instruments and the new

collection instruments discussed above concurrently with the effective date of this final rule.

The following chart shows the time burden information associated with this final rule:

OMB #: form #: CFR citations	Number of respondents	Frequency of response	Average burden per response (minutes)	Current estimated total burden (hours)	Anticipated new number of responses under regulation	Anticipated estimated total burden under regulation (hours)	Estimated burden savings (hours)
HA-504+ HA-504-OP1 HA-504-OP2 404.938(c) 413.1438(c)	700,000	1	30	350,000	700,000	350,000	0
HA-L83-404.936(f); 404.938; 416.1436(f); 416.1438	700,000	1	30	350,000	700,000	350,000	0
HA-L83-Good cause for missing deadline-404.936(f)(2); 416.1436(f)(2)	5,000	1	5	417	5,000	417	0
HA-L83-Objection stating issues in notice are incorrect-sent 5 days prior to hearing 404.939; 416.1439	35,000	1	5	2,917	35,000	2,917	0
HA-L2 Acknowledgement Letter 404.936 416.1436	500,000	1	5	41,667	500,000	41,667	0
HA-L54, HA-56, and HA-55-404.936; 404.938; 416.1436; 416.1438	500,000	1	10	83,333	500,000	83,333	0
HA-L2-Verification of New Residence 404.936(d)(4); 416.1436(d)(1)	35,000	1	5	2,917	35,000	2,917	0
HA-L54-Notification of objection to audio and agency video and agreement to online video more than 30-days after receipt of notice showing good cause 404.936(d)(1) and (e)(1); 416.1436(d)(1) and (e)(1)	13,500	1	10	2,250	13,500	2,250	0
HA-510-404.938(a); 416.1438(a)	4,000	1	2	133	4,000	133	0
Claimant Enhanced Outreach-Initial Call No Representative (Unrepresented Claimant/ProSe)	75,190	1	10	12,532	0	0	12,532
Claimant Enhanced Outreach-Initial Call with Representative	201,400	1	10	33,567	0	0	33,567
Claimant Enhanced Outreach-Follow Up Call-No Representative (Unrepresented Claimant/ProSe)	37,500	1	60	37,500	0	0	37,500
Claimant Enhanced Outreach-Follow Up Call-With Representative	120,800	1	30	60,400	0	0	60,400
Claimant Enhanced Outreach Call	0	1	30	0	75,190	37,500	37,500
Remote Hearing Options Letter and Form Mailed to Representative	280,000	1	10	46,667	0	0	46,667
Microsoft Teams Video Hearing Call Script-Representative Payee Outreach	50	1	20	17	0	0	17
Microsoft Teams Hearing Call Script-Claimant Outreach	50	1	20	17	0	0	17
Totals	3,557,490	.....	.....	1,039,500	2,492,500	833,634	168,366

The following chart shows the theoretical cost burdens associated with this final rule:

OMB #: form #: CFR citations	Anticipated number of respondents	Frequency of response	Average burden per response (minutes)	Anticipated estimated total burden under regulation (hours)	Average theoretical hourly cost amount (dollars)*	Total annual opportunity cost (dollars)**
HA-504+ HA-504-OP1 HA-504-OP2 404.938(c) 413.1438(c)	700,000	1	30	350,000	*\$22.39	**\$7,836,500
HA-L83-404.936(f); 404.938; 416.1436(f); 416.1438	700,000	1	30	350,000	*22.39	**7,836,500
HA-L83-Good cause for missing deadline-404.936(f)(2); 416.1436(f)(2)	5,000	1	5	417	*22.39	**9,337
HA-L83-Objection stating issues in notice are incorrect-sent 5 days prior to hearing 404.939; 416.1439	35,000	1	5	2,917	*22.39	**65,312
HA-L2 Acknowledgement Letter 404.936 416.1436	500,000	1	5	41,667	*22.39	**932,924
HA-L54, HA-56, and HA-55-404.936; 404.938; 416.1436; 416.1438	500,000	1	10	83,333	*22.39	**1,865,826
HA-L2-Verification of New Residence 404.936(d)(4); 416.1436(d)(1)	35,000	1	5	2,917	*22.39	**65,312
HA-L54-Notification of objection to audio and agency video and agreement to online video more than 30-days after receipt of notice showing good cause 404.936(d)(1) and (e)(1); 416.1436(d)(1) and (e)(1)	13,500	1	10	2,250	*22.39	**50,378
HA-510-404.938(a); 416.1438(a)	4,000	1	2	133	*22.39	**2,978
Claimant Enhanced Outreach-Initial Call No Representative (Unrepresented Claimant/ProSe)	0	1	10	0	*0	**0
Claimant Enhanced Outreach-Initial Call with Representative	0	1	10	0	*0	**0

OMB #; form #; CFR citations	Anticipated number of respondents	Frequency of response	Average burden per response (minutes)	Anticipated estimated total burden under regulation (hours)	Average theoretical hourly cost amount (dollars)*	Total annual opportunity cost (dollars)**
Claimant Enhanced Outreach—Follow Up Call—No Representative (Unrepresented Claimant/ProSe)	0	1	60	0	*0	**0
Claimant Enhanced Outreach—Follow Up Call—With Representative	0	1	30	0	*0	**0
Claimant Enhanced Outreach Call	75,190	1	30	37,500	*22.39	839,625
Remote Hearing Options Letter and Form Mailed to Representative	0	1	10	0	*0	**0
Microsoft Teams Video Hearing Call Script—Representative Payee Outreach	0	1	20	0	*0	**0
Microsoft Teams Hearing Call Script—Claimant Outreach	0	1	20	0	*0	**0
Totals	2,492,500	.....	.....	833,634**	.....	** 19,504,692

* We based these figures on average DI hourly wages based on SSA's current FY 2024 SSI data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>); and on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.htm).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. There is no actual charge to respondents to complete the application.

SSA submitted an Information Collection Request under OMB No. 0960-0671 to OMB for the approval of the changes due to the final rule, which encompasses the revisions to these information collections.

As we have revised the associated burdens for the above-mentioned forms, and since we made revisions to the final rule which were not included at the NPRM stage, we are currently soliciting comment on the burden for the forms as shown in the charts above. If you would like to submit comments, please send them to:

Currently under Review—Open for Public Comments (<https://www.reginfo.gov/public/do/PRAMain>)⁶¹ and choosing to click on one of SSA's published items. Please reference Docket ID Number [SSA-2022-0013] in your submitted response.

Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-966-2830, Email address: OR.Reports.Clearance@ssa.gov.

You can submit comments until September 25, 2024, which is 30 days after the publication of this notice. To receive a copy of the OMB clearance package, contact the SSA Reports Clearance Officer using any of the above contact methods. We prefer to receive comments by email or fax.

List of Subjects

20 CFR Part 404

Administrative practice and procedure, Aged, Blind, Disability benefits, Individuals with disabilities, and Social Security.

⁶¹ Please note that the link to the specific ICR connected to this regulation will only become active the day after the final rule publishes in the Federal Register.

20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Social Security, and Supplemental Security Income (SSI).

The Commissioner of Social Security, Martin O'Malley, having reviewed and approved this document, is delegating the authority to electronically sign this document to Faye I. Lipsky, who is the primary Federal Register Liaison for SSA, for purposes of publication in the **Federal Register**.

Faye I. Lipsky,

Federal Register Liaison, Office of Legislation and Congressional Affairs, Social Security Administration.

For the reasons set out in the preamble, we amend 20 CFR chapter III, parts 404 and 416, as set forth below:

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950-)

Subpart J—Determinations, Administrative Review Process, and Reopening of Determinations and Decisions

■ 1. The authority citation for subpart J of part 404 continues to read as follows:

Authority: Secs. 201(j), 204(f), 205(a)–(b), (d)–(h), and (j), 221, 223(i), 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 401(j), 404(f), 405(a)–(b), (d)–(h), and (j), 421, 423(i), 425, and 902(a)(5)); sec. 5, Pub. L. 97–455, 96 Stat. 2500 (42 U.S.C. 405 note); secs. 5, 6(c)–(e), and 15, Pub. L. 98–460, 98 Stat. 1802 (42 U.S.C. 421 note); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Revise § 404.929 to read as follows:

§ 404.929 Hearing before an administrative law judge—general.

If you are dissatisfied with one of the determinations or decisions listed in § 404.930, you may request a hearing.

Subject to § 404.956, the Deputy Commissioner for Hearings Operations, or their delegate, will appoint an administrative law judge to conduct the hearing. If circumstances warrant, the Deputy Commissioner for Hearings Operations, or their delegate, may assign your case to another administrative law judge. We will schedule you to appear by audio, agency video, online video, or in person as set forth in § 404.936. Audio means telephone or similar audio-based technology in a private location you choose. Agency video means video, with audio functionality, using our equipment in one of our offices. Online video means video, with audio functionality, using a personal electronic device in a private location you choose. When we determine your manner of appearance, we consider the factors described in § 404.936(c)(1)(i) through (ii). You may submit new evidence (subject to the provisions of § 404.935), examine the evidence used in making the determination or decision under review, and present and question witnesses. The administrative law judge who conducts the hearing may ask you questions. The administrative law judge will issue a decision based on the preponderance of the evidence in the hearing record. If you waive your right to appear at the hearing, the administrative law judge will make a decision based on the preponderance of the evidence that is in the file and, subject to the provisions of § 404.935, any new evidence that may have been submitted for consideration.

■ 3. In § 404.936, revise the section heading and paragraphs (a) through (d), redesignate paragraphs (e) and (f) as paragraphs (f) and (g), and add a new paragraph (e).

The revisions and addition read as follows:

§ 404.936 Time, place, and manner of appearance for a hearing before an administrative law judge.

(a) *General.* We set the time and manner(s) of appearance for any hearing. We will set the place of a hearing when we schedule you and any other parties to the hearing to appear in person or by agency video. We may change the time, manner(s) of appearance, or place, if it is necessary. After sending you reasonable notice of the proposed action, the administrative law judge may adjourn or postpone the hearing or reopen it to receive additional evidence any time before the administrative law judge notifies you of a hearing decision.

(b) *Place of hearing.* If we set the place of the hearing, it can be in the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands. The “place” of the hearing is the hearing office or other site(s) at which you and any other parties to the hearing are located when you make your appearance(s) before the administrative law judge by agency video or in person. A party to a hearing may only appear from the geographic areas, noted in this subsection, in which we hold hearings.

(c) *Determining manner of appearance to schedule.* We will schedule you or any other party to the hearing to appear by audio, agency video, online video, or in person. We may schedule you to appear by online video only if you agree to appear in that manner.

(1) When we determine your manner of appearance at the hearing, we consider the following factors:

(i) Which manner of appearance would be the most efficient for conducting the hearing; and

(ii) Any facts in your particular case that provide a good reason to schedule your appearance by audio, agency video, online video, or in person.

(2) We will generally direct any person we call as a witness, other than you or any other party to the hearing, to appear by audio, by agency video, or by online video. Witnesses include medical experts and vocational experts. Witnesses you call will appear at the hearing pursuant to § 404.950(e). If they are unable to appear with you in the same manner as you, we will generally direct them to appear by agency video or by audio. We will consider directing witnesses to appear in person only when:

(i) A witness is unable to appear by other available manners of appearance;

(ii) We determine that an alternate manner of appearance would be less efficient than conducting the appearance in person; or

(iii) We find that there are facts in your particular case that provide a good reason to schedule this individual’s appearance in person.

(3) We follow the procedures set forth in § 404.937 to ensure the safety of the public and our employees in our hearing process.

(d) *Objecting to appearing by audio, by agency video, or both.* Prior to scheduling your hearing, we will notify you that we may schedule you to appear by audio or by agency video, or, if you agree, by online video. If you object to appearing by audio, by agency video, or both, you must notify us in writing within 30 days after the date you receive the notice. If you only object to appearing by audio, we may schedule you to appear in person, by agency video, or, if you agree, by online video. Similarly, if you only object to appearing by agency video, we may schedule you to appear in person, by audio, or, if you agree, by online video. If you object to appearing by both audio and agency video, and your residence does not change while your request for hearing is pending, we will schedule you to appear before the administrative law judge in person or, if you agree, by online video.

(1) If you notify us that you object to appearing by audio, by agency video, or both, more than 30 days after the date you receive our notice, we will extend the time period if you show you had good cause for missing the deadline. To determine whether good cause exists for extending the deadline, we use the standards explained in § 404.911.

(2) Notwithstanding any objections you may have to appearing by audio and subject to paragraph (d)(3) of this section, we will schedule you or any other party to the hearing to appear by audio when we cannot schedule you to appear by agency video or by online video and extraordinary circumstances prevent you from appearing in person. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(3) Notwithstanding any objections you may have to appearing by audio, if you are incarcerated and an appearance by agency video and online video is not available, we will schedule you to appear by audio, unless we find that there are facts in your particular case that provide a good reason to schedule you to appear in person, if allowed by the place of confinement, or by agency video, online video, or in person upon

your release. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(4) Notwithstanding any objections you may have to appearing by audio, by agency video, or both, if you change your residence while your request for hearing is pending, we will determine how you will appear, including by audio or by agency video, as provided in paragraph (c) of this section. For us to consider your change of residence when we schedule your hearing, you must submit evidence verifying your new residence. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(5) Notwithstanding any objection you may have to appearing by audio, we will schedule you or any other party to the hearing to appear by audio in the circumstances provided in § 404.937(b)(2)(ii) and (c). For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(e) *Time period to agree to an appearance by online video.* Prior to scheduling your hearing, we will notify you that we may schedule you to appear by online video if you agree to appear in that manner. To agree to appear by online video, you must notify us in writing within 30 days after the date you receive the notice. If you notify us that you agree to appearing by online video more than 30 days after the date you receive our notice, we will extend the time period if you show you had good cause for missing the deadline. To determine whether good cause exists for extending the deadline, we use the standards explained in § 404.911. You may withdraw your agreement any time before the start of your hearing.

* * * * *

■ 4. In § 404.937, revise paragraphs (b)(2)(ii) and (c) and add paragraph (e) to read as follows:

§ 404.937 Protecting the safety of the public and our employees in our hearing process.

* * * * *

(b) * * *

(2) * * *

(ii) Require that the hearing be conducted by audio, notwithstanding any objection to appearing by audio, or, if the claimant agrees, by online video.

(c) If we have banned a claimant from any of our facilities, we will provide the claimant with the opportunity for a hearing that will be conducted by audio, notwithstanding any objection to

appearing by audio, or, if the claimant agrees, by online video.

* * * * *

(e) For audio appearances under this section, we will call you or any other party to the hearing using your or their telephone number(s).

■ 5. In § 404.938, revise paragraph (b)(5) to read as follows:

§ 404.938 Notice of a hearing before an administrative law judge.

* * * * *

(b) * * *

(5) The time and manner(s) in which you, or any other party or witness, will appear. If we schedule you to appear in person or by agency video, as set forth in § 404.936, the notice of hearing will tell you the place of the hearing.

* * * * *

■ 6. Revise § 404.944 to read as follows:

§ 404.944 Administrative law judge hearing procedures—general.

A hearing is open to the parties and to other persons the administrative law judge considers necessary and proper. At the hearing, the administrative law judge looks fully into the issues, questions you and the other witnesses, and, subject to the provisions of § 404.935, accepts as evidence any documents that are material to the issues; may stop the hearing temporarily and continue it at a later date if the administrative law judge finds that there is material evidence missing at the hearing or one or more variables outside of our control, such as audio quality or video quality, materially affects the hearing; and may reopen the hearing at any time before the administrative law judge mails a notice of the decision in order to receive new and material evidence. For purposes of this section, materially affects means prevents the hearing from proceeding. The administrative law judge may decide when the evidence will be presented and when the issues will be discussed.

■ 7. In § 404.950, revise paragraph (a) and the second and third sentences in paragraph (e) to read as follows:

§ 404.950 Presenting evidence at a hearing before an administrative law judge.

(a) *The right to appear and present evidence.* Any party to a hearing has a right to appear before the administrative law judge, in the manner set forth in § 404.936, to present evidence and to state their position. A party may also make their appearance by means of a designated representative, who may make their appearance in the manner set forth in § 404.936.

* * * * *

(e) * * * If they are unable to appear with you in the same manner as you, they may appear as prescribed in § 404.936(c)(2). Witnesses called by the administrative law judge will appear in the manner prescribed in § 404.936(c)(2). * * *

* * * * *

■ 8. In § 404.976, revise paragraph (c) to read as follows:

§ 404.976 Procedures before the Appeals Council.

* * * * *

(c) *Oral argument.* You may request to appear before the Appeals Council to present oral argument in support of your request for review. The Appeals Council will grant your request if it decides that your case raises an important question of law or policy or that oral argument would help to reach a proper decision. If your request to appear is granted, the Appeals Council will tell you the time and place of the oral argument at least 10 business days before the scheduled date. The Appeals Council will determine whether your appearance will be by audio, agency video, online video, or in person as set forth in § 404.936. The Appeals Council will determine whether any other person relevant to the proceeding will appear by audio, agency video, online video, or in person as set forth in § 404.936(c)(2).

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart N—Determinations, Administrative Review Process, and Reopening of Determinations and Decisions

■ 9. The authority citation for subpart N of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1383, and 1383b); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 10. Revise § 416.1429 to read as follows:

§ 416.1429 Hearing before an administrative law judge—general.

If you are dissatisfied with one of the determinations or decisions listed in § 416.1430, you may request a hearing. Subject to § 416.1456, the Deputy Commissioner for Hearings Operations, or their delegate, will appoint an administrative law judge to conduct the hearing. If circumstances warrant, the Deputy Commissioner for Hearings Operations, or their delegate, may assign your case to another administrative law judge. We will schedule you to appear by audio, agency video, online video, or

in person as set forth in § 416.1436. Audio means telephone or similar audio-based technology in a private location you choose. Agency video means video, with audio functionality, using our equipment in one of our offices. Online video means video, with audio functionality, using a personal electronic device in a private location you choose. When we determine your manner of appearance, we consider the factors described in § 416.1436 (c)(1)(i) through (ii). You may submit new evidence (subject to the provisions of § 416.1435), examine the evidence used in making the determination or decision under review, and present and question witnesses. The administrative law judge who conducts the hearing may ask you questions. The administrative law judge will issue a decision based on the preponderance of the evidence in the hearing record. If you waive your right to appear at the hearing, the administrative law judge will make a decision based on the preponderance of the evidence that is in the file and, subject to the provisions of § 416.1435, any new evidence that may have been submitted for consideration.

■ 11. In § 416.1436, revise the section heading and paragraphs (a) through (d), redesignate paragraphs (e) and (f) as paragraphs (f) and (g), and add a new paragraph (e).

The revisions and addition read as follows:

§ 416.1436 Time, place, and manner of appearance for a hearing before an administrative law judge.

(a) *General.* We set the time and manner(s) of appearance for any hearing. We will set the place of a hearing when we schedule you and any other parties to the hearing to appear in person or by agency video. We may change the time, manner(s) of appearance, or place, if it is necessary. After sending you reasonable notice of the proposed action, the administrative law judge may adjourn or postpone the hearing or reopen it to receive additional evidence any time before the administrative law judge notifies you of a hearing decision.

(b) *Place of hearing.* If we set the place of the hearing, it can be in the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands. The “place” of the hearing is the hearing office or other site(s) at which you and any other parties to the hearing are located when you make your appearance(s) before the administrative law judge by agency video or in person. A party to a hearing

may only appear from the geographic areas, noted in this subsection, in which we hold hearings.

(c) *Determining manner of appearance to schedule.* We will schedule you or any other party to the hearing to appear by audio, agency video, online video, or in person. We may schedule you to appear by online video only if you agree to appear in that manner.

(1) When we determine your manner of appearance at the hearing, we consider the following factors:

(i) Which manner of appearance would be the most efficient for conducting the hearing; and

(ii) Any facts in your particular case that provide a good reason to schedule your appearance by audio, agency video, online video, or in person.

(2) We will generally direct any person we call as a witness, other than you or any other party to the hearing, to appear by audio, by agency video, or by online video. Witnesses include medical experts and vocational experts.

Witnesses you call will appear at the hearing pursuant to § 416.1450(e). If they are unable to appear with you in the same manner as you, we will generally direct them to appear by agency video or by audio. We will consider directing witnesses to appear in person only when:

(i) A witness is unable to appear by other available manners of appearance;

(ii) We determine that an alternate manner of appearance would be less efficient than conducting the appearance in person; or

(iii) We find that there are facts in your particular case that provide a good reason to schedule this individual's appearance in person.

(3) We follow the procedures set forth in § 416.1437 to ensure the safety of the public and our employees in our hearing process.

(d) *Objecting to appearing by audio, by agency video, or both.* Prior to scheduling your hearing, we will notify you that we may schedule you to appear by audio or by agency video, or, if you agree, by online video. If you object to appearing by audio, by agency video, or both, you must notify us in writing within 30 days after the date you receive the notice. If you only object to appearing by audio, we may schedule you to appear in person, by agency video, or, if you agree, by online video. Similarly, if you only object to appearing by agency video, we may schedule you to appear in person, by audio, or, if you agree, by online video. If you object to appearing by both audio and agency video, and your residence does not change while your request for

hearing is pending, we will schedule you to appear before the administrative law judge in person or, if you agree, by online video.

(1) If you notify us that you object to appearing by audio, by agency video, or both, more than 30 days after the date you receive our notice, we will extend the time period if you show you had good cause for missing the deadline. To determine whether good cause exists for extending the deadline, we use the standards explained in § 416.1411.

(2) Notwithstanding any objections you may have to appearing by audio and subject to paragraph (d)(3) of this section, we will schedule you or any other party to the hearing to appear by audio when we cannot schedule you to appear by agency video or by online video and extraordinary circumstances prevent you from appearing in person. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(3) Notwithstanding any objections you may have to appearing by audio, if you are incarcerated and an appearance by agency video and online video is not available, we will schedule you to appear by audio, unless we find that there are facts in your particular case that provide a good reason to schedule you to appear in person, if allowed by the place of confinement, or by agency video, online video, or in person upon your release. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(4) Notwithstanding any objections you may have to appearing by audio, by agency video, or both, if you change your residence while your request for hearing is pending, we will determine how you will appear, including by audio or by agency video, as provided in paragraph (c) of this section. For us to consider your change of residence when we schedule your hearing, you must submit evidence verifying your new residence. For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(5) Notwithstanding any objection you may have to appearing by audio, we will schedule you or any other party to the hearing to appear by audio in the circumstances provided in § 416.1437(b)(2)(ii) and (c). For audio appearances under this subsection, we will call you or any other party to the hearing using your or their telephone number(s).

(e) *Time period to agree to an appearance by online video.* Prior to scheduling your hearing, we will notify

you that we may schedule you to appear by online video if you agree to appear in that manner. To agree to appear by online video, you must notify us in writing within 30 days after the date you receive the notice. If you notify us that you agree to appearing by online video more than 30 days after the date you receive our notice, we will extend the time period if you show you had good cause for missing the deadline. To determine whether good cause exists for extending the deadline, we use the standards explained in § 416.1411. You may withdraw your agreement any time before the start of your hearing.

* * * * *

■ 12. In § 416.1437, revise paragraphs (b)(2)(ii) and (c) and add paragraph (e) to read as follows:

§ 416.1437 Protecting the safety of the public and our employees in our hearing process.

* * * * *

(b) * * *

(2) * * *

(ii) Require that the hearing be conducted by audio, notwithstanding any objection to appearing by audio, or, if the claimant agrees, by online video.

(c) If we have banned a claimant from any of our facilities, we will provide the claimant with the opportunity for a hearing that will be conducted by audio, notwithstanding any objection to appearing by audio, or, if the claimant agrees, by online video.

* * * * *

(e) For audio appearances under this section, we will call you or any other party to the hearing using your or their telephone number(s).

■ 13. In § 416.1438, revise paragraph (b)(5) to read as follows:

§ 416.1438 Notice of a hearing before an administrative law judge.

* * * * *

(b) * * *

(5) The time and manner(s) in which you, or any other party or witness, will appear. If we schedule you to appear in person or by agency video, as set forth in § 416.1436, the notice of hearing will tell you the place of the hearing.

* * * * *

■ 14. Revise § 416.1444 to read as follows:

§ 416.1444 Administrative law judge hearing procedures—general.

A hearing is open to the parties and to other persons the administrative law judge considers necessary and proper. At the hearing, the administrative law judge looks fully into the issues, questions you and the other witnesses,

and, subject to the provisions of § 416.1435, accepts as evidence any documents that are material to the issues; may stop the hearing temporarily and continue it at a later date if the administrative law judge finds that there is material evidence missing at the hearing or one or more variables outside of our control, such as audio quality or video quality, materially affects the hearing; and may reopen the hearing at any time before the administrative law judge mails a notice of the decision in order to receive new and material evidence. For purposes of this section, materially affects means prevents the hearing from proceeding. The administrative law judge may decide when the evidence will be presented and when the issues will be discussed.

■ 15. In § 416.1450, revise paragraph (a) and the second and third sentences in paragraph (e) to read as follows:

§ 416.1450 Presenting evidence at a hearing before an administrative law judge.

(a) *The right to appear and present evidence.* Any party to a hearing has a right to appear before the administrative law judge, in the manner set forth in § 416.1436, to present evidence and to state their position. A party may also make their appearance by means of a designated representative, who may make their appearance in the manner set forth in § 416.1436.

* * * * *

(e) * * * If they are unable to appear with you in the same manner as you, they may appear as prescribed in § 416.1436(c)(2). Witnesses called by the administrative law judge will appear in the manner prescribed in § 416.1436(c)(2). * * *

* * * * *

■ 16. In § 416.1476, revise paragraph (c) to read as follows:

§ 416.1476 Procedures before the Appeals Council.

* * * * *

(c) *Oral argument.* You may request to appear before the Appeals Council to present oral argument in support of your request for review. The Appeals Council will grant your request if it decides that your case raises an important question of law or policy or that oral argument would help to reach a proper decision. If your request to appear is granted, the Appeals Council will tell you the time and place of the oral argument at least 10 business days before the scheduled date. The Appeals Council will determine whether your appearance will be by audio, agency video, online video, or in person as set forth in § 416.1436. The Appeals Council will

determine whether any other person relevant to the proceeding will appear by audio, agency video, online video, or in person as set forth in § 416.1436(c)(2).

[FR Doc. 2024-18591 Filed 8-23-24; 8:45 am]

BILLING CODE 4191-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 900

[Docket No. FDA-2013-N-0134]

Mammography Quality Standards Act and Regulation Amendments: Small Entity Compliance Guide; Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification of availability.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the availability of a guidance for industry entitled “Mammography Quality Standards Act and Regulation Amendments: Small Entity Compliance Guide.” The Mammography Quality Standards Act of 1992 (MQSA) final rule amended FDA’s regulations to address, among other things, standards for accreditation bodies, certifying agencies, mammography equipment, quality assurance testing, and clinical image quality, as well as to require certain breast density information be provided by mammography facilities to patients and their healthcare providers. The small entity compliance guide (SECG) is intended to help small entities comply with the MQSA final rule.

DATES: August 26, 2024.

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-2013-N-0134 for “Mammography Quality Standards Act and Regulation Amendments: Small Entity Compliance Guide.” 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)).

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the

guidance. Submit written requests for a single hard copy of the SECG entitled “Mammography Quality Standards Act and Regulation Amendments: Small Entity Compliance Guide” to the Office of Policy, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Preetham Sudhaker, Division of Mammography Quality Standards, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Silver Spring, MD 20993, 301-796-5911.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of March 10, 2023 (88 FR 15126), FDA issued a final rule to update the mammography regulations that were issued under the MQSA and the Federal Food, Drug, and Cosmetic Act.¹ The final rule, amending

21 CFR 900.1 through 900.25, becomes effective September 10, 2024. FDA has prepared this SECG to assist small entities in complying with the requirements established in FDA regulations as they apply to mammography facilities.

This level 2 guidance is being issued consistent with our good guidance practices regulation (21 CFR 10.115(c)(2)). The SECG 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. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no new collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3521). The collections of information in the following table have been approved by OMB:

21 CFR part; guidance; or FDA form	Topic	OMB Control No.
900; Form FDA 3422	Mammography Quality Standards	0910-0309

III. Electronic Access

Persons interested in obtaining a copy of the SECG may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at <https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products>. This guidance document is also available at <https://www.regulations.gov> and <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>. Persons unable to download an electronic copy of “Mammography Quality Standards Act and Regulation Amendments: Small Entity Compliance Guide” may send an email request to CDRH-Guidance@fda.hhs.gov to receive an electronic copy of the document. Please use the document number GUI00007024 and complete title to identify the guidance you are requesting.

Dated: August 20, 2024.
Lauren K. Roth,
Associate Commissioner for Policy.
 [FR Doc. 2024-19059 Filed 8-23-24; 8:45 am]
BILLING CODE 4164-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2024-0712]

Special Local Regulation; Marine Events Within the Eleventh Coast Guard District-San Diego Bayfair

AGENCY: Coast Guard, DHS.
ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the San Diego Bayfair special local regulation on the waters of Mission Bay, California from September 13, 2024, through September 15, 2024. This

special local regulation is necessary to provide for the safety of the participants, crew, spectators, sponsor vessels, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from anchoring, blocking, loitering, or impeding within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: The regulation in 33 CFR 100.1101, Table 1 to § 100.1101, Item No. 9, will be enforced from 6 a.m. until 6 p.m., each day from September 13, 2024, through September 15, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Shelley Turner, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278-7656, email D11MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulation in 33 CFR 100.1101, Table 1

¹ The Office of the Federal Register has published this document under the category “Rules and Regulations” pursuant to 1 CFR 5.9(b). The Office

of the Federal Register’s categorization is solely for purposes of publication in the **Federal Register** and does not change the nature of the document and is

not intended to affect its validity, content, or intent. See 1 CFR 5.1(c).

to § 100.1101, Item No. 9, for the San Diego Bayfair race regulated area daily from 6 a.m. to 6 p.m., on September 13, 2024, through September 15, 2024. This action is being taken to provide for the safety of life on navigable waterways during this 3-day event. Our regulation for marine events within the Eleventh Coast Guard District, § 100.1101, Table 1 to § 100.1101, Item No. 9, specifies the location of the regulated area for the San Diego Bayfair which encompasses the waters of Mission Bay to include Fiesta Bay, the east side of Vacation Isle, and Crown Point shores. Under the provisions of § 100.1101, persons and vessels are prohibited from anchoring, blocking, loitering, or impeding within this regulated area unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this notice of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and Marine Safety Information Broadcasting.

If the Captain of the Port Sector San Diego or his designated representative determines that the regulated area need not be enforced for the full duration stated on this document, he or she may use a Safety Marine Information Broadcast or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

J.W. Spitzer,

Captain, U.S. Coast Guard, Captain of the Port San Diego.

[FR Doc. 2024-19023 Filed 8-23-24; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2024-0770]

RIN 1625-AA00

Safety Zone; West River Entrance, Shady Side, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for waters near the West River Entrance near Shady Side, Maryland within 200 yards of the sunken recreational vessel LOVEBUG and salvage operations. The

safety zone is needed to protect the public and vessels from potential hazards created by an obstruction to the West River and to ensure a safe working environment for the first responders and dive teams from passing traffic. This rule will prohibit persons or vessels from entering this zone unless specifically authorized by the Captain of the Port (COTP) Sector Maryland-National Capital Region (NCR) or a designated representative.

DATES: For purposes of enforcement, actual notice will be used from August 20, 2024, through August 26, 2024. This rule is effective and enforceable without actual notice from August 26, 2024 to August 30, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0770 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LCDR Kate Newkirk, Sector Maryland-NCR, Waterways Management Branch, U.S. Coast Guard; 410-365-8141, MDNCRWaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The yacht "Lovebug" ran aground a half-mile offshore of Maryland, between Beverly Beach and Curtis Point, on August 16, 2024. Salvage is currently underway. The Coast Guard is issuing this temporary rule under authority in 5 U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because salvage operations are occurring now, and immediate action is necessary to respond to the potential safety hazards associated with these emergency salvage operations. It is impracticable to publish an NPRM because we must establish this safety zone as soon as possible.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is necessary to ensure the safety of vessels and persons on these navigable waters during the emergency vessel salvage operation.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70034. The COTP Sector Maryland-NCR has determined that potential hazards associated with this vessel salvage operation starting on August 20, 2024, will be a safety concern for anyone within a 200-yard radius of the vessel salvage operation in the West River Entrance. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the vessel salvage operations are being conducted.

IV. Discussion of the Rule

This rule establishes a safety zone from August 20, 2024, through August 30, 2024. The safety zone will cover all navigable waters within 200 yards of the vessel salvage operation near Shady Side, Maryland, located at -38° 51.660 N, 076° 29.600 W. This rule is necessary to ensure the safety of vessels and persons during the vessel salvage operation. This rule will prohibit persons or vessels from entering this zone unless specifically authorized by the COTP or a designated representative.

The COTP or a designated representative may forbid and control the movement of all vessels in the zone. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the zone, citation for failure to comply, or both.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits.

This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on size, location, and duration of the proposed rulemaking. This safety zone would take place on a relatively small area of the West River Entrance and waters associated with Shady Side, MD, lasting from August 20, 2024, through August 30, 2024. Additionally, the Coast Guard would issue Broadcast Notices to Mariners via VHF-FM marine channel 16 about the safety zone so that waterway users may plan accordingly for transits during this restriction, and the rule will allow vessels to seek permission from the COTP Maryland-NCR or a designated representative to enter the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, does not apply to rules not subject to notice and comment. As the Coast Guard has, for good cause, waived notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act’s provisions do not apply here.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a 200-yard safety zone around salvage operations near the West River Entrance for 11 days. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1; 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1, Revision No. 01.3.

■ 2. Add § 165.T05–0170 to read as follows:

§ 165.T05–0170 Safety Zone; West River Entrance, Shady Side, MD.

(a) *Location.* The following area is a safety zone: all navigable waters within 200 yards of the location of the vessel LOVEBUG and associated salvage operation located at position –38° 51.660N, 076° 29.600W.

(b) *Enforcement period.* This section is effective from August 20, 2024 through August 30, 2024.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting through, or exiting from the safety zone described in paragraph (a) of this section is prohibited unless authorized by the COTP Maryland-NCR or a designated representative.

(2) Vessels desiring to transit the regulated area may do so only with prior approval of the COTP Maryland-NCR or a designated representative and when so directed will be operated at a minimum safe navigation speed in a manner that will not endanger salvage operations in the zone or any other vessels.

(3) The COTP Maryland-NCR or a designated representative may forbid and control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(4) Entry into this zone is prohibited unless authorized by the COTP Maryland-NCR or a designated representative.

(5) Persons or vessels seeking to enter or transit through the zone must request permission from the COTP Maryland-NCR or a designated representative. They may be contacted on VHF-FM channel 16 or by telephone at 410–576–2693.

(6) If permission is granted, all persons and vessels must comply with the instructions of the COTP Maryland-NCR or designated representative.

(d) *Informational broadcasts.* The COTP Maryland-NCR or a designated representative will inform the public through Broadcast Notices to Mariners of the enforcement period for the temporary safety zone as well as any changes in the planned schedule.

Dated: August 20, 2024.
Patrick C. Burkett,
Captain, U.S. Coast Guard, Captain of the Port, Sector Maryland-National Capital Region.
 [FR Doc. 2024–19045 Filed 8–23–24; 8:45 am]
BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 121

Service Standards for Market-Dominant Mail Products; Correction

AGENCY: Postal Service™.
ACTION: Correcting amendments.

SUMMARY: The Postal Service published a final rule in the **Federal Register** on November 30, 2022, regarding the revisions to service standards for market-dominant mail products, which became effective January 22, 2023. That rule added a service standard for USPS Connect™ Local Mail to the set of

service standards for First-Class Mail set forth in the Postal Service’s regulations. It inadvertently removed tables that were contained in an appendix. This document serves to correct the error by adding back the tables.

DATES: Effective August 26, 2024.
FOR FURTHER INFORMATION CONTACT: Andrew Pigott at 202–268–4031.
SUPPLEMENTARY INFORMATION: A final rule in the **Federal Register**, on November 30, 2022, at 87 FR 73468, regarding the revisions to *Service Standards for Market-Dominant Mail Products*, which took effect on January 22, 2023 contained errors. It added a service standard for USPS Connect™ Local Mail to the set of service standards for First-Class Mail set forth in the Postal Service’s regulations. The rule inadvertently removed tables 3 and 4 that were contained in appendix A to part 121, which were included in the last revision to 39 CFR part 121, published in the **Federal Register** on August 11, 2021, at 86 FR 43941. This

document serves to correct the error by adding tables 3 and 4 back into appendix A to part 121.

List of Subjects in 39 CFR Part 121

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 121 is corrected by making the following correcting amendment:

PART 121—SERVICE STANDARDS FOR MARKET-DOMINANT MAIL PRODUCTS

■ 1. The authority citation for part 121 continues to read as follows:

Authority: 39 U.S.C. 101, 401, 403, 404, 1001, 3691.

■ 2. In appendix A to part 121, add tables 3 and 4 to read as follows:

Appendix A to Part 121—Tables Depicting Service Standard Day Ranges

* * * * *

TABLE 3—DESTINATION ENTRY SERVICE STANDARD DAY RANGES FOR MAIL TO THE CONTIGUOUS 48 STATES AND THE DISTRICT OF COLUMBIA

Mail class	Contiguous United States			
	Destination entry (at appropriate facility)			
	DDU (days)	SCF (days)	ADC (days)	NDC (days)
Periodicals	1	1	1–2	2–3
USPS Marketing Mail	2	3–4	.....	5
Package Services	1	2	.....	3

TABLE 4—DESTINATION ENTRY SERVICE STANDARD DAY RANGES FOR MAIL TO NON-CONTIGUOUS STATES AND TERRITORIES

Mail class	Destination entry (at appropriate facility)									
	DDU (days)	SCF (days)			ADC (days)			NDC (days)		
		Alaska	Hawaii, Guam, MP, & AS	PR & USVI	Alaska	Hawaii, Guam, MP, & AS	PR & USVI	Alaska	Hawaii, Guam, MP, & AS	PR & USVI
Periodicals	1	1–3	1	1–3	1–4 (AK) 11 (JNU) 11 (KTN).	1 (HI) 2 (GU)	1–4	10–11	10	8–10
USPS Marketing Mail	2	3–4	3–5	3–5	.....	.....	.....	14	13	12
Package Services	1	2	2–3	2–3	.....	.....	.....	12	11	11

AK = Alaska 3-digit ZIP Codes 995–997; JNU = Juneau AK 3-digit ZIP Code 998; KTN = Ketchikan AK 3-digit ZIP Code 999; HI = Hawaii 3-digit ZIP Codes 967 and 968; GU = Guam 3-digit ZIP Code 969.

Christopher Doyle,
Attorney, Ethics and Legal Compliance.
 [FR Doc. 2024–18969 Filed 8–23–24; 8:45 am]
BILLING CODE 7710–12–P

**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 64****[WC Docket Nos. 12–375, 23–62; FCC 24–75; FR ID 237667]****Incarcerated People’s
Communications Services;
Implementation of the Martha Wright-
Reed Act; Rates for Interstate Inmate
Calling Services****AGENCY:** Federal Communications Commission.**ACTION:** Final rule; dismissal, partial grant and partial denial of petitions for reconsideration, clarification and waiver.

SUMMARY: In this document, the Federal Communications Commission (Commission) addresses and resolves multiple pending petitions in the incarcerated people’s communications services (IPCS) proceeding. The Commission grants the Hamilton Relay, Inc. petition for reconsideration of certain aspects of the *2022 ICS Order* released on September 30, 2022. The Commission dismisses the United Church of Christ and Public Knowledge petition for reconsideration of the *2021 ICS Order* released on May 24, 2021. The Commission dismisses the portion of the NCIC Inmate Communications petition for reconsideration of the *2021 ICS Order* that it had not previously addressed. The Commission dismisses a petition filed by Securus Technologies, LLC seeking clarification of one aspect of the *2021 ICS Order* and dismiss in part and otherwise denies the Securus petition for waiver of certain Commission rules.

DATES: August 26, 2024.**ADDRESSES:** Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (TTY).

FOR FURTHER INFORMATION CONTACT: Stephen Meil, Pricing Policy Division of the Wireline Competition Bureau, at (202) 418–7233 or via email at stephen.meil@fcc.gov, regarding the portions of this document relating to matters other than communications services for incarcerated people with disabilities, and Michael Scott, Disability Rights Office of the Consumer and Governmental Affairs Bureau, at

(202) 418–1264 or via email at michael.scott@fcc.gov, regarding the portions of this document relating to communications services for incarcerated people with disabilities.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order on Reconsideration, Clarification and Waiver, document FCC 24–75, adopted on July 18, 2024 and released on July 22, 2024, in WC Docket Nos. 12–375 and 23–62. This summary is based on the public redacted version of the document. The full text of the document FCC 24–75 can be accessed electronically via the FCC’s Electronic Document Management System (EDOCs) website at www.fcc.gov/edocs or via the FCC’s Electronic Comment Filing System (ECFS) website at www.fcc.gov/ecfs, or is available at the following internet address: <https://www.fcc.gov/document/fcc-caps-exorbitant-phone-video-call-rates-incarcerated-persons-their-families>.

Synopsis**I. Order on Reconsideration,
Clarification and Waiver**

1. We address and resolve multiple pending petitions in this proceeding. We grant the Hamilton Relay, Inc. petition for reconsideration of certain aspects of the *2022 ICS Order*, published at 87 FR 75496 (Dec. 9, 2022). We dismiss the United Church of Christ and Public Knowledge petition for reconsideration of the *2021 ICS Order*, published at 86 FR 40682 (July 28, 2021). We also dismiss the remainder of the NCIC petition for reconsideration not previously addressed. The NCIC petition seeks reconsideration of various aspects of the Commission’s treatment of site commissions in the *2021 ICS Order*, published at 86 FR 40682. The Commission previously addressed the portions of the petition relating to its interim caps for certain ancillary service charges in the *2022 ICS Order*. Given the actions we take addressing site commissions in this Order, we now dismiss as moot the remainder of the petition. We also dismiss a petition filed by Securus seeking clarification of one aspect of the *2021 ICS Order* and dismiss in part and otherwise deny the Securus petition for waiver of certain Commission rules.

**A. Hamilton Petition for
Reconsideration**

2. Hamilton Relay, Inc., seeks partial reconsideration of the requirement that Video Relay Service (VRS) and internet Protocol Captioned Telephone Service (IP CTS) providers update an incarcerated person’s registration

information within 30 days of the user being released from incarceration or transferred to a different correctional authority. Hamilton asserts that TRS providers will learn that an incarcerated person has been released or transferred only when notified by the correctional authority or the incarcerated person. Hamilton therefore asks us to modify § 64.611(k)(1)(iii) of our rules to require that VRS and IP CTS providers update an incarcerated person’s registration information within 30 days “of receiving written notification from such person or the correctional authority of” an incarcerated person’s release or transfer, rather than within 30 days “after” such release or transfer.” No party opposes this change.

3. As some commenters anticipate, this concern may be less pressing as a result of our determination above to allow enterprise registration for IP CTS in carceral settings. Nevertheless, to the extent that individual registration continues to be used, we agree that TRS providers are not expected to independently track the location status of incarcerated users who have individually registered for IP CTS or VRS. The allowed thirty-day period for updating registration information should begin upon the provider’s receipt of written notification of the incarcerated person’s release or transfer. Accordingly, we amend § 64.611(k)(1)(iii) to clarify the rule. We modify Hamilton’s proposed language to reflect that written notification may be received from the incarcerated person, the correctional authority, or the IPCS provider.

4. We also modify this provision to clarify the updated information that TRS providers must transmit to the TRS User Registration Database when an individual who registers for VRS or IP CTS while incarcerated is released. In addition to the individual’s residential address and Registered Location (if required), the update shall include any other required registration information not previously provided.

5. We therefore grant Hamilton’s Petition for Reconsideration with the modifications described herein.

B. Securus Petition for Clarification

6. We dismiss as moot Securus’s Petition for Clarification, which “addresses only contractually prescribed site commission payments.” With respect to such payments, Securus seeks clarification as to whether providers may use “revenues from ICS rates to pay site commission costs above the \$0.02 rate cap,” provided that the total charged to consumers does not exceed the applicable rate cap.

Securus's concern stems from the Commission's statement in the *2021 ICS Order* in which it confirmed that the \$0.02 per minute allowance for contractually prescribed site commissions "does not prevent or prohibit the payment of additional site commission amounts to correctional facilities should the calling services providers and the facility enter into a contract resulting in the provider making per-minute payments to the facility higher than \$0.02." Securus contends that the Commission's language "creates ambiguity over whether providers may pay additional site commissions from end user revenues collected under the provider-related rate component." In Securus's view, "[f]ailure to clarify the limits of site commission cost recovery from ICS rates . . . could result in some providers being competitively disadvantaged in the bidding process by which ICS service providers are selected to serve carceral facilities."

7. Our actions in the *2024 IPCS Report and Order*, which end the practice of paying site commissions, effectively moot Securus's request for clarification. Because the rules we adopt in connection with site commissions apply prospectively, there are no retroactive implications from these actions that we need to consider. Our reforms eliminate site commission payments associated with IPCS. Because IPCS providers will no longer be able to pay site commissions associated with their IPCS offerings, we need not clarify whether providers may use IPCS revenues to pay such site commissions.

C. Securus Waiver Petition

8. We dismiss in part and otherwise deny the Securus Waiver Petition. In its Waiver Petition, Securus seeks a waiver of §§ 64.6030, 64.6080, and 64.6090 of the Commission's rules so that "Securus and other providers" can offer "alternative rate options that promote increased calling while reducing costs." Because we adopt rules, in the *2024 IPCS Report and Order*, specifically allowing alternate pricing plans, including flat-rate pricing, Securus's requests for a waiver of § 64.6030, which specifies the use of mandatory rate caps on a per-minute basis, and § 64.6090, which prohibits flat-rate calling, are moot and are therefore dismissed.

9. We deny Securus's request for a waiver of § 64.6080, which prohibits per-call and per-connection charges, to the extent that request would permit a provider to impose such one-time charges in addition to any base rates for alternate pricing plans. We retain today

a key consumer protection rule at § 64.6080, and Securus does not explain why a waiver of this section of the rules is necessary in light of the alternate pricing plan rules we adopt in the Order.

II. Procedural Matters

10. *Final Regulatory Flexibility Analysis*. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) relating to this Report and Order and this Order on Reconsideration, Clarification, and Waiver. The FRFA is set forth in below.

11. *Congressional Review Act*. The Commission will not send a copy of this Order on Reconsideration, Clarification, and Waiver to Congress and the Government Accountability Office pursuant to the Congressional Review Act (CRA), see 5 U.S.C. 801(a)(1)(A), because it does not adopt any rule as defined in the CRA, 5 U.S.C. 804(3).

12. *Paperwork Reduction Act Analysis*. The Order on Reconsideration, Clarification, and Waiver does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. Therefore, it does not contain any new or modified information collection burdens for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

13. *People with Disabilities*. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202–418–0530.

III. Final Regulatory Flexibility Act Analysis

14. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), Initial Regulatory Flexibility Analyses (IRFAs) were incorporated in the *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, Notice of Proposed Rulemaking (NPRM) in WC Docket Nos. 23–62 and 12–375 (released in March 2023), in the Sixth Further Notice of Proposed Rulemaking in WC Docket No. 12–375 (released in September 2022), and in the Fifth Further Notice of Proposed Rulemaking in WC Docket No. 12–375 (released in May 2021). The Federal Communications Commission (Commission) sought written public

comment on the proposals in those documents, including comment on the IRFAs. No comments were filed addressing the IRFA. This present Final Regulatory Flexibility Analysis (FRFA), relating to the Report and Order and the Order on Reconsideration, Clarification and Waiver (collectively, Report and Order), conforms to the RFA.

A. Need for, and Objectives of, the Report and Order

15. The Report and Order implements the expanded authority granted to the Commission by the Martha Wright-Reed Act to establish a compensation plan that ensures both just and reasonable rates and charges for incarcerated people's audio and video communications services and fair compensation for incarcerated people's communication services (IPCS) providers. The Report and Order fundamentally reforms the regulation of IPCS in all correctional facilities, regardless of the technology used to deliver these services, and significantly lowers the IPCS rates that incarcerated people and their loved ones will pay.

16. The reforms adopted by the Report and Order: (1) utilize the expanded authority granted the Commission, in conjunction with the Commission's preexisting statutory authority, to adopt just and reasonable IPCS rates and charges for all intrastate, interstate, and international audio and video IPCS, including video visitation services, that ensure fair compensation for providers; (2) lower existing per-minute rate caps for audio IPCS, based on industry-wide cost data submitted by IPCS providers, while permitting states to maintain IPCS rates lower than the Commission's rate caps; (3) lower the overall prices consumers pay for IPCS and simplify the pricing structure by incorporating the costs of ancillary services in the rate caps and prohibiting providers from imposing any separate ancillary service charges on IPCS consumers; (4) prohibit IPCS providers from making site commission payments for IPCS and preempt state and local laws and regulations requiring such commissions; (5) limit the costs associated with safety and security measures that can be recovered in the per-minute rates to only those costs that the Commission finds used and useful in the provision of IPCS; (6) allow, subject to conditions, IPCS providers to offer alternate pricing plans for IPCS that comply with the rate caps we establish; (7) revise and strengthen accessibility requirements for IPCS for incarcerated people with disabilities; (8) revise and strengthen existing consumer disclosure and inactive account requirements; and (9)

revise the existing annual reporting and certification requirements. The Report and Order also addresses petitions for reconsideration, clarification and waiver pending in this proceeding.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

17. There were no comments filed that specifically addressed the proposed rules and policies presented in the IRFA.

C. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

18. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

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

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

20. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe, at the outset, three broad groups of small entities that could be directly affected herein. First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration’s (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees. These types of small businesses represent

99.9% of all businesses in the United States, which translates to 33.2 million businesses.

21. Next, the type of small entity described as a “small organization” is generally “any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.” The Internal Revenue Service (IRS) uses a revenue benchmark of \$50,000 or less to delineate its annual electronic filing requirements for small exempt organizations. Nationwide, for tax year 2022, there were approximately 530,109 small exempt organizations in the U.S. reporting revenues of \$50,000 or less according to the registration and tax data for exempt organizations available from the IRS.

22. Finally, the small entity described as a “small governmental jurisdiction” is defined generally as “governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.” U.S. Census Bureau data from the 2022 Census of Governments indicate there were 90,837 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States. Of this number, there were 36,845 general purpose governments (county, municipal, and town or township) with populations of less than 50,000 and 11,879 special purpose governments (independent school districts) with enrollment populations of less than 50,000. Accordingly, based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 entities fall into the category of “small governmental jurisdictions.”

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

also referred to as wireline carriers or fixed local service providers.

24. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were engaged in the provision of fixed local services. Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees. Consequently, using the SBA’s small business size standard, most of these providers can be considered small entities.

25. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include both incumbent and competitive local exchange service providers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were fixed local exchange service providers. Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees. Consequently, using the SBA’s small business size standard, most of these providers can be considered small entities.

26. *Incumbent Local Exchange Carriers (Incumbent LECs).* Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies

firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 1,212 providers that reported they were incumbent local exchange service providers. Of these providers, the Commission estimates that 916 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

27. *Competitive Local Exchange Carriers (CLECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 3,378 providers that reported they were competitive local service providers. Of these providers, the Commission estimates that 3,230 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

28. *Interexchange Carriers (IXCs).* Neither the Commission nor the SBA have developed a small business size standard specifically for Interexchange Carriers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal

Service Monitoring Report, as of December 31, 2021, there were 127 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 109 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, the Commission estimates that the majority of providers in this industry can be considered small entities.

29. *Local Resellers.* Neither the Commission nor the SBA have developed a small business size standard specifically for Local Resellers. Telecommunications Resellers is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry. The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year. Of that number, 1,375 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 207 providers that reported they were engaged in the provision of local resale services. Of these providers, the Commission estimates that 202 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

30. *Toll Resellers.* Neither the Commission nor the SBA have developed a small business size standard specifically for Toll Resellers. Telecommunications Resellers is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell

telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry. The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year. Of that number, 1,375 firms operated with fewer than 250 employees.

Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 457 providers that reported they were engaged in the provision of toll services. Of these providers, the Commission estimates that 438 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

31. *Other Toll Carriers.* Neither the Commission nor the SBA has developed a definition for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 90 providers that reported they were engaged in the provision of other toll services. Of these providers, the Commission estimates that 87 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

32. *Payphone Service Providers (PSPs).* Neither the Commission nor the SBA have developed a small business size standard specifically for payphone service providers, a group that includes incarcerated people's services providers. Telecommunications Resellers is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry

comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry. The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year. Of that number, 1,375 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 36 providers that reported they were engaged in the provision of payphone services. Of these providers, the Commission estimates that 32 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

33. *Telecommunications Relay Service (TRS) Providers.* Telecommunications relay services enable individuals who are deaf, hard of hearing, deafblind, or who have a speech disability to communicate by telephone in a manner that is functionally equivalent to using voice communication services. Internet-based TRS connects an individual with a hearing or a speech disability to a TRS communications assistant using an internet Protocol-enabled device via the internet, rather than the public switched telephone network. Video Relay Service (VRS) one form of internet-based TRS, enables people with hearing or speech disabilities who use sign language to communicate with voice telephone users over a broadband connection using a video communication device. Internet Protocol Captioned Telephone Service (IP CTS) another form of internet-based TRS, permits a person with hearing loss to have a telephone conversation while reading captions of what the other party is saying on an internet-connected device. A third form of internet-based TRS, internet Protocol Relay Service (IP Relay), permits an individual with a hearing or a speech disability to communicate in text using an internet Protocol-enabled device via the internet, rather than using a text telephone (TTY) and the public

switched telephone network. Providers must be certified by the Commission to provide VRS and IP CTS and to receive compensation from the TRS Fund for TRS provided in accordance with applicable rules. Analog forms of TRS, text telephone (TTY), Speech-to-Speech Relay Service, and Captioned Telephone Service, are provided through state TRS programs, which also must be certified by the Commission.

34. Neither the Commission nor the SBA have developed a small business size standard specifically for TRS Providers. All Other Telecommunications is the closest industry with a SBA small business size standard. Internet Service Providers (ISPs) and Voice over internet Protocol (VoIP) services, via client-supplied telecommunications connections are included in this industry. The SBA small business size standard for this industry classifies firms with annual receipts of \$35 million or less as small. U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year. Of those firms, 1,039 had revenue of less than \$25 million. Based on Commission data there are 14 certified internet-based TRS providers and two analog forms of TRS providers. The Commission however does not compile financial information for these providers. Nevertheless, based on available information, the Commission estimates that most providers in this industry are small entities.

35. *All Other Telecommunications.* This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems. Providers of internet services (e.g., dial-up ISPs) or Voice over Internet Protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry. The SBA small business size standard for this industry classifies firms with annual receipts of \$40 million or less as small. U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year. Of those firms, 1,039 had revenue of less than \$25 million. Based on this data, the Commission estimates that the majority

of "All Other Telecommunications" firms can be considered small.

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

36. IPCS providers, including any that may be small entities, will need to change their operations, recordkeeping, and reporting to comply with the requirements of the Report and Order. These requirements include compliance with the rate caps the Report and Order establishes for IPCS. While the new rate cap structure is lower than the preexisting per-minute rate caps, given that the rate caps are based on cost data provided by IPCS providers, including smaller providers, small entities are likely to be able to recover their costs in the same manner as larger providers. Additionally, because the rate caps apply to both interstate and intrastate IPCS, the new rate cap structure reduces the recordkeeping and reporting burdens of complying with the Commission's rules with regards to audio IPCS because providers will no longer need to determine the jurisdictional nature of each call. The Report and Order's requirements also include a prohibition on the assessment of ancillary service charges associated with IPCS, which will greatly reduce the recordkeeping burdens on providers and simplify their billing operations.

37. The Report and Order prohibits IPCS providers from paying site commissions of any kind associated with IPCS and eliminates the requirement under the Commission's rules for providers to label, and disclose the source of, those payments on consumers' bills. The Report and Order requires that, where facilities claim to incur costs related to IPCS, providers are to determine whether those costs are in fact used and useful in the provision of IPCS and are, therefore, reimbursable under the Commission's rules. These changes will reduce the burdens of the Commission's billing rules, while requiring that IPCS providers make determinations regarding whether cost claims submitted to them by facilities are consistent with Commission requirements.

38. The Report and Order allows providers the option to offer alternate pricing plans in addition to providing IPCS at per-minute rates. IPCS providers may elect whether to offer such plans, and should they elect to do so, they may determine the format of such plans, provided that these plans comply with the Commission's generally applicable IPCS rules, certain specified limitations, and other safeguards adopted in the Report and Order. The Report and Order

establishes additional requirements for alternative pricing plans regarding renewed communications, automatic renewals, and consumer cancellation.

39. The Report and Order adopts consumer disclosure requirements applicable to all IPCS, including requirements that providers disclose their IPCS rates, charges, and associated practices on their publicly available websites in a manner that is easily accessible and available to all members of the public. Providers must also make these disclosures available via their online and mobile applications, if consumers use such applications to enroll, and on paper, upon a consumer's request. The Report and Order further requires providers to make available billing statements and statements of account to account holders on a monthly basis, and details regarding the timing, manner, and content requirements for these and other disclosure documents for alternate pricing plans. The Report and Order also ensures that the consumer disclosure rules, as amended, apply to all IPCS providers subject to the Commission's expanded jurisdiction under the Martha Wright-Reed Act.

40. The Report and Order extends the Commission's rules regarding inactive accounts to apply to all accounts that can be used to pay an IPCS-related rate or charge, to the extent they are controlled by IPCS providers or their affiliates. The Report and Order reaffirms that providers are barred from improperly disposing of unused funds in inactive accounts (which includes disposing of such funds before 180 calendar days of continuous account inactivity has passed), and are required to undertake reasonable efforts to refund unused funds. The Report and Order expands upon these rules, including by requiring providers to (1) contact the relevant account holder if and when they become aware that an incarcerated person has been released or transferred or upon the expiration of the 180-day inactivity period, (2) issue refunds within 30 calendar days of a request from an account holder, or of an account being deemed inactive (even in the absence of such a request), and (3) notify account holders of the status of IPCS accounts prior to their being deemed inactive. However, the Report and Order limits the requirement for automatic refunds (*i.e.*, in the absence of a consumer's specific request) to account balances of greater than \$1.50. The Report and Order also clarifies what "reasonable efforts" entail, the procedures to follow if "reasonable efforts" to refund inactive accounts fail, and which refund mechanisms

providers may use. Additionally, the Report and Order reaffirms and clarifies the exception to these rules that allows a provider to dispose of funds in inactive accounts in compliance with a controlling judicial or administrative mandate.

41. The Report and Order modifies the scope and content of the annual reporting requirements, to reflect the Commission's expanded jurisdiction under the Martha Wright-Reed Act, to include the full scope of IPCS and all providers of IPCS, and to reflect the changes to the Commission's rules adopted in the Report and Order. The Report and Order also amends the Commission's part 14 rules as appropriate to reflect the Martha Wright-Reed Act's expansion of the Communications Act's definition of "advanced communication service." It also modifies the Commission's rules to allow a form of enterprise registration for the use of Internet Protocol Captioned Telephone Service (IP CTS) in carceral facilities and clarifies that internet-based IPCS providers may provide access to traditional (TTY-based) TRS via real-time text. The Report and Order on Reconsideration also amends the Commission's rules to require that VRS and IP CTS providers update an incarcerated person's registration information within 30 days of receiving written notification from such person, the correctional authority, or IPCS provider of an incarcerated person's release or transfer.

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

42. The RFA requires an agency to provide, "a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected."

43. In the Report and Order, the Commission adopts a new, more comprehensive set of rate caps that differentiate between prisons and jails, and between four different sizes of jails—large, medium, small and very small—based on average daily population (ADP). The use of four different size tiers is supported in the record and accounts for differences in costs incurred by providers serving these different facility sizes. The Commission conducts a cost analysis

specific to each size tier using data submitted by IPCS providers and adopts new rate caps for each of these facility size and type categories for both audio and video IPCS. The Commission believes that these actions properly recognize that some jails may be more costly for providers to serve than prisons, and similarly that jails with smaller ADPs may be more costly for providers to serve than those with larger ADPs.

44. Compliance with the Commission's new audio and video rate caps and its rules eliminating site commission payments will be required by January 1, 2025 for prisons and for jails with ADPs of 1,000 or above incarcerated persons where no site commissions mandated by law are currently paid; by April 1, 2025 for jails with ADPs less than 1,000 where no site commissions mandated by law are currently paid; and by July 1, 2025 for all size facilities where site commissions mandated by law are currently paid. The Commission extended the compliance deadline for providers serving smaller jails to account for the additional time that these facilities, and the providers that serve them, may need to adapt to the changes adopted in the Report and Order.

45. The Commission recognizes that it cannot foreclose the possibility that in certain limited instances, certain providers, possibly smaller providers with less ability to spread their costs over a larger number of facilities or minutes of use, may not be able to recover their costs of providing IPCS under the rate caps adopted in the Report and Order. To minimize the burden on such providers, the Commission retains, with modifications, its waiver process, which allows providers to seek relief from its rules at the facility or contract level if they can demonstrate that they are unable to recover their used and useful IPCS-related costs at that facility or for that contract. The Commission modifies this process to reflect the provisions of the Martha Wright-Reed Act, including its new authority thereunder. The waiver process will allow the Commission to review individual providers' data and potentially allow these providers to charge rates that enable them to recover their costs of providing IPCS at that facility or under that contract. This waiver process should benefit any IPCS providers that may be small businesses unable to recover their costs under the new rate caps.

46. In the Report and Order, the Commission prohibits providers from assessing ancillary service charges in

addition to per-minute rates for IPCS. The Commission incorporates the costs of providing ancillary services in its rate caps to allow providers the opportunity to recover their average costs of providing these ancillary services, while eliminating the burden of administering independent billing processes for each of these services. At the same time, eliminating all separately assessed ancillary service charges prevents providers from engaging in rent-seeking activity in their application of these charges, helping to ensure that IPCS rates and charges are just and reasonable.

47. The Commission revises its rules to make clear that IPCS providers may meet the requirement to provide access to traditional TRS via real-time text, as an alternative to TTY transmissions, if real-time text transmission is supported by the available devices and reliable service can be provided by this method. Permitting this alternative affords providers further flexibility in conducting their operations, and accommodates the needs of smaller providers that may have insufficient resources to expand or otherwise adjust their service format and infrastructure to enable TTY transmission.

48. The Commission revises its rules to permit providers to implement alternate pricing plans, other than per-minute pricing, subject to rules and conditions to protect IPCS consumers. Any provider that adopts these plans must offer them as a voluntary alternative to per-minute pricing. Providers are not required to offer such plans, but should they elect to do so, they will have the flexibility to determine the format of the plans they offer. Permitting this additional means of providing IPCS affords providers, including smaller providers, further flexibility in conducting their operations.

49. The Commission's rate caps incorporate the costs of only a subset of the safety and security measures reported by providers. The rate caps incorporate the costs of the two categories that the Commission finds to be both used and useful in the provision of IPCS: Communications Assistance for Law Enforcement Act (CALEA) compliance measures and communications security services. Because cost recovery through the rate caps is only accommodated for a more limited set of such measures, providers, particularly smaller providers, may not

need to be capable of offering more sophisticated safety and security services in order to successfully compete for IPCS contracts.

G. Report to Congress

50. The Commission will send a copy of the Report and Order, including this FRFA, in a report to be sent to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the Report and Order, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the Report and Order and FRFA (or summaries thereof) will also be published in the **Federal Register**.

IV. Ordering Clauses

51. Accordingly, *it is ordered* that, pursuant to the authority contained in §§ 1, 2, 4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), this Order on Reconsideration, Clarification and Waiver *is adopted*.

52. *It is further ordered* that, pursuant to the authority contained in §§ 1, 2, 4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716, of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), the Petition for Reconsideration, filed August 27, 2021 and amended December 14, 2022, by the United Church of Christ, OC Inc. and Public Knowledge *is dismissed* as described herein.

53. *It is further ordered* that, pursuant to the authority contained in §§ 1, 2, 4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716, of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), the Petition for Reconsideration, filed August 21, 2021, by NCIC Inmate Communications *is dismissed* as described herein.

54. *It is further ordered* that, pursuant to the authority contained in §§ 1, 2,

4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716, of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), the Petition for Partial Reconsideration, filed January 9, 2023, by Hamilton Relay, Inc. *is granted* as described herein.

55. *It is further ordered* that, pursuant to the authority contained in §§ 1, 2, 4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716, of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), the Petition for Clarification, filed September 17, 2021, by Securus Technologies, LLC *is dismissed* as described herein.

56. *It is further ordered* that, pursuant to the authority contained in §§ 1, 2, 4(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 716, of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat 6156 (2022), the Petition for Waiver, filed August 30, 2021, by Securus Technologies, LLC *is dismissed in part and otherwise denied* as described herein.

57. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Order on Reconsideration, Clarification, and Waiver, including the Final Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

58. *It is further ordered* that the Office of the Managing Director, Performance Evaluation and Records Management, *shall send* a copy of this Order on Reconsideration, Clarification, and Waiver in a report to be sent to Congress and the Government Accountability Officer pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2024–18605 Filed 8–23–24; 8:45 am]

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Proposed Rules

Federal Register

Vol. 89, No. 165

Monday, August 26, 2024

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

9 CFR Part 201

[Doc. No. AMS–FTPP–21–0046]

RIN 0581–AE04

Fair and Competitive Livestock and Poultry Markets

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice; extension of comment period.

SUMMARY: The Agricultural Marketing Service (AMS) is extending the public comment period an additional 15 days regarding proposed revisions to the regulations under the Packers and Stockyards Act, 1921, that promote fair and competitive markets in the livestock, meats, poultry, and live poultry markets.

DATES: The comment period for the notice originally published on June 28, 2024 (89 FR 53886) is extended. Comments must be submitted on or before September 11, 2024.

ADDRESSES: Comments must be submitted through the Federal e-rulemaking portal at <https://www.regulations.gov> and should reference the document number and the date and page number of this issue of the **Federal Register**. AMS strongly prefers comments be submitted electronically. However, written comments may be submitted (*i.e.*, delivered, not postmarked) via mail on or before September 11, 2024, to Docket No. AMS–FTPP–21–0046, S. Brett Offutt, Chief Legal Officer, Packers and Stockyards Division, USDA, AMS, FTTPP; Room 2097–S, Mail Stop 3601, 1400 Independence Ave. SW, Washington, DC 20250–3601. All comments submitted in response to this proposed rule will be included in the record and will be made available to the public, as submitted, including any identifying information. Comments can be submitted anonymously by entering

“N/A” in the fields that would identify the commenter. Pursuant to 5 U.S.C. 553(b)(4), a plain language summary of this proposed rule is available on <https://www.regulations.gov> in the docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: S. Brett Offutt, Chief Legal Officer/Policy Advisor, Packers and Stockyards Division, USDA AMS Fair Trade Practices Program, 1400 Independence Ave. SW, Washington, DC 20250; Phone: (202) 690–4355; or email: s.brett.offutt@usda.gov.

SUPPLEMENTARY INFORMATION: A proposed rule published in the **Federal Register** on June 28, 2024 (89 FR 53886), would revise the regulations under the Packers and Stockyards Act (7 U.S.C. 181 *et seq.*) at 9 CFR part 201. Under the proposal, USDA AMS would amend the regulations under the Packers and Stockyards Act of 1921 (the P&S Act or the Act) to clarify the unfair practices that the P&S Act prohibits. The proposed rule would define unfair practices as conduct that harms market participants and conduct that harms the market.

The notice of proposed rulemaking established a 60-day comment period, ending August 27, 2024. During the initial comment period, AMS received requests from several industry organizations asking for additional time to submit comments and citing the proposed rule’s impact across different species, regions, and business models, including possible legal and economic impacts on the business relationships between livestock suppliers and packers, and contract farmers and poultry integrators. AMS is extending the comment period related to this proposed rule. Comments must be submitted on or before September 11, 2024.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2024–18825 Filed 8–23–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2084; Airspace Docket No. 24–AGL–14]

RIN 2120–AA66

Establishment of Class E Airspace; Zeeland, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at Zeeland, MI. The FAA is proposing this action due to the development of new public instrument procedures at The Ottawa Executive Airport, Zeeland, MI, and to support instrument flight rule (IFR) operations.

DATES: Comments must be received on or before October 10, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2084 and Airspace Docket No. 24–AGL–14 using any of the following methods:

* *Federal eRulemaking Portal:* Go to www.regulations.gov and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 OF THE West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and

subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5857.

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 extending upward from 700 feet above the surface at The Ottawa Executive Airport, Zeeland, MI, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA

will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post 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-14FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing to amend 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface to within a 6.4-mile radius of The Ottawa Executive Airport, Zeeland, MI.

The FAA is proposing this action due to the development of new public instrument procedures at this airport and to support IFR operations.

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.

List 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 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

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

* * * * *

AGL MI E5 Zeeland, MI [Establish]

The Ottawa Executive Airport, MI
(Lat 42°49'02" N, long 85°55'41" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of The Ottawa Executive Airport.

* * * * *

Issued in Fort Worth, Texas, on August 19, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group,
ATO Central Service Center.

[FR Doc. 2024-18871 Filed 8-23-24; 8:45 am]

BILLING CODE 4910-13-P

**ENVIRONMENTAL PROTECTION
AGENCY**
40 CFR Part 52

[EPA-R06-OAR-2022-0311; FRL-12095-01-R6]

**Approval and Promulgation of Air
Quality Implementation Plans; Texas;
Federal Implementation Plan for the
Rusk-Panola Sulfur Dioxide
Nonattainment Area**

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing a Federal Implementation Plan (FIP) to establish enforceable emission limits for attaining the 2010 1-hour sulfur dioxide (SO₂) primary national ambient air quality standard (NAAQS) for the Rusk and Panola Counties, Texas nonattainment area (Rusk-Panola area). The EPA is proposing the FIP to address deficiencies in Texas' 2022 Rusk-Panola area attainment State Implementation Plan (SIP) revision, as identified in the EPA's proposed limited approval and limited disapproval of that SIP, and which can be found in the same docket as this action. Under the limited approval, if finalized, the entire SIP submission would become federally enforceable. The limited disapproval, if finalized, would trigger the 2-year deadline for EPA to finalize a FIP that addresses the deficiencies in the SIP as well as the 18-month deadline to impose mandatory emission offsets and highway funding sanctions. The EPA is proposing to determine that the proposed FIP would provide for attainment of the 2010 1-hour primary SO₂ NAAQS in the Rusk-Panola SO₂ nonattainment area and meets the other applicable requirements under the Clean Air Act (CAA).

DATES: Comments must be received on or before October 7, 2024.

Virtual Public hearing: The EPA will hold a virtual public hearing to solicit comments on September 5, 2024. The last day to pre-register to speak at the hearing will be on September 3, 2024. On September 4, 2024, the EPA will post a general agenda for the hearing that will list pre-registered speakers in approximate order at <https://www.epa.gov/tx/rusk-panola-so2-nonattainment-area>. If you require the services of a translator or a special accommodation such as audio description/closed captioning, please pre-register for the hearing and describe your needs by August 28, 2024.

For more information on the virtual public hearing, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R06-OAR-2022-0311 at <http://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Andrew Lee, EPA Region 6 Office, Ozone and Infrastructure Section, 214-665-6750, lee.andrew.c@epa.gov. We encourage the public to submit comments via <https://www.regulations.gov>. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket. Modeling files and other files related to the alternative model review are available upon request. Copyrighted

materials are available for review in person at EPA Region 6 office in Dallas.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever "we," "us," or "our" is used, we mean the EPA.

Virtual Public Hearing

The EPA is holding a virtual public hearing to provide interested parties the opportunity to present data, views, or arguments concerning the proposal. The EPA will hold a virtual public hearing to solicit comments on September 5, 2024. The hearing will convene at 3:00 p.m. Central Time (CT) with a 30-minute break from 5:00 to 5:30 p.m. CT. The hearing will conclude at 7:00 p.m. CT, or 15 minutes after the last pre-registered presenter in attendance has presented if there are no additional presenters. The EPA will announce further details, including information on how to register for the virtual public hearing, on the virtual public hearing website at <https://www.epa.gov/tx/rusk-panola-so2-nonattainment-area>. The EPA will begin pre-registering speakers and attendees for the hearing upon publication of this document in the **Federal Register**. To pre-register to attend or speak at the virtual public hearing, please use the online registration form available at <https://www.epa.gov/tx/rusk-panola-so2-nonattainment-area> or contact us via email at lee.andrew.c@epa.gov. The last day to pre-register to speak at the hearing will be on September 3, 2024. On September 4, 2024, the EPA will post a general agenda for the hearing that will list pre-registered speakers in approximate order at <https://www.epa.gov/tx/rusk-panola-so2-nonattainment-area>. Additionally, requests to speak will be taken on the day of the hearing as time allows.

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearing to run either ahead of schedule or behind schedule. Each commenter will have approximately 3 to 5 minutes to provide oral testimony. The EPA encourages commenters to provide the EPA with a copy of their oral testimony electronically by including it in the registration form or emailing it to lee.andrew.c@epa.gov. The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the virtual

public hearing. A transcript of the virtual public hearing, as well as copies of oral presentations submitted to the EPA, will be included in the docket for this action.

The EPA is asking all hearing attendees to pre-register, even those who do not intend to speak. The EPA will send information on how to join the public hearing to pre-registered attendees and speakers.

Please note that any updates made to any aspect of the hearing will be posted online at <https://www.epa.gov/tx/rusk-panola-so2-nonattainment-area>. While the EPA expects the hearing to go forward as set forth above, please monitor our website or contact us via email at lee.andrew.c@epa.gov to determine if there are any updates. The EPA does not intend to publish a document in the **Federal Register** announcing updates.

If you require the services of a translator or a special accommodation such as audio description/closed captioning, please pre-register for the hearing and describe your needs by August 28, 2024. The EPA may not be able to arrange accommodations without advance notice.

I. SO₂ Background

On June 22, 2010, the EPA published a new 1-hour primary SO₂ NAAQS of 75 parts per billion (ppb), which is met at an ambient air quality monitoring site when the 3-year average of the annual 99th percentile of daily maximum 1-hour average concentrations does not exceed 75 ppb, as determined in accordance with appendix T of 40 CFR part 50. On December 13, 2016, the EPA designated portions of Rusk and Panola Counties surrounding the Martin Lake Power Plant (“Martin Lake”) in Texas as nonattainment for the 2010 1-hour primary SO₂ NAAQS, effective January 12, 2017.¹ Section 191 of the CAA directs states to submit SIPs for nonattainment areas to the EPA within 18 months of the effective date of the designation, *i.e.*, by no later than July 12, 2018, for the Rusk-Panola area. Under CAA section 192, these SO₂ SIPs are required to demonstrate that their respective areas will attain the NAAQS as expeditiously as practicable, but no later than 5 years from the effective date of designation, *i.e.*, January 12, 2022.

II. Rusk-Panola Background

On August 10, 2020, the EPA published “Findings of Failure to Submit State Implementation Plans Required for Attainment of the 2010

1-Hour Primary Sulfur Dioxide (SO₂) National Ambient Air Quality Standard (NAAQS)” that found Texas failed to submit the required SIP for the Rusk-Panola area by the July 12, 2018, CAA deadline.² This finding, effective on September 9, 2020, triggered CAA section 179(a)’s 18-month and 24-month deadlines (March 9, 2022, and September 9, 2022) for the imposition of mandatory emission offsets and highway funding sanctions, respectively, unless the state submits a SIP revision satisfying the CAA’s completeness criteria. Additionally, this finding triggered the CAA section 110(c) requirement for the EPA to promulgate a FIP within two years of the finding (September 9, 2022) unless the state submits, and EPA fully approves a SIP revision before the EPA promulgates a FIP.

On February 28, 2022, the Texas Commission on Environmental Quality (TCEQ) submitted a Nonattainment SIP for the Rusk-Panola area. The TCEQ’s SIP includes an Agreed Order between the TCEQ and Luminant (Luminant Generation Company LLC, a subsidiary of Vistra) for the Martin Lake facility, a coal-fired power plant in the area, signed on February 14, 2022. The Agreed Order includes emission limits and associated requirements for the Martin Lake facility. On August 24, 2022, the EPA determined that the February 28, 2022, SIP submittal was complete under 40 CFR part 51, App. V, which terminated the mandatory emissions offsets sanctions that were in effect and the 24-month sanction clock for the imposition of highway funding sanctions.³ However, the EPA’s completeness determination did not affect the EPA’s FIP obligation, which is only satisfied by the promulgation of a FIP or the full approval of a SIP. The EPA did not promulgate a FIP by the CAA 110(c) deadline of September 9, 2022. As a result, the EPA was sued for failure to promulgate a FIP and on January 18, 2024, entered into a consent decree⁴ setting a December 13, 2024 deadline for the EPA to take action promulgating a FIP or fully approving a SIP for the Rusk-Panola area. If finalized, this FIP in combination with the limited approval and limited disapproval would satisfy the EPA’s obligations under the Consent Decree.

² See 85 FR 48111.

³ Completeness Determination Letter from David Garcia, Air and Radiation Division Director—EPA Region 6 to Jon Niermann, Chairman, TCEQ, (August 24, 2022), available in the docket for this action.

⁴ *Sierra Club v. EPA, et al.*, No. 3:23-cv-00780-RFL, doc. 45

III. Limited Approval/Limited Disapproval Action

On August 2, 2024, the EPA proposed a limited approval and limited disapproval of Texas’ February 28, 2022, SIP submittal.⁵ A limited approval and limited disapproval is appropriate when a SIP contains regulatory provisions that are SIP strengthening, but also contains a non-separable deficiency that prevents the EPA from granting a full approval of the SIP as meeting all applicable CAA requirements. A limited approval and limited disapproval action allows the EPA to codify SIP requirements that ensure the area makes progress towards attaining the NAAQS while requiring the deficient portions of the SIP be addressed in a timely manner. The EPA’s proposed limited approval and limited disapproval action would find that Texas’ SIP submission would bring the area into attainment and otherwise meet the requirements of an attainment plan SIP submission but for two deficiencies: (1) an untimely compliance date for the emissions limitations several months after the area’s attainment date, and (2) the inclusion of the Agreed Order’s force majeure provision. A deficiency arose from the Texas SIP due to the compliance date for the emission limitations set forth by the state not being effective until after the attainment date for the area. The applicable attainment date for the Rusk-Panola Nonattainment area was January 12, 2022, but the Martin Lake Facility was not required to comply with all of the emissions limitations set forth in the SIP submission’s control strategy until 180 days later, July 11, 2022. A second deficiency was identified in the SIP submission due to enforceability concerns arising from the force majeure provision included in the submittal. If triggered, the force majeure provision in the SIP allows non-compliance with the emission limits of an unknown frequency, duration, and magnitude. As explained in the EPA’s proposed limited approval and limited disapproval of the SIP, this force majeure provision prevents the EPA from being able to fully approve the modeled attainment demonstration and related CAA elements that would otherwise be approvable.

The EPA described the CAA section 172(c) statutory requirements for a complete SO₂ nonattainment area plan in our 2014 nonattainment area guidance, which includes: an accurate emissions inventory of current emissions for all sources of SO₂ within

⁵ 89 FR 63117.

¹ See 81 FR 89870; see also 40 CFR part 81, subpart C.

the nonattainment area; a modeled attainment demonstration; demonstration of Reasonable Further Progress (RFP); implementation of Reasonable Available Control Measures (RACM) (including Reasonably Available Control Technologies (RACT)); nonattainment New Source Review (NSR); emissions limitations and control measures as necessary to attain the NAAQS; and adequate contingency measures for the affected area.⁶ In the proposed limited approval and limited disapproval action, the EPA proposed that the SIP would adequately satisfy the requirements for a baseline emissions inventory and nonattainment NSR, but due to the presence of the force majeure provision affecting the enforceability of the limits relied upon in the attainment demonstration, cannot fully meet the requirements of CAA sections 110, 172, 191 and 192, particularly for RACM/RACT, RFP, emissions limits as necessary to provide for NAAQS attainment, and contingency measures. Based on these deficiencies, the entire SIP submission is proposed to be subject to a limited approval and limited disapproval.

During the development of Texas' 2022 attainment SIP revision, TCEQ entered into an Agreed Order with Luminant to establish a control strategy and emission limitations for the Martin Lake facility. The TCEQ adopted the Agreed Order on February 14, 2022, binding Martin Lake to its requirements and incorporating it into the SIP revision. As of 2023, the Martin Lake facility had implemented all measures required by the Agreed Order. The Agreed Order for Martin Lake established revised limits for the three electric generating facilities (EGFs) and for the two auxiliary boilers that exist at the facility. Source specific limits must be permanent and must reflect the assumptions used in the SIP demonstrations as required by 40 CFR part 51, subpart G. Since triggering the force majeure provision could result in unaccounted emissions and exemptions from compliance of unknown frequency, duration, and magnitude, the EPA proposed a limited disapproval for failing to establish source specific limits that are permanent and consistent with the emissions used in the SIP demonstration. Therefore, the EPA is promulgating this FIP to establish permanent and enforceable limits for

the Martin Lake facility as necessary to provide for attainment of the NAAQS. For a more detailed explanation of the deficiencies identified in Texas' 2022 attainment plan, see Section III of EPA's proposed limited approval and limited disapproval.⁷

Finalizing this action will satisfy the EPA's obligation to promulgate a FIP, which was initiated by the August 10, 2020, finding that Texas had failed to submit the required SO₂ nonattainment plan by the submittal deadline (85 FR 48111). It will also satisfy the requirement in the Consent Decree issued on February 15, 2022, in *Sierra Club v. U.S. EPA, et al.*, No. 3:23-cv-00780-TLT (N.D. Cal.), directing the EPA to sign a notice to either approve a SIP meeting the applicable CAA requirements or promulgate a FIP for the Rusk-Panola area no later than December 13, 2024.

IV. FIP Action

As discussed in the previous section, the EPA is proposing a FIP to address the SIP's deficiencies that prevent the EPA from fully approving the SIP as meeting applicable CAA requirements for SO₂ nonattainment plans. The EPA's FIP requirements include an enforcement scheme for the area that results in permanent and enforceable emission limitations that provide for attainment of the NAAQS. In our limited approval and limited disapproval action, the EPA proposed to find that the SIP's emissions limits would be adequate to satisfy CAA requirements and provide for attainment of the NAAQS, but for the force majeure provision. Therefore, our FIP incorporates the same proposed emissions limitations that are consistent with Texas' modeled attainment demonstration absent the force majeure provision that necessitated proposing limited disapproval.

In accordance with CAA section 110(a)(2), SIPs must provide for enforceable emissions limitations as necessary to meet applicable CAA requirements and include programs to provide for enforcement of such emission limitations. In the EPA's "General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990" (General Preamble),⁸ the EPA provided guidance on what it means for emissions limitations to be enforceable. The preamble outlines fundamental principles for SIPs and control strategies, which include enforceability. Specifically, SIPs must provide for a

legal means of ensuring that sources are in compliance with control measures for a measure to be enforceable.⁹ The preamble goes on to state, "a regulatory limit is not enforceable if, for example, it is impracticable to determine compliance with the published limit."¹⁰ Finally, the preamble states, "source-specific limits should be permanent and must reflect the assumptions used in the SIP demonstrations."¹¹ For an SO₂ nonattainment plan to be fully approved, CAA section 172(c)(6) provides SIPs must include enforceable emission limitations as may be necessary or appropriate to provide for NAAQS attainment. Further, CAA section 302(k) defines "emission limitation" to mean a requirement that limits the quantity, rate, or concentration of air pollutant emissions on a continuous basis. For an SO₂ attainment plan to be fully approvable, a modeled attainment demonstration must be based on the maximum allowable emissions permitted under the SIP's emission limitations, and under CAA section 172(c)(6) those limitations must be practically and legally enforceable and under 302(k) must be continuous. The same is true for the demonstration of RACM/RACT, RFP, and contingency measures. Satisfying the enforceability criteria ensures that NAAQS attainment will be achieved via compliance with the SIP as adopted.

As mentioned earlier in this proposed action and discussed in our proposed limited approval and limited disapproval action, the SIP demonstration does not reflect potential unaccounted for emissions or exemptions from compliance due to the triggering of a force majeure event, making it impracticable to determine compliance, enforce the SIP requirements, and ensure attainment of the NAAQS. However, as also discussed in the proposed limited approval and limited disapproval action, but for the force majeure provision the EPA believes that the modeled attainment demonstration, and RACM/RACT, RFP, emission limits necessary for attainment, and contingency measures elements would be approvable and would not need to be substantively changed if the force majeure provision did not exist in the adopted and submitted SIP.

Therefore, the EPA is proposing a FIP that provides for reporting, monitoring, recordkeeping, compliance,

⁶ On April 23, 2014, EPA issued recommended guidance for meeting the statutory requirements in SO₂ SIPs in a document entitled, "Guidance for 1-Hour SO₂ Nonattainment Area SIP Submissions," available at https://www.epa.gov/sites/production/files/2016-06/documents/20140423guidance_nonattainment_sip.pdf.

⁷ See 89 FR 63121–62122.

⁸ 57 FR 13498 (April 16, 1992).

⁹ General Preamble, 57 FR 13568 (April 16, 1992).

¹⁰ *Id.*

¹¹ *Id.*

enforcement, and contingency measures for the source in the area without a force majeure provision. The EPA believes that the proposed FIP's enforcement scheme would ensure that the emissions limits and SIP requirements necessary to provide for attainment are enforceable. Since the proposed FIP requirements do not include a force majeure provision, the EPA's FIP would address the deficiency in the SIP related to determining compliance and ensuring the limits are consistent with those used in the SIP demonstration.

Overview of the New Rule Provisions

The proposed FIP regulatory language incorporates into the FIP existing limits from the Agreed Order for the Martin Lake facility that are necessary to provide for NAAQS attainment. Additional details on compliance, recordkeeping, and reporting requirements are included in the FIP proposed regulatory language found in the proposed amendment to 40 CFR part 52 section 52.2277 in this action.

The EPA is proposing two separate limits for each type of unit at the Martin Lake facility, consistent with the Agreed Order Luminant adopted with Texas and incorporated in Texas' February 28, 2022, SIP submittal. The three EGF boiler units (S-1, S-2, S-3) would be subject to a combined SO₂ emission rate of 7,469 lb/hr averaged over a 24-hour block period. The three EGF boilers would also be subject to a rate limit of 0.32 lbs/MMBtu averaged over a 24-hour block period for each unit. The EGF boilers would be required to only burn subbituminous coal, No. 2 fuel oil, or natural gas. Furthermore, the owner or operator would be required to limit the firing rate (when fired) for all three EGF boiler units to a combined rate not to exceed 27,000 million British thermal units (MMBtu) per hour. To determine compliance with these limits, the owner or operator would be required to maintain and continuously operate an SO₂ continuous emission monitoring system (CEMS) as of the effective date of the FIP to measure SO₂ emissions from the EGF boilers in conformance with 40 CFR part 60 appendix F procedure 1.

In addition, the EPA is proposing limits for the two auxiliary boilers

located at the facility (S-1A and B) consistent with the Agreed Order. The two auxiliary boilers would be subject to a SO₂ emission rate of 51.46 lbs/hr on a one-hour basis and 22.54 tpy on an annual basis, combined for the boilers.

V. What action is the EPA taking?

The EPA is proposing a FIP to address the deficiency identified in the EPA's proposed limited approval and limited disapproval action by promulgating emissions limits and an enforcement scheme to ensure the Rusk-Panola area attains the NAAQS and meets other nonattainment area planning requirements.

The EPA is taking public comments on this FIP for forty days following the publication of this proposed action in the **Federal Register**. Comments related to EPA's proposed limited approval and limited disapproval of Texas's February 28, 2022, SIP submittal should be made on that rulemaking action as described in that separate notice.¹² The EPA will take all relevant comments on this FIP into consideration in the final action. If this FIP is finalized, it would satisfy the EPA's duty to promulgate a FIP for the area under CAA section 110(c) triggered by our previous finding of failure to submit. However, the finalized FIP would not affect the sanctions clock started under CAA section 179 resulting from the EPA's limited disapproval of Texas's February 28, 2022, SIP revision, which would only be terminated by an EPA rulemaking approving a revised SIP submitted by Texas correcting the deficiency in the limited disapproval action.

VI. Environmental Justice Considerations.

The EPA is providing analyses of environmental justice considerations associated with this action. These analyses are being provided for informational and transparency purposes, not as a basis of our proposed action.

The EPA conducted a screening analysis using EJSCREEN, an environmental justice mapping and screening tool that provides a nationally consistent dataset and approach for combining various environmental and demographic indicators.¹³ The EJSCREEN tool presents these indicators

at a census block group (CBG) level or a larger user-specified "buffer" area that covers multiple CBGs.¹⁴ An individual CBG is a cluster of contiguous blocks within the same census tract and generally contains between 600 and 3,000 people. EJSCREEN is not a tool for performing in-depth risk analysis, but is instead a screening tool that provides an initial representation of indicators related to environmental justice and is subject to uncertainty in some underlying data (e.g., some environmental indicators are based on monitoring data which are not uniformly available; others are based on self-reported data).¹⁵ To help mitigate this uncertainty, we have summarized EJSCREEN data within larger "buffer" areas covering multiple block groups and representing the average resident within the buffer area surrounding Martin Lake. We present EJSCREEN environmental indicators to help screen for locations where residents may experience a higher overall pollution burden than would be expected for a block group with the same total population. These indicators of overall pollution burden include estimates of ambient particulate matter (PM_{2.5}) and ozone concentration, a score for traffic proximity and volume, percentage of pre-1960 housing units (lead paint indicator), and scores for proximity to Superfund sites, risk management plan (RMP) sites, and hazardous waste facilities.¹⁶ Notably, none of these indicators are the topic of the proposed FIP, which is specific to implementation of the 1-hour SO₂ NAAQS. EJSCREEN also provides information on demographic indicators, including percent low-income, communities of color, linguistic isolation, and less than high school education.

The EPA prepared an EJSCREEN report covering a buffer area of approximately 6-mile radius around the Martin Lake facility. Table 1 presents a summary of results from the EPA's screening-level analysis for Martin Lake compared to the U.S. as a whole. From that report, Martin Lake did not show EJ indices greater than the 80th percentiles. The full, detailed EJSCREEN report is provided in the docket for this rulemaking.

¹² 89 FR 63117 (August 2, 2024).

¹³ The EJSCREEN tool is available at <https://www.epa.gov/ejscreen>.

¹⁴ See <https://www.census.gov/programs-surveys/geography/about/glossary.html>.

¹⁵ In addition, EJSCREEN relies on the five-year block group estimates from the U.S. Census

American Community Survey. The advantage of using five-year over single-year estimates is increased statistical reliability of the data (i.e., lower sampling error), particularly for small geographic areas and population groups. For more information, see https://www.census.gov/content/dam/Census/library/publications/2020/acs/acs_general_handbook_2020.pdf.

¹⁶ For additional information on environmental indicators and proximity scores in EJSCREEN, see "EJSCREEN Environmental Justice Mapping and Screening Tool: EJSCREEN Technical Documentation for Version 2.2," Chapter 3 (July 2023) at <https://www.epa.gov/system/files/documents/2023-06/ejscreen-tech-doc-version-2-2.pdf>.

TABLE 1—EJSCREEN ANALYSIS SUMMARY FOR MARTIN LAKE

Variables	EJSCREEN values for buffer area (radius) for Martin Lake and the U.S. (percentile within U.S. where indicated)	
	Martin Lake (Rusk-Panola area, 6 miles)	U.S.
<i>Pollution Burden Indicators:</i>		
Particulate matter (PM _{2.5}), annual average	9.57 µg/m ³ (77th %ile)	8.67 µg/m ³ (—)
Ozone, summer seasonal average of daily 8-hour max	40.1 ppb (32nd %ile)	42.5 ppb (—)
Traffic proximity and volume score *	0.72 (2nd %ile)	760 (—)
Lead paint (percentage pre-1960 housing)	0.12% (37th %ile)	0.27% (—)
Superfund proximity score *	0.048 (42nd %ile)	0.13 (—)
RMP proximity score *	0.17 (32nd %ile)	0.77 (—)
Hazardous waste proximity score *	0.059 (11th %ile)	2.2 (—)
<i>Demographic Indicators:</i>		
People of color population	31% (52nd %ile)	40% (—)
Low-income population	25% (46th %ile)	30% (—)
Linguistically isolated population	2% (62nd %ile)	5% (—)
Population with less than high school education	13% (65th %ile)	12% (—)
Population under 5 years of age	9% (82nd %ile)	6%
Population over 64 years of age	14% (44th %ile)	16% (—)

* The traffic proximity and volume indicator is a score calculated by daily traffic count divided by distance in meters to the road. The Superfund proximity, RMP proximity, and hazardous waste proximity indicators are all scores calculated by site or facility counts divided by distance in kilometers.

This action is proposing a FIP to remedy deficiencies found in Texas’ February 28, 2022, SIP submittal to meet CAA nonattainment SIP requirements for the Rusk-Panola nonattainment area for the 2010 one-hour SO₂ NAAQS. The CAA requires this action as it pertains to the SO₂ NAAQS. Information on SO₂ and its relationship to adverse health impacts can be found at final **Federal Register** notice titled “Primary National Ambient Air Quality Standard for Sulfur Dioxide” (75 FR 35520, June 22, 2010).¹⁷ We expect that this action and resulting emissions reductions will generally be neutral or contribute to reduced environmental and health impacts on all populations in the Rusk-Panola nonattainment area, including communities with EJ concerns. At a minimum, this action is not expected to worsen existing air quality as it pertains to SO₂ emissions and is expected to ensure the area is meeting requirements to attain air quality standards. Further, there is no information in the record indicating that this action is expected to have disproportionately high or adverse human health or environmental effects on a particular group of people.

VII. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 14094: Modernizing Regulatory Review

This action is exempt from review under Executive Order 12866, as

¹⁷ See <https://www.federalregister.gov/d/2010-13947>.

amended by Executive Order 14094, because it is not a “significant regulatory action” under the terms of Executive Order 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under Executive Orders 12866 and 14094 (88 FR 21879, April 11, 2023). As discussed in detail in section IV, the proposed FIP regulatory language contains requirements for only one facility. It is therefore not a rule of general applicability.

B. Paperwork Reduction Act

This proposed action does not impose an information collection burden under the provisions of the Paperwork Reduction Act because it is not a rule of general applicability and affects fewer than 10 entities. See 5 CFR 1320(c).

C. Regulatory Flexibility Act

I certify that this action will not have a significant impact on a substantial number of small entities. This proposed rule does not impose any requirements or create impacts on small entities. The Martin Lake Steam Electric Station is not a small entity.

D. Unfunded Mandates Reform Act (UMRA)

This action contains no Federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1531–1538 for state, local, or tribal governments or the private sector. The EPA has determined that Title II of UMRA does not apply to this proposed rule. In 2 U.S.C. 1502(1) all terms in

Title II of UMRA have the meanings set forth in 2 U.S.C. 658, which further provides that the terms “regulation” and “rule” have the meanings set forth in 5 U.S.C. 601(2). Under 5 U.S.C. 601(2), “the term ‘rule’ does not include a rule of particular applicability relating to . . . facilities.” Because this proposed rule is a rule of particular applicability relating to specific EGUs located at one named facility, the EPA has determined that it is not a “rule” for the purposes of Title II of UMRA.

E. Executive Order 13132: Federalism

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

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

Executive Order 13175, entitled Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 9, 2000), requires the EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” This proposed rule does not have tribal implications, as specified in Executive Order 13175. It will not have substantial direct effects on tribal governments. Thus, Executive Order 13175 does not apply to this rule.

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

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order.

Therefore, this action is not subject to Executive Order 13045 because it implements a previously promulgated health or safety-based federal standard or implements specific standards established by Congress in statutes.

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

This proposed action is not subject to Executive Order 13211 (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All

The EPA believes that the human health and environmental conditions, around the Martin Lake Steam Electric Station, that exist prior to this action do not result in disproportionate and adverse effects on communities with Environmental Justice concerns.

The EPA believes that this action is not likely to result in new disproportionate and adverse effects on communities with environmental justice concerns. This proposed FIP limits emissions of SO₂ from one facility in Texas.

The information supporting this Executive Order review is contained in VI Environmental Justice Considerations of this action and the file EJScreen Report—Martin Lake in the docket for this action.

The EPA believes the human health or environmental risk addressed by this proposed action will not have potential disproportionately high and adverse human health or environmental effects on communities with environmental justice concerns because it increases the level of environmental protection for all affected populations without having any disproportionately high and adverse human health or environmental effects on any population, including any communities with environmental justice concerns.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

Michael S. Regan,
Administrator.

For the reasons stated in the preamble, the EPA proposes to amend title 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.*

■ 2. Amend § 52.2277 by adding paragraphs (c) and (d) to read as follows:

§ 52.2277 Control strategy and regulations: Sulfur Dioxide.

* * * * *

(c) The plan submitted by the State on February 28, 2022, to attain the 2010 1-hour primary sulfur dioxide (SO₂) national ambient air quality standard (NAAQS) for the Rusk-Panola SO₂ nonattainment area does not fully meet the requirements of Clean Air Act (CAA) section 172 with respect to SO₂ emissions from the Martin Lake facility in the Rusk-Panola, Texas area. The EPA has given limited disapproval of the plan provisions addressing these requirements. The deficiencies associated with SO₂ requirements for the Martin Lake facility identified in the EPA’s limited disapproval are addressed by 40 CFR 52.2277(d).

(d) This section addresses and satisfies CAA section 110(c)(1) requirements for the Rusk-Panola SO₂ nonattainment area by specifying the necessary emission limits and other control measures applicable to the Martin Lake facility. This section applies to the owner and operator of the facility located at 8850 FM 2658 in Tatum, Texas.

(1) *SO₂ Emission Limits.* (i) Beginning on the [DATE 30 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**], no owner or operator shall emit SO₂ from the following units in excess of the following limits:

Unit	SO ₂ emission limit	Time period/operating scenario
EGF Boiler Units S–1, S–2, S–3 (Combined)	7,469 lbs/hr	24-hour block average.
EGF Boiler Units S–1, S–2, S–3	0.32 lbs/MMBtu	24-hour block average.
Auxiliary Boilers S–1A and B (Combined)	51.46 lbs/hr	1-hour average.
Auxiliary Boilers S–1A and B (Combined)	22.54 tons per year	annual basis.

(ii) Beginning on [DATE 30 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**], the owner or operator shall burn only subbituminous coal, No. 2 fuel oil, or natural gas at the EGF boilers. The auxiliary boilers shall only fire No. 2 fuel oil with a sulfur content of 0.10% by weight or less.

(iii) For EGF boiler units, beginning on [DATE 30 DAYS AFTER DATE OF

PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**], the owner or operator shall limit the firing rate (when fired) for all three EGF boiler units to a combined rate not to exceed 27,000 million British thermal units (MMBtu) per hour (the firing rate is an operating cap for all three EGF boiler units combined).

(iv) For Auxiliary boiler units, beginning on [DATE 30 DAYS AFTER

DATE OF PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**], the owner or operator shall comply with a 10 percent annual capacity factor for each of the two Auxiliary Boilers. Annual capacity factor is the ratio between the actual heat input from all fuels burned during a calendar year and the potential heat input had the boiler been operated for 8,760 hours during a year at the

maximum steady state design heat input capacity. The 10 percent annual capacity factor limit corresponds to a heat input of 219,000 MMBtu per calendar year, per Auxiliary Boiler.

(2) *Monitoring Requirements.* (i) Beginning on [DATE 30 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**], the owner or operator shall calibrate, maintain and operate Continuous Emissions Monitoring Systems (CEMS) for SO₂ on the EGF boilers. Compliance with the SO₂ emission limits for the EGF boilers shall be determined by using data from CEMS.

(ii) Emissions shall be continuously monitored during all periods of operation of the EGF boilers, including periods of startup, shutdown, and malfunction, except for CEMS breakdowns, repairs, calibration checks, and zero and span adjustments. Continuous emission monitoring systems for measuring SO₂ and diluent gas shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. Hourly averages shall be computed using at least one data point in each fifteen-minute quadrant of an hour. Notwithstanding this requirement, an hourly average may be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant in an hour) if data are unavailable as a result of performance of calibration, quality assurance, preventive maintenance activities, or backups of data from data acquisition and handling system, and recertification events.

(3) *Compliance.* (i) *EGF Boiler Compliance.* To demonstrate compliance, the owner or operator must calculate the calendar day 24-hour block average emissions for each unit subject to the long-term average emission limit. A block 24-hour average shall be calculated for each 24-hour period, beginning at midnight and continuing through midnight of the next day, provided that fuel was combusted in the EGF boiler unit.

To demonstrate compliance with the individual lb/MMBTU emission limits described in section (d)(1)(i), the block 24-hour average SO₂ emission rate in lb/MMBTU shall be calculated as the sum of all the hourly mass emissions from an EGF boiler unit during a block 24-hour period divided by the sum of all the hourly heat input from the same EGF boiler unit during the same block 24-hour period.

To demonstrate compliance with the combined lb/hr emission limit

described in section (d)(1)(i), the block 24-hour average SO₂ emission rate in lb/hr shall be calculated as the arithmetic mean of all the hourly SO₂ emissions from the three EGF boiler units combined.

To demonstrate compliance with the combined MMBtu/hr operating limited described in section (d)(1)(iii), the hourly firing rate limit in MMBtu/hr shall be calculated as the sum of all the hourly firing rates from the three EGF boiler units combined.

SO₂ emissions shall be calculated using continuous emission monitoring system (CEMS) data obtained in accordance with the procedures specified in 40 CFR part 75, on an hourly basis. Only valid operating hours will be included in the calculations for the daily emission rates. Valid operating hours include only hours that meet the primary equipment hourly operating requirements of 40 CFR 75.10(d). For example, if the source only meets 40 CFR 75.10(d) operational requirements for one hour in a particular 24-hour block period, the compliance with the emissions limit would be calculated by the total emissions divided by the one hour of operation that meets 40 CFR 75.10(d). Therefore, any day with at least one hour that meets operational requirements will have a calculated block average that will be used to demonstrate compliance with the emissions limits. Hours when the units are experiencing startup, shutdown, or malfunction conditions will be used for the calculation if they meet the primary equipment hourly operating requirements of 40 CFR 75.10(d). When valid SO₂ pounds per hour or SO₂ pounds per million Btu emission data cannot be obtained because of continuous emission monitoring system breakdowns, repairs, calibration checks, or zero and span adjustments, emission data must be obtained by using other monitoring systems subject to EPA approval to provide emission data for a minimum of 18 hours in each 24-hour period and at least 22 out of 30 successive operating days.

(ii) *Auxiliary Boiler Compliance.* For the auxiliary boilers, to determine compliance with Section (d)(1)(ii), the owner or operator shall monitor the sulfur content of the liquid fuel in accordance with fuel sampling requirements specified in 40 CFR part 75, Appendix D, 2.2 Oil Sampling and Analysis. Vendor fuel certification receipts may be used to comply with this condition. Compliance with SO₂ emissions limits shall be determined based on hourly fuel usage, sulfur content of the fuel oil, and the SO₂ emission factor from EPA AP-42,

Compilation of Air Pollutant Emissions Factors from Stationary Sources, Table 1.3-1, version date May 2010.

Compliance with the tons per year limitations specified in paragraph (d)(1)(i) shall be based on the annual average sulfur dioxide emissions for the calendar year for the two auxiliary boilers combined.

(4) *Recordkeeping.* The owner/operator shall maintain the following records continuously for five years beginning on the effective date of the FIP:

(i) All records of firing rate for each emission unit, including hourly combined heat input in MMBtu/hr for the three EGF boiler units and the two auxiliary boilers.

(ii) All records of the type of fuel used at the EGF boilers and auxiliary boilers, the results of fuel oil sampling or vendor fuel certification receipts for the two auxiliary boilers, and the amount of fuel oil used on an hourly basis during periods that the auxiliary boilers are operated.

(iii) All records of hourly emissions, 24-hour block average emissions, and annual emissions calculated in accordance with the requirements laid out in section (d)(3).

(iv) In accordance with section (d)(3), all CEMS data including: the date, place, and time of sampling or measurement; parameters sampled or measured; and results.

(v) Records of quality assurance and quality control activities for CEMS including, but not limited to, any records required by 40 CFR part 60 appendix F Procedure 1.

(vi) Records of all major maintenance activities performed on emission units, air pollution control equipment, CEMS, and other production measurement devices.

(5) *Reporting.* Unless otherwise stated all requests, reports, submittals, notifications, and other communications required by this section shall be submitted to Air and Radiation Division Director, U.S. Environmental Protection Agency, Region 6, to the attention of Mail Code: ARD, at 1201 Elm Street, Suite 500, Dallas, Texas 75270. For each unit subject to the emissions limitations in this subsection, the owner or operator shall comply with the following requirements:

(i) The owner or operator shall report CEMS data quarterly in accordance with CEMS requirements in section (d)(5)(ii-v) and the compliance requirements set forth in paragraph (d)(3) no later than the 30th day following the end of each calendar quarter.

(ii) The owner or operator shall submit quarterly excess emissions

reports for all units identified in paragraph (d)(1)(i) no later than the 30th day following the end of each calendar quarter. Excess emissions mean emissions that exceed the emission limits specified in paragraph (d)(1) of this section. The reports shall include the magnitude, date(s), and duration of each period of excess emissions, specific identification of each period of excess emissions that occurs during all periods of operation including startups, shutdowns, and malfunctions of the unit, the nature and cause of any malfunction (if known), and the corrective action taken, or preventative measures adopted.

(iii) For each unit, the owner or operator shall submit quarterly CEMS performance reports, to include dates and duration of each period during which the CEMS was inoperative

(except for zero and span adjustments and calibration checks), reason(s) why the CEMS was inoperative, and steps taken to prevent recurrence, and any CEMS repairs or adjustments no later than the 30th day following the end of each calendar quarter.

(iv) The owner or operator shall also submit results of any CEMS performance tests required by 40 CFR part 60, appendix F, Procedure 1 (*e.g.*, Relative Accuracy Test Audits, Relative Accuracy Audits, and Cylinder Gas Audits) no later than 30 days after the test is performed.

(v) When no excess emissions have occurred or the CEMS has not been inoperative, repaired, or adjusted during the reporting period, such information shall be stated in the quarterly reports required by paragraphs (d)(5)(iii) of this section.

(6) *Enforcement.* (i) Notwithstanding any other provision in this implementation plan, any credible evidence or information relevant as to whether the unit would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed, can be used to establish whether or not the owner or operator has violated or is in violation of any standard or applicable emission limit in the plan.

(ii) Emissions in excess of the level of the applicable emission limit or requirement that occur due to a malfunction shall constitute a violation of the applicable emission limit.

[FR Doc. 2024-18779 Filed 8-23-24; 8:45 am]

BILLING CODE 6560-50-P

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2024–0037]

Notice of Request for Approval of an Information Collection; Unified Website for Biotechnology Regulation; Contact Page

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request approval of a new information collection associated with the use of the contact page of the Unified website for Biotechnology Regulation to collect certain information from visitors to the website.

DATES: We will consider all comments that we receive on or before October 25, 2024.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Enter APHIS–2024–0037 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2024–0037, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at regulations.gov or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30

p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the Unified website for Biotechnology Regulation, contact Mr. Joseph Tangredi, Document Management, Policy, Program and International Collaborations, Biotechnology Regulatory Services, APHIS, 4700 River Road, Unit 146, Riverdale, MD 20737; (301) 851–4061; joseph.tangredi@usda.gov. For more information about the information collection process, contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2533.

SUPPLEMENTARY INFORMATION:

Title: Unified website for Biotechnology Regulation; Contact Page.

OMB Control Number: 0579–XXXX.

Type of Request: Approval of a new information collection.

Abstract: In 1986, the Coordinated Framework for the Regulation of Biotechnology (Coordinated Framework) was published by the Office of Science and Technology Policy and explained the regulatory roles for the U.S. Department of Agriculture, the U.S. Environmental Protection Agency (EPA), and the U.S. Food and Drug Administration (FDA), (herein, the Agencies) and how Federal agencies use existing Federal statutes to ensure public health and environmental safety while maintaining regulatory flexibility to avoid impeding the growth of the biotechnology industry. The Coordinated Framework was subsequently updated in 1992 (57 FR 6753–6762; February 27, 1992) and 2017,¹ taking into account advances that had occurred in the field of biotechnology.

Within the USDA, the Animal and Plant Health Inspection Service's (APHIS') Biotechnology Regulatory Services unit is responsible for ensuring that organisms developed using genetic engineering, such as genetically modified plants, insects, and microbes do not pose a plant pest risk. APHIS derives its authority to promulgate its biotechnology regulations from provisions of the Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*) and the Virus-Serum-Toxin Act (VRTA, 21

U.S.C. 151–159). The EPA is charged with protecting human health and the environment through ensuring the safety of pesticides and other chemicals, including those developed using genetic engineering. The EPA derives its regulatory authority from provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA, 7 U.S.C. 136 *et seq.*) and the Toxic Substances Control Act (TSCA, 15 U.S.C. 2601 *et seq.*). The FDA is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation, which includes oversight of food and feed. FDA derives its regulatory authority from provisions of the Federal Food, Drug and Cosmetic Act (FFDCA, 21 U.S.C. 301–392). Together with the USDA's Food Safety and Inspection Service (FSIS), FDA has oversight of certain chemicals modified using genetic engineering. FSIS derives its regulatory authority from the Federal Meat Inspection Act (FMIA, 21 U.S.C. 601 *et seq.*) and the Poultry Products Protection Act (PPIA, 21 U.S.C. ch.10, 451 *et seq.*).

On September 12, 2022, Executive Order (E.O.) 14081, *Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe, and Secure American Bioeconomy*,² was published and directed the Agencies, among other things, to build on the Unified website for Biotechnology Regulation³ developed pursuant to E.O. 13874, *Modernizing the Regulatory Framework for Agricultural Biotechnology Products*, June 11, 2019,⁴ by including on the website the information developed under subsection (b) of Section 8 of E.O. 14081, and by enabling developers of biotechnology products to submit inquiries about a particular product and promptly receive a single, coordinated response that provides, to the extent practicable, information and, when appropriate, informal guidance regarding the process

² <https://www.govinfo.gov/content/pkg/FR-2022-09-15/pdf/2022-20167.pdf>.

³ <https://usbiotechnologyregulation.mrp.usda.gov/biotechnologygov/home/>.

⁴ <https://www.govinfo.gov/content/pkg/FR-2019-06-14/pdf/2019-12802.pdf>.

¹ <https://usbiotechnologyregulation.mrp.usda.gov/biotechnologygov/home/>.

that the developers must follow for Federal regulatory review.

The necessity for this information collection arises from E.O. 13874, Section 5, *Unified Biotechnology Web-Based Platform*, and E.O. 14081, Section 8(d). These provisions seek to ensure that innovators can easily navigate the Federal regulatory system for products of biotechnology by directing USDA, EPA, and FDA to jointly establish a web-based platform that contains and provides links to relevant United States Government regulatory information for biotechnology products. These provisions further direct that the web-based platform shall allow developers of products of agricultural biotechnology to submit inquiries about a particular product and promptly receive from the Agencies a single, coordinated response that provides, to the extent practicable, information and, when appropriate, informal guidance regarding the processes that the developers must follow for Federal regulatory review.

The Unified website for Biotechnology Regulation (“Unified website”) is currently hosted by the Department of Agriculture, with other agencies providing support, to the extent consistent with existing appropriations, through appropriate interagency agreements, including agreements under the Economy Act. USDA–APHIS, EPA, and FDA will use a web-form on the contact page of the Unified website to enable site visitors to ask questions, make comments, or request a meeting with one or all of the sponsoring agencies. The web-form will collect basic contact information such as the name and email address of contact page respondents, as well as the respondents’ questions or comments and their meeting requests. Respondent use of the contact page is voluntary.

We are asking the Office of Management and Budget (OMB) to approve our use of this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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) Evaluate the accuracy of our estimate of the burden of the 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, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.*, permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 0.5 hours per response.

Respondents: Commercial and academic developers of biotechnology products and the interested public.

Estimated annual number of respondents: 30.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 30.

Estimated total annual burden on respondents: 15 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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.

Done in Washington, DC, this 6th day of August 2024.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2024–19055 Filed 8–23–24; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

[Docket No.: RUS–24–WATER–0020]

Notice of Revision of a Currently Approved Information Collection

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 the Rural Utilities Service (RUS or Agency), an agency within the United States Department of Agriculture (USDA), Rural Development (RD), announces its intention to request a revision to a currently approved information collection package for servicing activities related to several loan and grant programs administered through the Water and Environmental Programs (WEP) of RUS. The Agency invites comments on this information collection for which it intends to request approval from the Office of Management and Budget (OMB).

DATES: Comments on this notice must be received by October 25, 2024 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Katherine Anne Mathis, RD Innovation Center—Regulations Management Division, U.S. Department of Agriculture, 1400 Independence Avenue SW, Washington, DC 20250, Telephone: 202–713–7565, email: Katherine.mathis@usda.gov.

SUPPLEMENTARY INFORMATION: The 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 the Agency is submitting to OMB for extension.

Comments are invited on (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the Agency’s estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who 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 submitted electronically by the Federal eRulemaking Portal, [regulations.gov/](https://www.regulations.gov/). In the “Search for dockets and documents on agency actions” box enter the Docket No. RUS–24–WATER–0020 and click the “Search” button. From the search results, click on or locate the document title: “Notice of Revision of a Currently Approved Information Collection” and select the “Comment” button. Before inputting comments, commenters may review the “Commenter’s Checklist” (optional). To submit a comment: Insert comments under the “Comment” title, click “Browse” to attach files (if available), input email address, select box to opt to receive email confirmation of submission and tracking (optional), select the box “I’m not a robot,” and then select “Submit Comment.” Information on using [Regulations.gov](https://www.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. All comments will be available for public inspection online at the Federal eRulemaking Portal ([regulations.gov](https://www.regulations.gov)).

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. Data furnished by the applicants will be used to determine eligibility for program benefits. Furnishing the data is voluntary; however, failure to provide data could result in program benefits being withheld or denied.

Title: Servicing of Water Programs Loans and Grants, 7 CFR part 1782.

OMB Control Number: 0572-0137.

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

Abstract: Loan and grant servicing is provided by the Agency in order to assist recipients in complying with the established objectives and requirements for loans and grants, repaying loans on schedule, acting in accordance with any necessary agreements, and protecting the Agency's financial interest. Servicing by the Agency includes, but is not limited to, the review of budgets, management reports, audits, and financial statements; performing operational inspections; providing, arranging, or recommending technical assistance; evaluating environmental impacts of proposed actions by the borrower; and performing civil rights compliance and graduation reviews. 7 CFR part 1782 outlines the Agencies' policies and procedures for servicing direct and insured WWLG, Watershed, RCDL, TAT, ECWAG, SWMG, and WWLG to Alleviate Health Risks programs.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 2.305 hours per response.

Respondents: Public bodies, nonprofits, Federally-recognized tribes.
Estimated Number of Respondents: 4,064.

Estimated Number of Responses per Respondent: 3.20.

Estimated Number of Responses: 12,989.

Estimated Total Annual Burden on Respondents: 29,936 hours.

Copies of this information collection can be obtained from Katherine Anne Mathis, RD Innovation Center—Regulations Management Division, Telephone: 202-713-7565, email: Katherine.mathis@usda.gov.

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.

Andrew Berke,

Administrator, Rural Utilities Service, USDA Rural Development.

[FR Doc. 2024-19052 Filed 8-23-24; 8:45 am]

BILLING CODE 3410-15-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Nebraska 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 Nebraska Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a business meeting via web conference. The purpose of the meeting will be to discuss their draft report on the Effects of the Covid-19 pandemic on education in the state.

DATES: Thursday, September 26, 2024 at 4 p.m. Central Time.

ADDRESSES: The meeting will be held via Zoom.

September 26th Business Meeting: Registration Link (Audio/Visual):
www.zoomgov.com/webinar/register/WN_jE3OIKDeRA61G196mdXxvQ.

Join by Phone (Audio Only): 1-833-435-1820 USA Toll Free; Meeting ID: 161 915 1236.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, DFO, at vmoreno@usccr.gov or by phone at 434-515-0204.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussions through the above call-in numbers (audio only) or online registration links (audio/visual). An open comment period at each meeting 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/or 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 meeting ID number.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meetings. Written comments may be emailed to Victoria at vmoreno@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 meetings. Records of the meetings will be available via www.facadatabase.gov under the Commission on Civil Rights, Nebraska 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. Chair's Comments
- III. Committee Business
- IV. Public Comment
- V. Adjournment

Dated: August 20, 2024.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2024-19003 Filed 8-23-24; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Annual Integrated Economic Survey

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on a proposed revision to the Annual Integrated Economic Survey (AIES), prior to the submission of the

information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before October 25, 2024.

ADDRESSES: Interested persons are invited to submit written comments by email to *Thomas.J.Smith@census.gov*. Please reference Annual Integrated Economic Survey (AIES) in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2024–0021, to the Federal e-Rulemaking Portal: <http://www.regulations.gov>. All comments received are part of the public record. No comments will be posted to <http://www.regulations.gov> for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Edward Watkins, U.S. Census Bureau, Economy-wide Statistics Division (EWD) by phone (301) 763–4750, or by email at *Edward.E.Watkins.III@census.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Annual Integrated Economic Survey (AIES) is designed to integrate and replace seven existing annual business surveys into one survey. The AIES provides the only comprehensive national and subnational data on business revenues, expenses, and assets on an annual basis. The AIES is designed to combine Census Bureau collections to reduce respondent burden, increase data quality, and allow the Census Bureau to operate more efficiently to reduce long term costs. The existing collections integrated into the AIES are the Annual Retail Trade Survey (ARTS), Annual Wholesale Trade Survey (AWTS), Service Annual Survey (SAS), Annual Survey of Manufactures (ASM), Annual Capital Expenditures Survey (ACES), Manufacturers' Unfilled Orders Survey (M3UFO), and the Report of Organization.

The AIES collects the following information from employer businesses in sample:

- Business characteristics, including employment, operating status, organizational change, ownership information, and co-op status.
- Business classification, including business activity, type of operation, and tax status.
- Revenue, including sales, shipments, and receipts, taxes, contributions, gifts, and grants, products, e-commerce activity, and other sources of revenue.
- Operating expenses, including purchased services, payroll, benefits, and other detailed operating expenses.
- Capital expenditures and inventories.
- Robotic equipment expenditures and usage.

In preparation for the 2024 AIES, we are looking ahead and evaluating options to reduce respondent burden. The Census Bureau is considering a reduction in the content that we collect from respondents. We have identified areas where we can reduce the content collected from respondents without significantly impacting data users. We are considering the consolidation of select items that pertain to Revenues, Operating Expenses, Inventories, and Capital Expenditures. We have identified the content we would like to reduce/consolidate and are currently working with key stakeholders to incorporate feedback. Our intention is that the reduction in content would have a positive impact on respondents and would be of minimal or no impact to both internal and external stakeholders, and the public.

All reduced/streamlined or combined content will be based on research, debriefing interviews, and feedback received from survey respondents during the 2023 collection period and any resulting reduction in respondent burden will be included in the revision request submitted to OMB after the conclusion of this 60-day comment period.

One of the key features of the AIES is the ability, with Office of Management and Budget (OMB) approval, to add and delete questions based on the importance of the economic situation at the time. The AIES may include new questions each year based on relevant business topics. Potential topics for such new questions could include technological advances including but not limited to artificial intelligence, machine learning, bioeconomy, financial technology robotics, exporting practices, energy, globalization, major event or catastrophe, and emerging

societal trends. Any new questions or deletion of existing questions will be submitted to OMB for review as a revision with 30-day notice.

II. Method of Collection

Respondents are notified via email and/or letter about their requirement to respond and how to access the survey, with responses due within 30 days. Select businesses receive a reminder before the due date through email or letter. Nonrespondents are followed up with up to three email or mail reminders at one-month intervals.

III. Data

OMB Control Number: 0607–1024.
Type of Review: Regular submission, request for a revision of a currently approved collection.

Affected Public: Businesses, or other for profit or non-profit institutions or organizations.

Estimated Number of Respondents: 393,460 companies.

Estimated Time per Response: 3 hours and 23 minutes per company (this estimate will be re-evaluated based on results of testing reduced content).

Estimated Total Annual Burden Hours: 1,336,892.

Estimated Total Annual Cost to Public: \$0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Mandatory.
Legal Authority: Title 13 U.S.C. 131, 182, and 193.

IV. Request for Comments

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

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–19090 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–47–2024]

Foreign-Trade Zone (FTZ) 72; Notification of Proposed Production Activity; Toyota Material Handling, Inc.; (Forklift Trucks, Work Trucks and Automated Guided Vehicles); Columbus, Indiana

Toyota Material Handling, Inc. submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Columbus, Indiana within FTZ 72. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on August 20, 2024.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz.

The proposed finished products include electric and spark ignition/ diesel engine self-propelled trucks (forklift/lifting/handling/tow tractor/work) and automated guided vehicles (duty-free).

The proposed foreign-status materials/components include: vulcanized rubber articles (seals, O-rings, bushings, plugs, grommets, and washers); rear view mirrors; iron or steel articles (fittings, joints, unions, pipe fittings, screws, bolts, cotters, cotter pins, circlips, snap rings; and chain anchors, links and plates); iron, alloy or

nonalloy steel articles (threaded couplings, elbows, fittings, sleeves, adapters, connectors and nipples); oil coolers; blowers; centrifugal fans; axial fans; cooling fans; fan motors; valves (check, control, hydrostatic, regulator, solenoid and thermostatic); ballcocks; bearings (ball, radial, thrust, double row ball, spherical roller, needle roller, cylindrical, plain shaft); tapered roller bearings, cones and cups; chain wheels; bushings; transmissions; gears; flywheels; pulleys; propeller shafts; differentials; drive units; gear plates; differential housings; gearboxes; torque converter housings; torque converter plates; yoke differentials; electric motors from 18.65W to 37.5W; electric motors under 18.65W; drive motors; DC motors to an output of 750W; DC motors of an output from 750W to 75kW; AC motors from 37.5W to 74.6W; AC multi-phase motors; starters; alternators; lamps; rear drive lights; rotating beacons; strobe lights; sealed beam headlamps; contactors; relays; headlamps; LED lights; electrical control boxes, boards and panels; electrical controllers; engine control units; and, sensors (duty rate ranges from duty-free to 9%). The request indicates that certain materials/ components are subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is October 7, 2024.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Diane Finver at Diane.Finver@trade.gov.

Dated: August 21, 2024.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2024–19074 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–112–2024]

Approval of Subzone Expansion; Consolidated Diesel Company; Whitakers, North Carolina

On July 1, 2024, the Executive Secretary of the Foreign-Trade Zones

(FTZ) Board docketed an application submitted by the North Carolina Department of Transportation, grantee of FTZ 214, requesting an expansion of Subzone 214A subject to the existing activation limit of FTZ 214, on behalf of Consolidated Diesel Company, in Whitakers, North Carolina.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (89 FR 55914, July 8, 2024; correction, 89 FR 60354, July 25, 2024). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application to expand Subzone 214A was approved on August 21, 2024, subject to the FTZ Act and the Board's regulations, including section 400.13, and further subject to FTZ 214's 2,000-acre activation limit.

Dated: August 21, 2024.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2024–19082 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–154, C–570–155]

Certain Pea Protein From the People's Republic of China: Antidumping and Countervailing Duty Orders

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) and countervailing duty (CVD) orders on certain pea protein (pea protein) from the People's Republic of China (China).

DATES: Applicable August 26, 2024.

FOR FURTHER INFORMATION CONTACT: Sofia Pedrelli (AD) or Kristen Johnson (CVD), AD/CVD Operations, Offices II and III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4310 or (202) 482–4793, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d), 735(d), and 777(i) of the Tariff Act of

1930, as amended (the Act), on July 5, 2024. Commerce published in the **Federal Register** its affirmative final determination of sales at less-than-fair-value (LTFV) of pea protein from China¹ and its affirmative final determination that countervailable subsidies are being provided to producers and exporters of pea protein from China.² As part of these determinations, Commerce made affirmative critical circumstances findings for the separate rate companies and the China-wide entity in the AD investigation and for all producers and/or exporters and non-responsive companies in the CVD investigation.

On August 15, 2024, pursuant to sections 735(d) and 705(d) of the Act, the ITC notified Commerce of its affirmative final determinations that an industry in the United States is materially injured within the meaning of sections 735(b)(1)(A)(i) and 705(b)(1)(A)(i) of the Act by reason of LTFV imports of pea protein from China and subsidized imports of pea protein from China.³ In addition, the ITC found that critical circumstances exist with regard to imports from China.⁴

Scope of the Orders

The product covered by these orders is pea protein from China. For a complete description of the scope of these orders, see the appendix to this notice.

AD Order

Based on the above-referenced affirmative final determination, in accordance with section 735(c)(2) and 736 of the Act, Commerce is issuing this AD order. Because the ITC determined

that imports of pea protein from China are materially injuring a U.S. industry, unliquidated entries of such merchandise entered, or withdrawn from warehouse, for consumption, are subject to the assessment of ADs. In addition, the ITC found that critical circumstances exist with respect to imports subject to Commerce’s affirmative critical circumstances finding within the meaning of section 735(b)(4)(A) of the Act. As a result of Commerce’s affirmative critical circumstances determination under section 735(a)(3) of the Act, and the ITC’s affirmative critical circumstances determination under section 735(b)(4)(A) of the Act, retroactive duties will be applied to the relevant imports for a period of 90 days prior to the suspension of liquidation (*i.e.*, 90 days prior to the date of publication of the affirmative *LTFV Preliminary Determination*).⁵

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of pea protein from China entered, or withdrawn from warehouse, for consumption, on or after November 15, 2023, which is 90 days prior to the date of publication of the affirmative *LTFV Preliminary Determination*, in accordance with the critical circumstances finding in the *LTFV Final Determination*, but will not include entries occurring after the

expiration of the provisional measures period and before publication of the ITC’s final affirmative injury determination, as further described below.

Continuation of Suspension of Liquidation and Cash Deposits—AD

Except as noted in the “Provisional Measures—AD” section of this notice, in accordance with section 736 of the Act, Commerce intends to instruct CBP to continue to suspend liquidation on all relevant entries of pea protein from China, in accordance with section 736 of the Act. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends to instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins, with offsets for export subsidies where appropriate, as indicated in the tables below. Accordingly, effective the date of publication of the ITC’s final affirmative injury determination, CBP will suspend the liquidation of entries of subject merchandise, and require, at the same time that importers would normally deposit estimated duties on the merchandise, a cash deposit equal to the rates listed below. The relevant China-wide entity rate applies to all producers or exporters not specifically listed, as appropriate.

Estimated Weighted-Average Dumping Margins

The estimated weighted-average dumping margins as published in Commerce’s *LTFV Final Determination* are as follows:

Exporter	Producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset) (percent)
Fenchem Biotek Ltd	Yantai Shuangta Food Co., Ltd	122.19	111.65
Jianyuan International Co., Ltd	Shandong Jianyuan Bioengineering Co., Ltd	122.19	111.65
Jianyuan International Co., Ltd	Hengyuan Biotechnology Co., Ltd	122.19	111.65
KTL Pharmaceutical Co., Limited	Jiujiang Tiantai Food Co., Ltd	122.19	111.65
Linyi Yuwang Vegetable Protein Co., Ltd	Linyi Yuwang Vegetable Protein Co., Ltd	122.19	111.65
Nutracean Co., Ltd	Yantai Shuangta Food Co., Ltd	122.19	111.65
Nutracean Co., Ltd	Zhaoyuan Junbang Trading Co., Ltd	122.19	111.65
Shandong Yuwang Ecological Food Industry Co., Ltd.	Linyi Yuwang Vegetable Protein Co., Ltd	122.19	111.65

¹ See *Certain Pea Protein from the People’s Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determination*, 89 FR 55559 (July 5, 2024) (*LTFV Final Determination*).

² See *Certain Pea Protein from the People’s Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination*, 89 FR 55557 (July 5, 2024) (*CVD Final Determination*).

³ See ITC’s Letter, “Notice of ITC Final Determinations,” dated August 15, 2024; see also *Certain Pea Protein from China*, Inv. Nos. 701–TA–692 and 731–TA–1628 (Final), USITC Pub. 5529 (August 2024) (*ITC Final Determination Publication*), at 3.

⁴ See *ITC Final Determination Publication*.
⁵ See section 735(c)(4) of the Act; see also Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. 103–316, Vol. 1 (1994) (SAA), at 876 (“If both agencies make affirmative critical circumstances

determinations in their final investigations, retroactive duties will be applied for a period ninety days prior to suspension of liquidation.”); *Certain Pea Protein from the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 89 FR 10038 (February 13, 2024) (*LTFV Preliminary Determination*).

Exporter	Producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset) (percent)
Yantai T. Full Biotech Co., Ltd	Yantai T. Full Biotech Co., Ltd	122.19	111.65
Yosin Biotechnology (Yantai) Co., Ltd	Yosin Biotechnology (Yantai) Co., Ltd	122.19	111.65
Yosin Import and Export (Yantai) Co., Ltd	Yosin Biotechnology (Yantai) Co., Ltd	122.19	111.65
Hainan Zhongxin Chemical Co., Ltd	Shandong Hua-Thai Food Products Co., Ltd	122.19	111.65
Hainan Zhongxin Chemical Co., Ltd	Shandong Jundu Talin Foods Co., Ltd	122.19	111.65
Hainan Zhongxin Chemical Co., Ltd	Yosin Biotechnology (Yantai) Co., Ltd	122.19	111.65
Hainan Zhongxin Chemical Co., Ltd	Yosin Import and Export (Yantai) Co., Ltd	122.19	111.65
Hainan Zhongxin Chemical Co., Ltd	Yantai Shuangta Food Co., Ltd	122.19	111.65
China-wide Entity .....	.....	280.31	269.77

Provisional Measures—AD

Section 733(d) of the Act states that instructions issued under section 733(d)(1) and (2) of the Act pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. At the request of exporters that account for a significant proportion of exports of pea protein from China, Commerce extended the four-month period to six months in this investigation.⁶ Commerce published the *LTFV Preliminary Determination* on February 13, 2024.⁷

The extended provisional measures period, beginning on the date of publication of the *LTFV Preliminary Determination*, ended on August 10, 2024. Pursuant to section 737(b) of the Act, the collection of cash deposits at the rates listed above will begin on the date of publication of the ITC’s final injury determination. Therefore, in accordance with section 736(a)(1) of the Act and our practice, Commerce intends to instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of pea protein from China entered, or withdrawn from warehouse, for consumption, on or after August 11, 2024, the first day provisional measures were no longer in effect, until and through the day preceding the date of publication of the ITC’s final injury determination in the **Federal Register**. Suspension of liquidation and the

collection of cash deposits will resume on the date of publication of the ITC’s final determination in the **Federal Register**.

CVD Order

As stated above, based on the above-referenced affirmative final determination by the ITC that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act by reason of subsidized imports of pea protein from China, in accordance with section 705(c)(2) of the Act, Commerce is issuing this CVD order. Because the ITC determined that imports of pea protein from China are materially injuring a U.S. industry, unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption, are subject to the assessment of CVDs. In addition, the ITC found that critical circumstances exist with respect to imports from China subject to Commerce’s affirmative critical circumstances finding within the meaning of section 705(b)(4)(A) of the Act. As a result of Commerce’s affirmative critical circumstances determination under section 705(a)(2) of the Act, and the ITC’s affirmative critical circumstances determination under section 705(b)(4)(A) of the Act, retroactive duties will be applied to the relevant imports for a period of 90 days prior to the suspension of liquidation, (i.e., 90 days prior to the date of publication of the affirmative *CVD Preliminary Determination*).⁸

Therefore, in accordance with section 706(a) of the Act, Commerce will direct

⁸ See section 705(c)(4) of the Act; see also SAA at 876 (“If both agencies make affirmative critical circumstances determinations in their final investigations, retroactive duties will be applied for a period ninety days prior to suspension of liquidation.”).

CBP to assess, upon further instruction by Commerce, countervailing duties on all relevant entries of pea protein from China. With respect to entries for Yantai Oriental Protein Tech Co., Ltd., Zhaoyuan Junbang Trading Co., Ltd., all other producers and/or exporters, and the non-responsive companies,⁹ CVDs will be assessed on unliquidated entries of pea protein from China entered, or withdrawn from warehouse, for consumption, on or after September 19, 2023, which is 90 days prior to the date of publication of the *CVD Preliminary Determination*.¹⁰ CVDs will not be assessed on entries occurring after the expiration of the provisional measures period and before the publication of the ITC’s final affirmative injury determination, as further described in the “Provisional Measures—CVD” section of this notice.

Continuation of Suspension of Liquidation and Cash Deposits—CVD

In accordance with section 706 of the Act, Commerce intends to instruct CBP to reinstitute the suspension of liquidation of pea protein from China, effective on the date of publication of the ITC’s final affirmative injury determination in the **Federal Register**. These instructions suspending liquidation will remain in effect until further notice.

⁹ The non-responsive companies are: Focuserb LLC; Golden Protein Limited; Shandong Jianyuan Bioengineering Co.; and Yantai Wanpy International Trade.

¹⁰ See *Certain Pea Protein from the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, and Alignment of Final Determination with Final Antidumping Duty Determination*, 88 FR 87403 (December 18, 2023) (*CVD Preliminary Determination*).

⁶ See *LTFV Preliminary Determination*.
⁷ *Id.*

Commerce also intends, pursuant to section 706(a)(1) of the Act, to instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, CBP will require, at the same

time as importers would normally deposit estimated customs duties on the subject merchandise, a cash deposit for each entry of subject merchandise equal to the subsidy rates listed below.¹¹ The all-others rate applies to all producers or exporters not specifically listed below, as appropriate.

Estimated Countervailing Duty Subsidy Rates

The estimated countervailing duty subsidy rates as published in Commerce's *CVD Final Determination* are as follows:

Company	Subsidy rate (percent <i>ad valorem</i>)
Yantai Oriental Protein Tech Co., Ltd. ¹²	16.52
Zhaoyuan Junbang Trading Co., Ltd. ¹³	15.15
Focusherb LLC	355.89
Golden Protein Limited	355.89
Shandong Jianyuan Bioengineering Co	355.89
Yantai Wanpy International Trade	355.89
All Others	15.84

Provisional Measures—CVD

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *CVD Preliminary Determination* on December 18, 2023.¹⁴ As such, the four-month period beginning on the date of publication of the *CVD Preliminary Determination* ended on April 15, 2024.

Therefore, in accordance with section 703(d) of the Act, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to CVDs, unliquidated entries of pea protein from China entered, or withdrawn from warehouse, for consumption, on or after April 16, 2024, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Establishment of the Annual Inquiry Service List

On September 20, 2021, Commerce published the *Final Rule* in the **Federal Register**.¹⁵ On September 27, 2021, Commerce also published the *Procedural Guidance* in the **Federal Register**.¹⁶ The *Final Rule* and

Procedural Guidance provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called "AISL-Annual Inquiry Service List."¹⁷

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney

representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*, the new annual inquiry service list will be in place until the following year, when the opportunity notice for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, "after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow."¹⁸ Accordingly, as stated above, the petitioner and the Government of China should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service list for those

published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as "AISL-January Anniversary." Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

¹⁸ See *Final Rule*, 86 FR at 52335.

¹¹ See section 706(a)(3) of the Act.

¹² Commerce finds the following companies to be cross owned with Yantai Oriental Protein Tech Co., Ltd.: Jiujiang Tiantai Food Co., Ltd.; Shandong Sanjia Investment Holding Group Co., Ltd.; Yantai Yiyuan Bioengineering Co., Ltd.; and Yantai Zhongzhen Trading Co., Ltd.

¹³ Commerce finds Yantai Shuangta Food Co. Ltd. to be cross owned with Zhaoyuan Junbang Trading Co., Ltd.

¹⁴ See *CVD Preliminary Determination*.

¹⁵ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

¹⁶ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

¹⁷ This segment will be combined with the ACCESS Segment Specific Information (SSI) field, which will display the month in which the notice of the order or suspended investigation was

orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioner and the Government of China will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioner and the Government of China are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notifications to Interested Parties

This notice constitutes the AD and CVD orders with respect to pea protein from China, pursuant to section 736(a) and 706(a) of the Act. Interested parties can find a list of AD and CVD orders currently in effect at <https://enforcement.trade.gov/stats/iastats1.html>.

These orders are published in accordance with sections 736(a) and 706(a) of the Act, and 19 CFR 351.211(b).

Dated: August 20, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistance Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The product within the scope of these orders is high protein content (HPC) pea protein, which is a protein derived from peas (including, but not limited to, yellow field peas and green field peas) and which contains at least 65 percent protein on a dry weight basis. HPC pea protein may also be identified as, for example, pea protein concentrate, pea protein isolate, hydrolyzed pea protein, pea peptides, and fermented pea protein. Pea protein, including HPC pea protein, has the Chemical Abstracts Service (CAS) registry number 222400–29–5.

The scope covers HPC pea protein in all physical forms, including all liquid (*e.g.*, solution) and solid (*e.g.*, powder) forms, regardless of packaging or the inclusion of additives (*e.g.*, flavoring, suspension agents, preservatives).

The scope also includes HPC pea protein described above that is blended, combined, or mixed with non-subject pea protein or with other ingredients (*e.g.*, proteins derived from other sources, fibers, carbohydrates, sweeteners, and fats) to make products such as protein powders, dry beverage blends, and protein fortified beverages. For any such blended, combined, or mixed products, only the HPC pea protein component is covered by the scope of these orders. HPC pea protein that has been blended, combined, or mixed with other products is included within the scope, regardless of whether the blending, combining, or mixing occurs in third countries.

HPC pea protein that is otherwise within the scope is covered when commingled (*i.e.*, blended, combined, or mixed) with HPC pea protein from sources not subject to these orders. Only the subject component of the commingled product is covered by the scope.

A blend, combination, or mixture is excluded from the scope if the total HPC pea protein content of the blend, combination, or mixture (regardless of the source or sources) comprises less than five percent of the blend, combination, or mixture on a dry weight basis.

All products that meet the written physical description are within the scope of these orders unless specifically excluded. The following products, by way of example, are outside and/or specifically excluded from the scope of these orders:

- burgers, snack bars, bakery products, sugar and gum confectionary products, milk, cheese, baby food, sauces and seasonings, and pet food, even when such products are made with HPC pea protein;
- HPC pea protein that has gone through an extrusion process to alter the HPC pea protein at the structural and functional level, resulting in a product with a fibrous structure which resembles muscle meat upon hydration. These products are commonly described as textured pea protein or texturized pea protein;
- HPC pea protein that has been further processed to create a small crunchy nugget commonly described as a pea protein crisp;
- protein derived from chickpeas.

The merchandise covered by the scope is currently classified under Harmonized Tariff Schedule of the United States (HTSUS) categories 3504.00.1000, 3504.00.5000, and 2106.10.0000. Such merchandise may also enter the U.S. market under HTSUS category 2308.00.9890. Although HTSUS categories and the CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

[FR Doc. 2024–19071 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

AI in Biopharmaceuticals Industry Roundtable

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: Through this notice, the International Trade Administration (ITA) of the Department of Commerce announces a roundtable discussion with industry representatives and U.S. government officials on strategies to increase U.S. industry competitiveness and support adoption of artificial intelligence (AI) in the U.S. biopharmaceutical industry and the adoption of AI in drug discovery and

development, biopharmaceutical manufacturing, clinical trial design, and supply chain management. ITA invites applications from industry representatives to participate in the roundtables. Applicants should be existing producers or prospective new market entrants with medicines that are or will be produced or developed in the United States and exported overseas.

DATES:

Events: The roundtable will be held on Wednesday, October 16, 2024, from 2:30 p.m. to 4:30 p.m., Eastern Daylight Time.

Event Registration: ITA will evaluate registrations based on the submitted information (see below) and inform applicants of selection decisions, which will be made on a rolling basis until a maximum of 20 participants have been selected.

ADDRESSES: *Event:* The roundtable will be held via Microsoft Teams, and the link for the meeting will be provided to selected and registered participants.

FOR FURTHER INFORMATION CONTACT: Liam Kraft at 771–216–4432 or via email at HealthAI@trade.gov.

SUPPLEMENTARY INFORMATION: AI is anticipated to yield significant growth opportunities for the healthcare sector. With AI regulation and policy formation still nascent in many markets, it is important to understand the implications of changes in these areas for U.S. healthcare industry stakeholders as adoption of AI grows across the biopharmaceutical industry. This discussion will help position ITA to work with U.S. industry stakeholders in ways that can enhance U.S. industry competitiveness in overseas markets and reduce current or future trade barriers faced by companies in this space.

The Department seeks individual input and views at the 10/16/2024 roundtable regarding overseas competitiveness of U.S. companies using, or planning to incorporate, AI in how they produce and commercialize biopharmaceuticals. Participants will be encouraged to provide any relevant feedback on this issue during the roundtable, which may include comments on the following non-exhaustive list of possible topics:

- With the introduction of technologies such as foundational models and general-purpose AI, what regulatory and policy shifts is your company monitoring in global markets that might affect adoption of AI in the production and commercialization of biopharmaceuticals? How do you anticipate these changes may affect your company's global competitiveness?

- Which markets, given shifting regulatory and policy landscapes, present the most promising commercial environments for adopting AI in the biopharmaceutical industry, from your experience?

- How do you assess the potential for public-private partnerships (P3s) to support efforts in the healthcare sector to adopt AI in the development and commercialization of biopharmaceuticals in global markets? What would a successful P3 in this space look like?

- What kinds of strategic international engagements do you believe would be most effective in creating a more conducive environment for the U.S. biopharmaceutical industry to adopt AI and strengthen its competitiveness in overseas markets?

- What kinds of trade barriers are you seeing or anticipating that might negatively affect U.S. competitiveness? Where do you encounter these barriers? How do you think the barriers can be reduced, removed, or prevented?

- What are the implications of regulations and policies around health data in foreign markets for adoption of AI in the U.S. biopharmaceutical industry?

- What are the implications of how foreign governments are addressing intellectual property considerations in relation to AI-assisted drug development?

The event is closed to press and the public. Industry participation is limited to a maximum of 20 qualifying industry representatives.

Selection

To attend, participants should submit the below information to HealthAI@trade.gov by no later than 10/9/2024. ITA will evaluate registrations based on the submitted information (and based on the criteria below) on a rolling basis until a maximum of 20 participants have been selected for each roundtable and inform applicants of selection decisions.

Applicants are encouraged to send representatives at a sufficiently senior level to be knowledgeable about their company's capabilities, interests, and challenges in the global AI in healthcare market. Due to time constraints, there is a limit of one person to speak on behalf of each company.

Applicants should include the following information in their response email:

- Name of attendee and short bio.
- Name of company and brief company description.

- A statement self-certifying how the company meets each of the following criteria:

1. It is not majority owned by a foreign government entity (or entities).

2. It is an existing provider or prospective new market entrant, of biopharmaceuticals that are or will be produced in the United States and that feature use of AI/ML in one or more of the following business areas: drug discovery/development (e.g., target identification, disease modeling, de novo drug design, pre-clinical development), clinical trials (e.g. patient recruitment, trial design), drug manufacturing (e.g., process optimization, drug synthesis and formulation), and supply chain management (e.g., predictive modeling, demand forecasting).

3. The representative will be able to attend the entire roundtable.

Selection will be based on the following criteria:

- The company's production or production plans with respect to AI in drug discovery/development, clinical trials, drug manufacturing, and supply chain management.

- The company's experience in leveraging AI to produce biopharmaceuticals that are exported from the United States to overseas markets.

- Suitability of the representative's position and biography to be able to engage in the conversation.

- Ability of the company to contribute to the roundtable's purpose of seeking individual input and views on policies and initiatives that strengthen U.S. industry competitiveness of U.S. exports.

Dated: August 20, 2024.

Amanda Lawrence,

Acting Director, Office of Health Industries, International Trade Administration.

[FR Doc. 2024-19039 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

International Trade Administration [C-570-163]

Certain Glass Wine Bottles From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that

countervailable subsidies are being provided to producers and exporters of certain glass wine bottles (wine bottles) from the People's Republic of China (China). The period of investigation is January 1, 2022, through December 31, 2022.

DATES: Applicable August 26, 2024.

FOR FURTHER INFORMATION CONTACT:

Preston Cox, Scarlet Jaldin, or Theodora Mattei, 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) 482-5041, (202) 482-4275, or (202) 482-4834, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 28, 2024, Commerce published the *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.¹ Subsequently, on July 23, 2024, Commerce issued its Post-Preliminary Analysis.² For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.³ The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Investigation

The products covered by this investigation are wine bottles from China. For a complete description of the scope of this investigation, see Appendix I.

¹ See *Certain Glass Wine Bottles from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Preliminary Affirmative Determination of Critical Circumstances*, 89 FR 47533 (June 3, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, "Post-Preliminary Decision Memorandum for the Countervailing Duty Investigation of Certain Glass Wine Bottles from the People's Republic of China," dated July 23, 2024 (Post-Preliminary Analysis).

³ See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Certain Glass Wine Bottles from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Scope Comments

During the course of this investigation, Commerce received scope comments from parties. Commerce issued a Preliminary Scope Decision Memorandum to address these comments and set aside a period of time for parties to address scope issues in scope-specific case and rebuttal briefs.⁴ We received comments from parties on the Preliminary Scope Decision Memorandum, which we address in the Final Scope Decision Memorandum.⁵ We did not make any changes to the scope of the investigation from the scope published in the *Preliminary Determination*, as noted in Appendix I.

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation, and the issues raised in the case and rebuttal briefs that were submitted by parties in this investigation, are discussed in the Issues and Decision Memorandum. For a list of the issues raised by interested parties and addressed in the Issues and Decision Memorandum, see Appendix II to this notice.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.⁶ For a full description of the methodology underlying our final determination, see the Issues and Decision Memorandum.

In making this final determination, Commerce relied, in part, on facts otherwise available, including with an adverse inference, pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of adverse facts available, see the *Preliminary Determination*⁷ and the Issues and Decision Memorandum at the section entitled “Use of Facts Otherwise Available and Application of Adverse Inferences.”

⁴ See Memorandum, “Preliminary Scope Decision Memorandum,” dated May 28, 2024 (Preliminary Scope Decision Memorandum).

⁵ See Memorandum, “Final Scope Decision Memorandum,” dated concurrently with this notice (Final Scope Decision Memorandum).

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(5A) of the Act regarding specificity.

⁷ See *Preliminary Determination* PDM at 8–36.

Verification

Commerce was unable to conduct on-site verification of the information relied on in making its final determination in this investigation. However, in June and July 2024, we took additional steps in lieu of on-site verification to verify the information relied upon in making this final determination, in accordance with section 782(i) of the Act, by conducting virtual verification of Shandong Changyu Glass Co., Ltd. (Shandong Changyu).⁸ Yantai Prime Packaging Co., Ltd. (YPP) notified Commerce of its intent not to participate in a virtual verification.⁹

Changes Since the Preliminary Determination and Post-Preliminary Analysis

Based on our review and analysis of the information received at verification, for this final determination, we made certain changes to the countervailable subsidy rate calculations for Shandong Changyu. For a discussion of these changes, see the Issues and Decision Memorandum.

Final Affirmative Determination of Critical Circumstances

Pursuant to sections 705(a)(2), 776(a), and 776(b) of the Act, and 19 CFR 351.206, Commerce finds that critical circumstances exist with respect to imports of wine bottles from China for Shandong Changyu, YPP, all other producers and/or exporters, and the non-responsive companies. For further information on Commerce’s critical circumstances analysis, see the section “Final Critical Circumstances Determination” in the accompanying Issues and Decision Memorandum.

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually examined, excluding any rates that are zero, *de minimis*, or based entirely under section 776 of the Act. In this investigation, Commerce calculated an individual estimated countervailable subsidy rate for Shandong Changyu, the only individually-examined exporter/producer in this investigation for which Commerce is calculating an estimated countervailable subsidy rate. Because

⁸ See Memorandum, “Report on Verification of Shandong Changyu Glass Co., Ltd. and Its Affiliates,” dated July 15, 2024.

⁹ See YPP’s Letter, “Notification of Non-Participation,” dated June 18, 2024.

the only individually calculated rate is not zero, *de minimis*, or based entirely on facts otherwise available, the estimated countervailable subsidy rate calculated for Shandong Changyu is the rate assigned to all other producers and exporters, pursuant to section 705(c)(5)(A)(i) of the Act.

Final Determination

Commerce determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent <i>ad valorem</i>)
Shandong Changyu Glass Co., Ltd. ¹⁰	21.31
Boliva International Limited	* 212.58
Bright Glassware	* 212.58
Shandong Dingxin Electronic Wenden Wensheng Glass Co., Ltd	* 212.58
Wuixi Hua Zhong Glass Co. Ltd	* 212.58
Xiamen Jane Jonson Co. Ltd Yamamura Glass Qinhuangdao	* 212.58
Yantai Prime Packaging Co., Ltd	* 212.58
Zibo Regal Glass Products Co. Ltd	* 212.58
All Others	21.31

* Rate based on adverse facts available.¹¹

Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with this final determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

As a result of our *Preliminary Determination*, and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after June 3, 2024, the date of publication of the *Preliminary Determination* in the

¹⁰ Commerce finds that Shandong Changyu is cross-owned with Yantai Changyu Glass Co., Ltd.; Yantai Changyu Investment Co., Ltd.; Yantai Changyu Glass Printing Co., Ltd.; Yantai Changyu Fuel Co., Ltd.; and Yantai Changyu Storage and Transportation Co., Ltd.

¹¹ See Memorandum, “AFA Calculation Memorandum for the Final Determination,” dated concurrently with this notice.

Federal Register. Because we preliminarily determined that critical circumstances existed with respect to Shandong Changyu, all other producers and/or exporters, and the non-responsive companies, we instructed CBP to suspend such entries on or after March 5, 2024, which is 90 days prior to the date of the publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 705(c)(1)(B)(ii) of the Act, and 19 CFR 351.210(d) where appropriate, Commerce will instruct CBP to require a cash deposit equal to the estimated individual countervailable subsidy rate or the estimated all-others rate, as indicated in the chart above, effective on the date of publication of this final determination.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above, in accordance with section 706(a) of the Act. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or cancelled.

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of wine bottles from China. As Commerce's final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of wine bottles from China. In addition, we are making available to the ITC all non-privileged and non-proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Administrative Protective Order

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to the APO of their responsibility concerning the destruction of proprietary information

disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: August 19, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation is certain narrow neck glass bottles, with a nominal capacity of 740 milliliters (25.02 ounces) to 760 milliliters (25.70 ounces); a nominal total height between 24.8 centimeters (9.75 inches) to 35.6 centimeters (14 inches); a nominal base diameter between 4.6 centimeters (1.8 inches) to 11.4 centimeters (4.5 inches); and a mouth with an outer diameter of between 25 millimeters (.98 inches) to 37.9 millimeters (1.5 inches); frequently referred to as a "wine bottle." In scope merchandise may include but is not limited to the following shapes: Bordeaux (also known as "Claret"), Burgundy, Hock, Champagne, Sparkling, Port, Provence, or Alsace (also known as "Germanic"). In scope glass bottles generally have an approximately round base and have shapes including but not limited to, straight-sided, a tapered slope from shoulder (*i.e.*, the sloping part of the bottle between the neck and the body) to base, or a long neck with sloping shoulders to a wider base. The scope includes glass bottles, whether or not clear, whether or not colored, with or without a punt (*i.e.*, an indentation on the underside of the bottle), and with or without design or functional enhancements (including, but not limited to, embossing, labeling, or etching). In scope merchandise is made of non-"free blown" glass, *i.e.*, in scope merchandise is produced with the use of a mold and is distinguished by mold seams, joint marks, or parting lines. In scope merchandise is unfilled and may be imported with or without a closure, including a cork, stelvin (screw cap), crown cap, or wire cage and cork closure.

Excluded from the scope of the investigation are: (1) glass containers made of borosilicate glass, meeting United States Pharmacopeia requirements for Type 1 pharmaceutical containers; and (2) glass containers without a "finish" (*i.e.*, the section of a container at the opening including the lip and ring or collar, threaded or otherwise compatible with a type of closure, including but not limited to a cork,

stelvin (screw cap), crown cap, or wire cage and cork closure).

Glass bottles subject to the investigation are specified within the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 7010.90.5019. The HTSUS subheading is provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Use of Facts Otherwise Available and Application of Adverse Inferences
- V. Final Critical Circumstances Determination
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Discussion of the Issues
 - Comment 1: Whether Commerce Should Find that Shandong Changyu Used the Export Buyer's Credit (EBC) Program as Adverse Facts Available (AFA)
 - Comment 2: Whether Commerce Should Find Shandong Changyu Uncreditworthy
 - Comment 3: Whether Commerce Should Find Countervailable the Provision of Natural Gas for Less Than Adequate Remuneration (LTAR) Program
 - Comment 4: Whether Commerce Should Conduct an On-site Verification
 - Comment 5: Whether Commerce Should Attribute to Shandong Changyu Countervailable Subsidies Received by Shandong Changyu's Cross-Owned Affiliates
 - Comment 6: Whether the Application of AFA to the Provision of Electricity for LTAR is Appropriate
 - Comment 7: Whether Commerce Should Find, based on AFA, that Shandong Changyu Used the Silica Sand for LTAR Program
 - Comment 8: Whether Commerce Should Find, based on AFA, that Shandong Changyu Used Other Subsidies
 - Comment 9: Whether Commerce Should Apply Total AFA to Shandong Changyu for Its Reporting of Policy Loans to the Wine Bottles Industry Program
- IX. Recommendation

[FR Doc. 2024-19069 Filed 8-23-24; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Request for Public Comment on NOAA Commercial Data Buys Guidance

AGENCY: Office of the Chief Information Officer (OCIO), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice; request for information (RFI).

SUMMARY: The Chief Data Officer within NOAA OCIO seeks information from interested parties regarding NOAA Observing System Council (NOSC) 2024 Guidance for NOAA Commercial Data Buys, a framework document developed for NOAA programs and offices that describes considerations for NOAA's engagements with the commercial sector on commercial data buy opportunities from all sources that contribute to environmental intelligence.

DATES: Submit written comments on or before September 25, 2024.

ADDRESSES: The public may submit written comments on issues addressed in this notification by the following method:

- *Email:* Comments may be submitted by email to nosc.execsec@noaa.gov.

A copy of NOAA Guidance for Commercial Data Buys may be downloaded or viewed at: https://nosc.noaa.gov/commercial_data_buys_guidance.php.

Instructions: Response to this RFI is voluntary. Attachments will be accepted in plain text, Microsoft Word, or Adobe PDF formats only. Respondents need not reply to all questions listed. Each individual or institution is requested to submit only one response. All comments received are part of the public record and may be posted, without change, on a Federal website. All identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. NOAA, therefore, requests that no business proprietary information, copyrighted information, or personally identifiable information be submitted in response to this RFI. Please note that the U.S. Government will not pay for response preparation, or for the use of any information contained in the response.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to nosc.execsec@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

NOAA has long met its mission through collaboration and partnerships with the broader enterprise. In order to respond to an ever-growing supply and demand for environmental information, NOAA recognizes the need to increasingly harness the opportunities of a rapidly growing commercial sector to complement and potentially increase its current observational capabilities, as environmental data sources from the private sector are expanding.

The NOSC established a task team to develop Guidance for NOAA

Commercial Data Buys, a framework document for NOAA programs and offices that describes considerations for NOAA's engagements with the commercial sector on commercial data buy opportunities from all sources that contribute to environmental intelligence. This guidance is essential to ensure data quality and technical requirements are met, mission and supply chain risks are mitigated, and current data sharing commitments with national partners, international partners, and downstream private sector entities are honored. Ensuring a consistent approach across NOAA in working with commercial data providers is also important to maintain the high fidelity of NOAA services and to clearly communicate NOAA's plans to industry.

Discussion Points To Inform the NOAA Commercial Data Buys Guidance

NOAA seeks response to this guidance as feedback, with discussion on the following points,* to the extent feasible:

1. What does this guidance enable for you as a provider of commercial data or a user of commercial data? What opportunities does it introduce?
2. What challenges would this guidance introduce for you and why?
3. What do you feel NOAA is not considering?

* *Note:* Only comments in response to the above questions will be considered. NOAA is not soliciting comments or feedback on items of an editorial nature or NOAA processes.

Please note that this is an RFI only. In accordance with the implementing regulations of the Paperwork Reduction Act of 1995 (PRA), specifically 5 CFR 1320.3(h)(4), this general solicitation is exempt from the PRA. Facts or opinions submitted in response to general solicitations of comments from the public, published in the **Federal Register** or other publications, regardless of the form or format thereof, provided that no person is required to supply specific information pertaining to the commenter, other than that necessary for self-identification, as a condition of the agency's full consideration, are not generally considered information collections and therefore not subject to the PRA.

Dated: August 21, 2024.

Anthony Andrew LaVoi,
Chief Data Officer, Office of the Chief
Information Officer, National Oceanic and
Atmospheric Administration.

[FR Doc. 2024-19131 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Hydrographic Services Review Panel Meeting, September 24th–26th, 2024

AGENCY: Office of Coast Survey, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of public meeting; request for comment.

SUMMARY: This serves as the notice of a public meeting for the NOAA Hydrographic Services Review Panel (HSRP) Federal Advisory Committee from September 24th through September 26th, 2024, in Detroit, MI. The agenda for the HSRP public meeting will be posted in advance of the meeting on the HSRP website. Individuals or groups who would like to comment on NOAA navigation, observation, and positioning services topics are encouraged to submit public comments in advance of the HSRP public meeting via email, during the public meeting in person, or during the public meeting via the "Questions" function in the meeting webinar if joining the public meeting virtually.

DATES: Members of the public may attend the NOAA HSRP public meeting in person or virtually on the following dates and at the following times:

1. September 24th, 2024, 9 a.m.–5:30 p.m. Eastern Time (ET).
2. September 25th, 2024, 8:30 a.m.–12 p.m. ET.
3. September 26th, 2024, 8:30 a.m.–4:30 p.m. ET.

ADDRESSES: Please visit the HSRP online landing page at <https://www.nauticalcharts.noaa.gov/hsrp/hsrp.html> for instructions on how to register to attend the HSRP public meeting in person and virtually, and for the most up-to-date information about the HSRP public meeting. The HSRP public meeting agenda, which is subject to change, will also be available via a link on the HSRP website. Draft meeting documents, presentations, background materials, past HSRP recommendation letters, and issue papers may be found there as well. Comments for the HSRP public meeting record may be submitted by one of the following methods:

- *Email:* Send written comments in advance of the HSRP public meeting to hydroservices.panel@noaa.gov, with "September 2024 HSRP meeting public comments" in the subject line of the email message.

- *Webinar*: Submit written comments during the HSRP public meeting through the HSRP webinar's "Questions" function. As time allows, commenters may be invited to orally expand on written comments they submitted during the public meeting's public comment periods.

- *In person*: Provide public comments during the daily public comment periods at the in-person meeting.

NOAA will accept anonymous comments; however, the written comments NOAA receives are considered part of the public record, and the entirety of the comment, including the name of the commenter, email address, attachments, and other supporting materials, will be publicly accessible. Sensitive personally identifiable information, such as account numbers and Social Security numbers, should not be included with the comments. Comments that are not related to the HSRP public meeting or that contain profanity, vulgarity, threats, or other inappropriate language will not be considered.

SUPPLEMENTARY INFORMATION:

The Hydrographic Services Improvement Act of 1998, as amended (HSIA; 33 U.S.C. 892 *et seq.*), established the HSRP as a Federal Advisory Committee (*see* 33 U.S.C. 892c) to advise the NOAA Administrator "on matters related to the responsibilities and authorities set forth in [33 U.S.C. 892a]" of the HSIA, "and such other appropriate matters as the Administrator refers to the [HSRP] for review and advice."

The HSRP invites NOAA stakeholder feedback and welcomes public comments in advance of and during the upcoming HSRP public meeting on the use of NOAA's navigation, observations, and positioning data, science, products, and services for the National Ocean Service's Center for Operational Oceanographic Products and Services, National Geodetic Survey, and Office of Coast Survey, and the NOAA/University of New Hampshire Joint Hydrographic Center. Relevant public comments sent in advance of the HSRP public meeting will be shared with the HSRP members, posted on the meeting website, and included in the public record for the meeting. Individuals and groups may also submit public comments during the scheduled daily public comment periods during the meeting or through the webinar's "Questions" function. These public comments will be read into the record during public comment periods. As time allows, commenters may be invited to orally expand on their written comments during the meeting's

public comment periods. Due to time constraints, all public comments may not be addressed orally during the meeting.

Matters To Be Considered

The HSRP members will focus on the issues relevant to NOAA's navigation, observations, and positioning services, and the value these services bring the nation, and invite suggestions from stakeholders and partners for improvements to these services. This suite of NOAA services supports safe and efficient navigation, the Blue Economy, resilient coasts and communities, and the nationwide positioning information infrastructure to support America's climate needs and commerce. Specifically, the HSRP will consider:

- National Ocean Service programs' recent activities, such as updates to the National Spatial Reference System, datums, national ocean and coastal mapping goals, hydrographic surveying, nautical charting, uncrewed systems, coastal remote sensing and bathymetric lidar, photogrammetry, positioning, sea level rise, and water levels in support of "seamless data."

- The status of NOAA's navigation services in the context of recent legislation (*e.g.*, the Bipartisan Infrastructure Law and the Inflation Reduction Act).

- Measuring, monitoring, and mitigating flooding and sea level change and the contribution of NOAA's critical foundational geospatial data to projects.

- NOAA navigation data, products, and services that enable further economic growth and impact safe navigation.

- Other topics related to NOAA programs and activities, such as bathymetric and coastal/ocean modeling, tide and current observations, resilience and coastal data and information systems to support planning for climate change in ports and coastal communities, flooding/inundation, contributions to the Blue Economy, Physical Oceanographic Real-Time System (PORTS®) sensor enhancements and expansion, Precision Marine Navigation, the transition from raster paper charts to Electronic Navigational Charts, geodetic observations, gravity modeling, data stewardship, education and training to sustain the workforce necessary for NOAA navigation services missions, and scientific mapping and technology research projects tied to cooperative agreements between NOAA and other partners.

Special Accommodations

This public meeting is accessible to people with disabilities and there will be sign language interpretation and captioning services. Please direct requests for other auxiliary aids to hydroservices.panel@noaa.gov at least 10 business days in advance of the meeting.

Authority: 33 U.S.C. 892 *et seq.*

Benjamin K. Evans,

RDML, Director, Office of Coast Survey, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2024-15790 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-G1-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE222]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) will hold a meeting.

DATES: The meeting will be held on Wednesday, September 11, 2024, starting at 10 a.m. and continue through 1 p.m. on Thursday, September 12, 2024. See **SUPPLEMENTARY INFORMATION** for agenda details.

ADDRESSES: This will be an in-person meeting with a virtual option. SSC members, other invited meeting participants, and members of the public will have the option to participate in person at the Hyatt Place Inner Harbor, 511 South Central Ave., Baltimore, MD, or virtually via Webex webinar. Webinar connection instructions and briefing materials will be available at www.mafmc.org/ssc.

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; website: www.mafmc.org.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: During this meeting, the SSC will review the most recent survey and fishery data and

the previously recommended 2025 Acceptable Biological Catch (ABC) for Atlantic Mackerel and Spiny Dogfish. The SSC will provide feedback and direction on the Council's draft 2025–2029 research priorities document. The SSC will also receive an overview of recent and upcoming activities for the Marine Recreational Information Program (MRIP). The SSC will discuss research activities, science implications and fishery interactions associated with offshore wind development in the Mid-Atlantic. The SSC will also discuss outcomes from the July SSC meeting and the key takeaways from the 8th National Scientific Coordination Subcommittee Workshop. The SSC may take up any other business as necessary.

A detailed agenda and background documents will be made available on the Council's website (www.mafmc.org) prior to the meeting.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Shelley Spedden, (302) 526–5251, at least 5 days prior to the meeting date.

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

Dated: August 21, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024–19115 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE114]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will convene a webinar meeting of the Salmon Technical Team (STT) to discuss items on the Pacific Council's September meeting agenda as detailed in **SUPPLEMENTARY INFORMATION** below. This meeting is open to the public.

DATES: The online meeting will be held Monday, September 16, 2024, from 10 a.m. to 3 p.m., Pacific Daylight Time, or until business for the day concludes.

ADDRESSES: This meeting will be held online. Specific meeting information,

including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see www.pcouncil.org). You may send an email to Mr. Kris Kleinschmidt (kris.kleinschmidt@noaa.gov) or contact him at (503) 820–2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT:

Angela Forristall, Staff Officer, Pacific Council; telephone: (503) 820–2419.

SUPPLEMENTARY INFORMATION: The primary purpose of the webinar meeting is to prepare for the Pacific Council's September 2024 meeting agenda items, including, but not limited to, such topics as the annual salmon methodology review, Queets spring/summer Chinook rebuilding plan, and other items of interest on the Pacific Council agenda. The STT may also discuss future STT meetings and other salmon-related topics of pertinence.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (kris.kleinschmidt@noaa.gov; (503) 820–2412) at least 10 days prior to the meeting date.

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

Dated: August 21, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024–19075 Filed 8–23–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE232]

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold its 153rd Scientific and Statistical Committee (SSC), Fishery Rights of Indigenous People Standing Committee (SC), Executive and Budget SC, and its 200th Council meetings to take actions on fishery management issues in the Western Pacific Region.

DATES: The SSC meeting will be held between September 11, 2024 and September 13, 2024; Fishery Rights of Indigenous People SC and Executive Budget SC meetings on September 20, 2024; and the Council meeting between September 23 and 25, 2024. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The 153rd SSC, Fishery Rights of Indigenous People SC, Executive and Budget SC, and 200th Council meetings will be held as a hybrid meeting for members and the public, with a remote participation option available via Webex. In-person attendance for the 153rd SSC, Fishery Rights of Indigenous People SC and Executive and Budget SC meetings will be hosted at the Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813. In-person attendance for the 200th Council meeting, will be hosted at the Ala Moana Hotel, Hibiscus Ballroom, 410 Atkinson Drive, Honolulu, HI 96814.

Specific information on joining the meeting, connecting to the web conference and providing oral public comments will be posted on the Council website at www.wpcouncil.org. For assistance with the web conference connection, contact the Council office at (808) 522–8220.

Council address: Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The 153rd SSC meeting will be held between 9

a.m. and 5 p.m. Hawaii Standard Time (HST) on September 11–12, and 9 a.m. and 1 p.m. on September 13, 2024. The Fishery Rights of Indigenous People SC will be held between 10 a.m. and 12 p.m. HST on September 20, 2024. The Executive and Budget SC meeting will be held between 1 p.m. and 5 p.m. HST on September 20, 2024. The 200th Council meeting will be held between 10 a.m. and 5 p.m. HST on September 23 and between 9 a.m. and 5 p.m. HST on September 24 and 25, 2024. Public comment on Non-Agenda Items will be held between 4:30 p.m. and 5 p.m. HST on September 23, 2024.

Agenda items noted as “Final Action” refer to actions that may result in Council transmittal of a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson–Stevens Fishery Conservation and Management Act (MSA). In addition to the agenda items listed here, the Council and its advisory bodies will hear recommendations from Council advisors. An opportunity to submit public comment will be provided throughout the agendas. The order in which agenda items are addressed may change and will be announced in advance at the Council meeting. The meetings will run as late as necessary to complete scheduled business.

Background documents for the 200th Council meeting, will be available at www.wpcouncil.org. Written public comments on final action items at the 200th Council meeting should be received at the Council office by 5 p.m. HST, Thursday, September 19, 2024, and should be sent to Kitty M. Simonds, Executive Director; Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, phone: (808) 522–8220 or fax: (808) 522–8226; or email: info@wpcouncil.org. Written public comments on all other agenda items may be submitted for the record by email throughout the duration of the meeting. Instructions for providing oral public comments during the meeting will be posted on the Council website. This meeting will be recorded (audio only) for the purposes of generating the minutes of the meeting. As public comments will be made publicly available, participants and public commenters are urged not to provide personally identifiable information (PII) and/or business identifiable information (BII) at this meeting. Participation in the meeting by web conference, or by telephone, constitutes consent to the audio recording.

Agenda for the 153rd SSC Meeting

Wednesday, September 11, 2024, 9 a.m. to 5 p.m. HST

1. Introductions
2. Approval of Draft Agenda and Assignment of Rapporteurs
3. Status of the 152nd SSC Meeting Recommendations
4. Pacific Islands Fisheries Science Center (PIFSC) Director Report
5. Island Fisheries
 - A. Non-commercial Fisheries Data
 - A.1. Marine Recreational Information Program Improvements for Hawaii Survey
 - A.2. Hawaii Marine Recreational Fishing Survey Fishermen’s Workshop
 - A.3. Hawaii Non-commercial Fishery Modules
 - A.4. SSC Discussion on Non-commercial Fisheries Data
 - B. Modifying the Guam Bottomfish Rebuilding Plan (Action Item)
 - C. Guam Bottomfish Data for Future Assessments
 - C.1. Guam Bottomfish Data for the Next Stock Assessment
 - C.2. Chair’s Report on Guam Bottomfish Data Western Pacific Stock Assessment Review (WPSAR)
 - C.3. SSC Discussion on Guam Bottomfish Data and Future Assessments
 - D. Public Comment
 - E. SSC Discussion and Recommendations
6. Program Planning and Research
 - A. Report of the National SSC Meeting
 - B. SSC Working Group Review of Annual Prioritization of MSA Research Priorities
 - C. PIFSC Ongoing Research Updates
 - C.1. Climate and Ecosystems Fisheries Initiative
 - C.2. Deep Sea Corals Workshop and Makapu’u Survey Update
 - D. Public Comment
 - E. SSC Discussion and Recommendations

Thursday, September 12, 2024, 9 a.m. to 5 p.m. HST

7. Protected Species
 - A. Shallow-set Longline (SSLL) Tori Line Experimental Fishing Permit (EFP) Project Report
 - B. False Killer Whale Foreign Fleet Impacts Analysis
 - C. Public Comment
 - D. SSC Discussion and Recommendations
8. Pelagic and International Fisheries
 - A. Longline Fishery Mid-year Reports
 - A.1. Hawaii Longline Fishery Report
 - A.2. American Samoa Longline Fishery Report

- B. Electronic Monitoring Regulatory Development Update
- C. Review of Striped Marlin Rebuilding Plan Analyses
- D. International Fisheries
 - D.1. Western and Central Pacific Fisheries Commission (WCPFC) Science Committee Report
 - D.2. Inter-American Tropical Tuna Commission (IATTC) Science Advisory Committee
- E. Public Comment
- F. SSC Discussion and Recommendations

Friday, September 13, 2024, 9 a.m. to 1 p.m. HST

9. Other Business
 - A. Next SSC Meetings Dates
10. Summary of SSC Recommendations to the Council

Agenda for the Fishery Rights of Indigenous People SC Meeting

Friday, September 20, 2024, 10 a.m. to 12 p.m. HST

1. Introductions and Approval of Agenda
2. Equity and Environmental Justice (EEJ)
 - A. Pacific Islands Regional EEJ Plan
 - B. Report of Main Hawaiian Islands (MHI) EEJ Meetings
 - C. 2025 Council Coordinating Committee (CCC) EEJ National Workshop Update
3. Report on Re-Naming of the Pacific Remote Islands Marine National Monument
4. Status of Pacific Remote Island Areas (PRIA) and Northwest Hawaiian Islands (NWHI) Sanctuary Proposals
5. Other Business
6. Public Comment
7. Discussion and Recommendations

Agenda for the Executive and Budget SC Meeting

Friday, September 20, 2024, 1 p.m. to 5 p.m. HST

1. Introductions and Approval of Agenda
2. Financial Reports
3. Administrative Reports
4. Council Family Changes
5. Meetings and Workshops
6. Legislation and Administration
7. Statement of Organization Practices and Procedures (SOPP) Revisions
8. Other Business
9. Public Comment
10. Discussion and Recommendations

Agenda for the 200th Council Meeting

Monday, September 23, 2024, 10 a.m. to 5 p.m. HST

1. Welcome and Introductions

2. Oath of Office
3. Approval of the 200th Council Meeting Agenda
4. Approval of the 199th Council Meeting Minutes
5. Executive Director's Report
6. Agency Reports
- A. NMFS
- A.1. Pacific Islands Regional Office
- A.2. PIFSC
- B. NOAA Office of General Counsel Pacific Islands Section
- C. U.S. Coast Guard (USCG)
- C.1. USCG Pacific Blue Mission
- C.2. USCG Report
- D. Enforcement
- D.1. NOAA Office of Law Enforcement
- D.2. NOAA Office of General Counsel Enforcement Section
- E. U.S. State Department
- F. U.S. Fish and Wildlife Service
- G. Public Comment
- H. Council Discussion and Action
7. Hawaii Archipelago and Pacific Remote Island Areas
- A. Moku Pepa
- B. Department of Land and Natural Resources/Division of Aquatic Resources Report
- C. Annual Catch Limit Specifications for MHI Deep 7 Bottomfish (Final Action)
- D. Report on Hawaii Non-commercial Fishery Data Meeting
- E. Update on Hawaii Small-boat Fisheries
- F. Advisory Group Report and Recommendations
- F.1. Hawaii Advisory Panel
- F.2. Fishing Industry Advisory Committee (FIAC)
- F.3. SSC
- G. Public Comment
- H. Council Discussion and Action
8. Mariana Archipelago
- A. Guam
- A.1. Isla Informe
- A.2. Department of Agriculture/Division of Aquatic and Wildlife Resources Report
- A.3. Modifying the Guam Bottomfish Rebuilding Plan (Initial Action)
- A.4. Guam Bottomfish Data for Future Assessments
- A.4.a. Guam Bottomfish Data for Next Assessment
- A.4.b. Chair's Report on Guam Bottomfish Data WPSAR
- B. Commonwealth of the Northern Mariana Islands (CNMI)
- B.1. Arongol Falú
- B.2. Department of Lands and Natural Resources/Division of Fish and Wildlife Report
- B.3. Update on CNMI Bottomfish Permit and Reporting
- C. Advisory Group Report and Recommendations
- C.1. Marianas Islands Advisory Panel
- C.2. FIAC
- C.3. SSC
- D. Public Comment
- E. Council Discussion and Action
- Monday, September 23, 2024, 4:30 p.m. to 5 p.m. HST*
- Public Comment on Non-Agenda Items
- Tuesday, September 24, 2024, 9 a.m. to 5 p.m. HST*
9. Protected Species
- A. SSLL Tori Line EFP Project Report
- B. Endangered Species Act (ESA) and Marine Mammal Protection Act Updates
- B.1. Overview of Sea Turtle Nursery and Rehabilitation Programs
- B.2. Giant Clam ESA Listing Proposed Rule
- B.3. Status of Coral and Green Sea Turtle Critical Habitat Designations
- C. Advisory Group Report and Recommendations
- C.1. Advisory Panels
- C.2. FIAC
- C.3. SSC
- D. Public Comment
- E. Council Discussion and Action
10. Pelagic and International
- A. Mid-year Longline Reports
- A.1. Hawaii Longline Logbook Report
- A.2. American Samoa Longline Logbook Report
- B. Options for Hawaii and American Samoa Longline Fisheries Crew Training Requirement
- C. Electronic Monitoring Program Considerations Update
- D. International Fisheries
- D.1. Science-Manager Dialogue for South Pacific Albacore
- D.2. WCPFC Science Committee
- D.3. Western and Central North Pacific Ocean Striped Marlin Rebuilding Plan
- D.4. IATTC Science Advisory Subcommittee & General Advisory Committee Outcomes
- D.5. Workshops on Illegal, Unreported and Unregulated Fishing
- E. Advisory Group Report and Recommendations
- E.1. Advisory Panels
- E.2. FIAC
- E.3. SSC
- F. Public Comment
- G. Council Discussion and Action
- Wednesday, September 25, 2024, 9 a.m. to 5 p.m. HST*
11. Program Planning
- A. Status of Inflation Reduction Act Projects
- B. Status of PRIA and NWHI Sanctuary Proposals
- C. Status of Offshore Energy Development in the Western Pacific
- D. Report of the National SSC Meeting
- E. National/Regional Communications and Outreach Report
- F. Advisory Group Report and Recommendations
- F.1. Advisory Panels
- F.2. FIAC
- F.3. SSC
- F.4. Fishery Data Collection and Research Committee
- F.5. Fishing Rights of Indigenous People Standing Committee
- G. Public Comment
- H. Council Discussion and Action
12. American Samoa Archipelago
- A. Motu Lipoti
- B. Department of Marine and Wildlife Resources Report
- C. Updates on the Super Alia Project
- D. Advisory Group Report and Recommendations
- D.1. American Samoa Advisory Panel
- D.2. FIAC
- D.3. SSC
- E. Public Comment
- F. Council Discussion and Action
13. Administrative Matters
- A. Financial Reports
- B. Administrative Reports
- C. Council Family Changes
- D. SOPP Changes
- E. Meetings and Workshops
- F. Executive and Budget Standing Committee Report
- G. Public Comment
- H. Council Discussion and Action
14. Other Business
- Non-emergency issues not contained in this agenda may come before the Council for discussion and formal Council action during its 200th meeting. However, Council action on regulatory issues will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.
- Special Accommodations**
- These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.
- Authority:* 16 U.S.C. 1801 *et seq.*
- Dated: August 21, 2024.
- Rey Israel Marquez,**
Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2024-19116 Filed 8-23-24; 8:45 am]
- BILLING CODE 3510-22-P**

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[RTID 0648-XE223]****Marine Fisheries Advisory Committee Meeting**

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

ACTION: Notice of open public meeting.

SUMMARY: This notice sets forth the proposed schedule and agenda of a forthcoming meeting of the Marine Fisheries Advisory Committee (MAFAC). The members will discuss and provide advice on issues outlined under the **SUPPLEMENTARY INFORMATION** section below.

DATES: The meeting will be held September 10–12, 2024. Daily start and end times are (in Alaska Time):

- Tuesday, September 10, 2024 from 9 a.m. to 5:30 p.m.
- Wednesday, September 11, 2024 from 8:30 a.m. to 4:45 p.m.
- Thursday, September 12, 2024 from 8:30 a.m. to 5:30 p.m.

ADDRESSES: The meeting is being held at the Kodiak Area Native Association Marketplace, 111 Rezanof Dr. W, Kodiak, AK 99615. Conference call and webinar access information are available at: <https://www.fisheries.noaa.gov/event/september-2024-marine-fisheries-advisory-committee-meeting>. Public comment may be provided to MAFAC by one of the following methods: (1) submitting written comments in advance of the MAFAC public meeting to katie.zanowicz@noaa.gov, with “September 2024 MAFAC” in the subject line of the email message, or (2) providing oral public comment during the meeting at the time allotted on the posted agenda.

FOR FURTHER INFORMATION CONTACT: Katie Zanowicz, MAFAC Assistant, 301-427-8038, katie.zanowicz@noaa.gov.

SUPPLEMENTARY INFORMATION: As required by section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. appendix 2, notice is hereby given of a meeting of MAFAC. The MAFAC was established by the Secretary of Commerce (Secretary) and, since 1971, advises the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. The charter, summaries of prior meetings, and MAFAC recommendations and reports are located online at <https://www.fisheries>.

[noaa.gov/topic/partners/marine-fisheries-advisory-committee](https://www.noaa.gov/topic/partners/marine-fisheries-advisory-committee).

Matters To Be Considered

The meeting time and agenda are subject to change. The meeting is convened to hear presentations and discuss policies and guidance on the following topics: climate-ready fisheries and climate impacts to seafood businesses, industry, and communities in Alaska; climate science work in Alaska; equity and environmental justice; and recreational fisheries. MAFAC will also receive other NOAA Fisheries program updates and discuss various administrative and organizational matters.

Time and Date

The meeting will be held September 10–12, 2024. Conference call and webinar access information are available at: <https://www.fisheries.noaa.gov/event/september-2024-marine-fisheries-advisory-committee-meeting>. Daily start and end times are noted in the **DATES** section above.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Katie Zanowicz, (301) 427-8038, by August 29, 2024.

Dated: August 21, 2024.

Heidi Lovett,

Designated Federal Officer, Marine Fisheries Advisory Committee, National Marine Fisheries Service.

[FR Doc. 2024-19126 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[RTID 0648-XE208]****New England Fishery Management Council; Public Meeting**

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a hybrid meeting of its Groundfish Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, September 11, 2024, at 9 a.m.

ADDRESSES:

Meeting address: This meeting will be held at Four Points by Sheraton, One Audubon Road, Wakefield, MA 01880; telephone: (781) 245-9300.

Webinar registration URL information: <https://nefmc-org.zoom.us/j/9832992894>

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O’Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:**Agenda**

The Groundfish Committee will meet to receive recommendations from the Recreational Advisory Panel, Groundfish Advisory Panel, and Groundfish Plan Development Team. They will also review Amendment 25 draft alternatives for incorporating new cod stock units into the fishery management plan and recommend preferred alternatives to the Council. The Committee will receive an update on development of draft alternatives, including potential recommendations to the Council regarding Framework Adjustment 69/Specifications and Management Measures as well as receive an update on development of the Atlantic Cod Management Transition Plan. They will make recommendations to the Council, as appropriate, and discuss other business, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council’s intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate

O'Keefe, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: August 21, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024-19076 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No: PTO-C-2024-0044]

Nomination of Individuals to the Council for Inclusive Innovation

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of request for nominations.

SUMMARY: The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO) requests the nomination of individuals to the Council for Inclusive Innovation (CI² or the Council) within the USPTO. The Secretary of Commerce (Secretary), in coordination with the Under Secretary of Commerce for Intellectual Property and Director of the USPTO (Director), will consider nominations received in response to this notice, as well as from other sources.

DATES: Nominations for immediate consideration must be received by 5 p.m. ET on September 30, 2024. After that date, the USPTO may continue to accept nominations under this notice for one year to fill vacancies that may arise.

ADDRESSES: Nominations should be submitted to: CI2Leadership@uspto.gov (subject line: "Council for Inclusive Innovation Nomination").

FOR FURTHER INFORMATION CONTACT:

Louis J. Boston Jr., Acting Director, Council for Inclusive Innovation, USPTO, Department of Commerce, at 571-272-9585 or CI2Leadership@uspto.gov.

SUPPLEMENTARY INFORMATION: In 2019, the USPTO published a report pursuant to a requirement of the Study of Underrepresented Classes Chasing Engineering and Science Success (SUCCESS) Act of 2018 (Pub. L. 115-273). The report contained a series of findings and recommendations, including a recommendation that the USPTO create a council to help develop a national strategy for promoting and increasing the participation of

underrepresented groups as inventor-patentees, entrepreneurs, and innovation leaders. The Council (formerly known as the National Council for Expanding American Innovation) was established, and its work with the USPTO led to the publication of the National Strategy for Inclusive Innovation (Strategy). The Strategy is available at: www.uspto.gov/sites/default/files/documents/NationalStrategy.pdf.

The following sections provide information about the Council, membership on the Council, and the Council's nomination process.

Objectives and Scope of the Council's Activities

The Council's goal is to foster inclusive innovation and to encourage and support innovation from all inventors, entrepreneurs, creators, and others, including those who have traditionally been underrepresented in the innovation ecosystem. An inclusive innovation ecosystem ensures that America's full potential is unleashed, strengthening our economy and providing building blocks for future innovation.

Description of Council Members' Duties

Council members will individually advise the Secretary and the Director on furthering the Strategy to help ensure the advancement of innovation and intellectual property. This Strategy is based on a vision for the United States' leadership in innovation that will lift communities, grow the economy, create quality jobs, and address global challenges. This vision will be achieved by increasing participation in science, technology, engineering, and mathematics (STEM) and innovation, starting with our youth, and will unleash every American's ability to fully take part in the innovation economy.

Council members will also individually provide information and feedback on how the USPTO can work across government and with the private and academic sectors to promote more innovation for all—especially in key technology areas—and to bring more innovation to impact and adoption. Council members will provide their individual viewpoints concerning Council activities, and no consensus advice is sought.

Additional duties of the Council members include:

1. Attending all Council meetings, to the extent possible, including virtual attendance if necessary;
2. Providing individual feedback and information on furthering the Strategy

and fostering the involvement of all inventor-patentees, entrepreneurs, and innovation leaders, including those who are underrepresented or lack access to the ecosystem, and on developing innovation in key technology areas;

3. Participating in their individual capacities, as necessary, or at the request of the Chair or Vice Chair, in public roundtable discussions convened by the USPTO, to gather public stakeholder comments and suggestions;

4. Individually assisting the USPTO in promoting national awareness of STEM fields and fostering opportunities for all, including underrepresented groups in these professions and as inventor-patentees, entrepreneurs, and innovation leaders;

5. Individually providing information to the Council on issues and developments that affect the inclusion of all in innovation, including underrepresented groups as inventor-patentees, entrepreneurs, and innovation leaders;

6. Individually identifying designees to serve on the Council Working Group; and

7. Communicating regularly, on an individual basis, with their designees to the Council Working Group to drive progress on action items.

More information about the Council is available at: www.uspto.gov/initiatives/equity/ci2.

Council Membership

The Council consists of up to 35 members, including the Chair and Vice Chair. The Secretary serves as Chair, and the Director serves as Vice Chair. Council members are comprised of representatives from (1) private industry, (2) nonprofit organizations, (3) academia, and (4) various Federal Government agencies and departments. The Chair may designate additional Council members who are heads of other Federal agencies to serve as Co-Vice Chairs. Council members will serve in a representative capacity, and members who are not already Federal employees will not be considered employees of the Federal Government for purposes of their participation on the Council.

The Council also includes a Council Working Group consisting of USPTO-approved designees of the Council members as well as additional members selected by the Vice Chair. Council Working Group members will provide individual input, and no consensus advice will be sought.

Council members generally will serve staggered three-year terms, except that any member appointed to fill a vacancy for an unexpired term will be appointed

for the remainder of the predecessor's term. A member who serves less than half of the predecessor's term will serve an interim appointment. A member may serve up to 180 days after the expiration of that member's term if a successor has not been appointed. After 180 days, the member's term will be vacant until a successor is appointed. Council members may be reappointed for a second consecutive three-year term. Members who serve an interim appointment remain eligible to serve two consecutive three-year terms.

The Chair appoints members to the Council in consultation with the Vice Chair, consistent with Department of Commerce policy.

Meetings of the Council will be held at the call of the Chair. The location of Council meetings, including the decision to hold a virtual meeting, will be set by, and is at the discretion of, the Chair. The Council is expected to meet four times per year, but may meet more or less frequently, as determined by the Chair. The Council may participate in public roundtable discussions, convened by the USPTO, to gather information from stakeholders and the public. Council members who participate in the public roundtable discussions will do so in their individual capacities.

The USPTO will provide support services for the Council, including administrative support and meeting space.

Compensation for Members

Members of the Council serve without compensation.

Solicitation of Nominations

The Chair, in consultation with the Vice Chair, is seeking to fill one or more member positions. The Chair, in consultation with the Vice Chair, will consider nominations of all qualified individuals to ensure that the Council includes the areas of experience noted above. Individuals may nominate themselves or other individuals. Professional associations and organizations may also nominate one or more qualified persons for Council membership. Nominations shall state that the nominee is willing to serve as a Council member and carry out the duties outlined above. All nominations should include the following information:

1. A letter of nomination stating the name, affiliation, and contact information of the nominee and the nominee's area(s) of interest and/or experience; and
2. The name of the nominator and the mailing address, email address, and

daytime telephone number at which the nominator can be contacted.

All nomination information should be provided in a single email submission (see **ADDRESSES** above).

The Council aims to have a balanced representation among its members, considering such factors as geography, technical expertise, community involvement, and knowledge of programs and/or activities related to the Council. Individuals will be selected based on their interest and/or experience in or representation of specific areas as needed by the Council. The diverse membership of the Council assures perspectives reflecting the breadth of the Council's responsibilities.

Privacy Act Statement

Authority: The collection of information concerning nominations to the Council for Inclusive Innovation is authorized under 35 U.S.C. 2(a)(2) and 2(b)(11) and in accordance with the Privacy Act of 1974, as amended, (Privacy Act) 5 U.S.C. 552a.

Purpose: The collection of names, contact information, and professional information is required in order for the Chair, in consultation with the and Vice Chair, to appoint members to the Council.

Routine Uses: The USPTO will use the nomination information for the purpose set forth above. The Privacy Act of 1974 authorizes disclosure of the information collected to Department and USPTO staff for work-related purposes and for other purposes only as set forth in the Privacy Act and for routine uses published in the Privacy Act System of Records Notice COMMERCE/DEPT-11, Candidates for Membership, Members, and Former Members of Department of Commerce Advisory Committees, available at <https://www.commerce.gov/opog/privacy/SORN/SORN-DEPT-11>.

Disclosure: Furnishing the nomination information is voluntary; however, if the information is not provided, the individual may not be considered for appointment to the Council.

Katherine K. Vidal,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2024-19064 Filed 8-23-24; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Office of the Secretary

National Security Education Board (NSEB); Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Personnel and Readiness (USD(P&R)), Department of Defense (DoD).

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The DoD is publishing this notice to announce that the following Federal Advisory Committee meeting of the National Security Education Board (NSEB) will take place.

DATES: Open to the public on Thursday, September 12th, 2024 from 10:00 a.m. Eastern Standard Time (EST) to 4:00 p.m. EST.

ADDRESSES: The meeting will be held at Washington Marriott Georgetown 1221 22nd St. NW, Washington, DC 20037. Please contact Ms. Alison Patz by phone, (571) 329-3894, or email (alison.m.patz.civ@mail.mil) for information about attending the meeting.

FOR FURTHER INFORMATION CONTACT: Ms. Alison Patz, (571) 329-3894 (Voice), alison.m.patz.civ@mail.mil (Email). Mailing address is National Security Education Program (NSEP), 4800 Mark Center Drive, Suite 08G08, Alexandria, VA 22350-7000. Website: <https://dlnseo.org/Governance/NSEB>.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the "Federal Advisory Committee Act" or "FACA"), 5 U.S.C. 552b (commonly known as the "Government in the Sunshine Act"), and 41 CFR 102-3.140 and 102-3.150.

Purpose of the Meeting: The purpose of the meeting is to review and make recommendations to the Secretary of Defense concerning requirements established by the David L. Boren National Security Education Act, Title VII of Public Law 102-183, as amended.

Agenda: Thursday, September 12th, 2024 from 10:00 a.m. to 4:00 p.m. the NSEB will begin with opening comments from the Board Chair and ADFO followed by a briefing on recent NSEP accomplishments, to include updates regarding Project Global Officer, the Language Training Centers, the Language Flagship, and the National Language Service Corps. This will be followed with a Service Statistics and Federal Outreach Discussion, as well as a Hiring Official discussion panel from

NSEP's four priority agencies. The meeting will continue with a panel discussion of recently returned Boren Scholars and Fellows, followed by working group discussion. General discussion and closing remarks by the Chair and the ADFO will adjourn the meeting.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165, and the availability of space, this meeting is open to the public, subject to the availability of space.

Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact Ms. Alison Patz at alison.m.patz.civ@mail.mil (email) or (571) 329-3894 (voice) no later than Monday, September 2, 2023, so that appropriate arrangements can be made.

Written Statements: This meeting is being held under the provisions of the FACA of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.140 and 102-3.150. Pursuant to 41 CFR 102-3.140 and sections 10(a)(3) of the FACA of 1972, the public or interested

organizations may submit written statements to the DoD NSEB about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of the planned meeting. All written statements shall be submitted to the point of contact at the email address or phone number listed in the **FOR FURTHER INFORMATION CONTACT** section, and this individual will ensure that the written statements are provided to the membership for their consideration. Statements being submitted in response to the agenda items mentioned in this notice must be received by the point of contact listed in the **FOR FURTHER INFORMATION CONTACT** section at least five calendar days prior to the meeting that is the subject of this notice. Written statements received after this date may not be provided to or considered by the NSEB until its next meeting.

Dated: August 21, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2024-19133 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 23-0C]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an section arms sales notification.

FOR FURTHER INFORMATION CONTACT: Neil Hedlund at neil.g.hedlund.civ@mail.mil or (703) 697-9214.

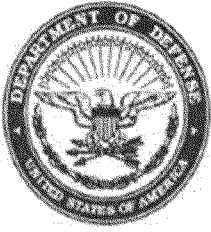
SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 23-0C.

Dated: August 16, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY

2800 Defense Pentagon
Washington, DC 20301-2800

December 22, 2022

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23-0C. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18-35 of September 13, 2018.

Sincerely,

James A. Hursch
Director

Enclosures:

1. Transmittal

BILLING CODE 6001-FR-C

Transmittal No. 23-0C

REPORT OF ENHANCEMENT OR
UPGRADE OF SENSITIVITY OF
TECHNOLOGY OR CAPABILITY (SEC.
36(B)(5)(C), AECA)

(i) *Purchaser:* Republic of Korea
(ii) *Sec. 36(b)(1), AECA Transmittal*
No.: 18-35

Date: September 13, 2018

Military Department: Army

(iii) *Description:* On September 13, 2018, Congress was notified by Congressional certification transmittal number 18-35, of the possible sale, under Section 36(b)(1) of the Arms

Export Control Act, of sixty-four (64) Patriot Advanced Capability-3 (PAC-3) Missile Segment Enhancement (MSE) Missiles. Also included were two (2) PAC-MSE Test Missiles, range and test programs, publications and technical documentations, training equipment, spare parts, personnel training, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support. The estimated total cost was \$501 million. Major Defense Equipment (MDE) constituted \$365 million of this total.

This transmittal notifies the inclusion of the following additional MDE items:

one-hundred sixteen (116) PAC-3 Missile Segment Enhancement (MSE) missiles; and two (2) PAC-3 MSE test missiles. Also included are spare parts; U.S. Government and contractor technical, engineering, and logistics support services; and other related elements of logistics and program support. The estimated total value of these additional items is \$533 million. The total estimated MDE value will increase by \$514 million, resulting in a new MDE total of \$879 million. The total estimated case value will increase to \$1.034 billion.

(iv) *Significance:* The proposed sale will improve the Republic of Korea's air

and missile defense capability and ensure greater interoperability with other PAC-3 MSE missile users in the region.

(v) *Justification*: This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a Major Non-NATO ally that is a force for political stability and economic progress in the Pacific region.

(vi) *Sensitivity of Technology*: The Sensitivity of Technology statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: December 22, 2022

[FR Doc. 2024-19120 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 22-70]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Neil Hedlund at neil.g.hedlund.civ@mail.mil or (703) 697-9214.

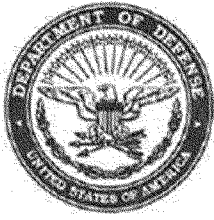
SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 22-70, Policy Justification, and Sensitivity of Technology.

Dated: August 16, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-70, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$180 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

James A. Hursch
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 22-70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Taipei Economic and Cultural Representative Office in the United States (TECRO)

(ii) *Total Estimated Value:*

Major Defense Equipment * \$ 0 million
Other \$180 million

TOTAL \$180 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
None

Non-MDE:

Includes Volcano (vehicle-launched) anti-tank munition-laying systems; M977A4 HEMTT 10-Ton cargo trucks; M87A1 Anti-Tank (AT) munitions; M88 canister training munitions (practice dummy ammunition rounds); M89 training munitions (test ammunition rounds); organic U.S. Army Depot

build of Volcano system permanently mounted on M977A4 HEMTT truck; logistics support packages to include spare parts, spare secondary assemblies, tool kits and test equipment; technical manuals; organic depot production, integration and testing; Operator and Maintenance Training; logistics and fielding support; USG technical assistance CONUS and OCONUS to include engineering services, program management, site surveys, facility, logistics and maintenance evaluations; quality assurance and de-processing team; field service representative(s); Repair and Return services; any transportation charges to execute the program; and related elements of logistical and program support.

(iv) *Military Department*: Army (TW-B-ZDV)

(v) *Prior Related Cases, if any*: None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid*: None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold*: See Attached Annex

(viii) *Date Report Delivered to Congress*: December 28, 2022

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States—Volcano System

The Taipei Economic and Cultural Representative Office in the United States (TECRO) has requested to buy Volcano (vehicle-launched) anti-tank munition-laying systems; M977A4 HEMTT 10-Ton cargo trucks; M87A1 Anti-Tank (AT) munitions; M88 canister training munitions (practice dummy ammunition rounds); M89 training munitions (test ammunition rounds); organic U.S. Army Depot build of Volcano system permanently mounted on M977A4 HEMTT truck; logistics support packages to include spare parts, spare secondary assemblies, tool kits and test equipment; technical manuals; organic depot production, integration and testing; Operator and Maintenance Training; logistics and fielding support; USG technical assistance CONUS and OCONUS to include engineering services, program management, site surveys, facility, logistics and maintenance evaluations; quality assurance and de-processing team; field service representative(s); Repair and Return services; any transportation charges to execute the program; and related elements of logistical and

program support. The estimated total cost is \$180 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's capability to meet current and future threats by providing a credible force capable of deterring adversaries and participating in regional operations. The recipient will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor(s) will be Northrup Grumman, West Falls Church, VA for production of munition canister mines; and Oshkosh Corporation, Oshkosh, WI for production of the M977A4 HEMTT vehicles. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require assignment of one (1) technical representative in country for an estimated two (2) years of support; and U.S. Government representatives and contractor personnel to travel OCONUS for a duration of up to five years to support equipment fielding/training and program management.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 22-70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended
Annex

Item No. vii

(vii) *Sensitivity of Technology*:

1. The M139 Volcano System: a mass scatterable mine delivery system that delivers mines by helicopter or ground vehicle. It enables tactical commanders to emplace antitank/antipersonnel (AT/AP) or pure AT minefields with a minimum of personnel. A soldier-selectable, self-destruct mechanism destroys the mine at the end of its active lifecycle—4 hours to 15 days—depending on the time selected. Using a ground vehicle, a 1,000-meter minefield can be laid in 4 to 12 minutes based on terrain and vehicle speed. A

helicopter can complete the mission in 20 seconds. Advantages of this system include faster response, increased lethality, greater efficiency, and enhanced safety.

a. The Volcano ground system is capable of holding up to 160 canisters and can be launched from both sides of the vehicle. Each canister contains six (6) mines.

b. With the Presidential Landmine Policy in place, AP mines cannot be exported. An AT only canister (M87A1) was developed to meet the policy decision. Therefore, the mine ratio went from five (5) AT mines/one (1) AP mine TO: six (6) AT mines/0 AP mines.

c. Volcano has no sensitive technological information or restricted information contained in the equipment, major components, subsystems, software, technical data (performance, maintenance, R&M, etc.) documentation, training devices and services to be conveyed with the proposed sale. There are no classified Volcano components (major components or subsystems), software, technical data, documentation, training devices or services to be conveyed with the proposed sale.

2. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the recipient can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the recipient.

[FR Doc. 2024–19128 Filed 8–23–24; 8:45 am]

BILLING CODE 6001–FR–C

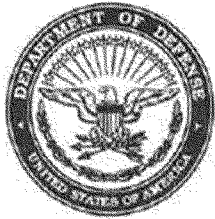
DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal No. 23-10]

Arms Sales Notification**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).**ACTION:** Arms sales notice.**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.**FOR FURTHER INFORMATION CONTACT:** Neil Hedlund at neil.g.hedlund.civ@mail.mil or (703) 697-9214.**SUPPLEMENTARY INFORMATION:** This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164

dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 23-10, Policy Justification, and Sensitivity of Technology.

Dated: August 16, 2024.

Aaron T. Siegel,
*Alternate OSD Federal Register Liaison Officer, Department of Defense.***BILLING CODE 6001-FR-P****DEFENSE SECURITY COOPERATION AGENCY**
2800 Defense Pentagon
Washington, DC 20301-2800

February 7, 2023

Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-10, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost \$10 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

A handwritten signature in black ink that reads "James A. Hursch".

James A. Hursch
Director**Enclosures:**

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 23–10

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser*: Republic of Poland

(ii) *Total Estimated Value*:

Major Defense Equipment *	\$ 8 billion
Other	\$ 2 billion
TOTAL	\$10 billion

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase*:

Major Defense Equipment (MDE):

Eighteen (18) M142 High Mobility Artillery Rocket System (HIMARS) Launchers

Four hundred sixty-eight (468) HIMARS Launcher Loader Module Kits

Forty-five (45) M57 Army Tactical Missile Systems (ATACMS)

Four hundred sixty-one (461) M30A2 Guided Multiple Launch Rocket System Alternative Warhead (GMLRS-AW) Pods with Insensitive Munitions Propulsion System (IMPS)

Five hundred twenty-one (521) M31A2 Guided Multiple Launch Rocket System Unitary (GMLRS-U) Pods with Insensitive Munitions Propulsion System (IMPS)

Five hundred thirty-two (532) XM403 Guided Multiple Launch Rocket System Extended Range Alternative Warhead (GMLRS-ER AW) Pods

Non-MDE:

Also included are Low Cost Reduced Range Practice Rockets; support equipment; communications equipment; spare and repair parts; test sets; batteries; laptop computers; publications and technical data; facility design; personnel training and equipment; systems integration support; Quality Assurance Teams and a Technical Assistance Fielding Team; United States Government and contractor engineering and logistics personnel services; training; sensors; and other related elements of logistics and program support.

(iv) *Military Department*: Army (PL-B-UEA, PL-B-UEB, PL-B-UEF, PL-B-UEG)

(v) *Prior Related Cases, if any*: PL-B-UDJ

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid*: None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold*: See Attached Annex

(viii) *Date Report Delivered to Congress*: February 7, 2023

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Poland—High Mobility Artillery Rocket System (HIMARS)

The Republic of Poland has requested to buy eighteen (18) M142 High Mobility Artillery Rocket System (HIMARS) launchers; four hundred sixty-eight (468) HIMARS Launcher Loader Module kits; forty-five (45) M57 Army Tactical Missile Systems (ATACMS); four hundred sixty-one (461) M30A2 Guided Multiple Launch Rocket System Alternative Warhead (GMLRS-AW) pods with Insensitive Munitions Propulsion System (IMPS); five hundred twenty-one (521) M31A2 Guided Multiple Launch Rocket System Unitary (GMLRS-U) pods with Insensitive Munitions Propulsion System (IMPS); and five hundred thirty-two (532) XM403 Guided Multiple Launch Rocket System Extended Range Alternative Warhead (GMLRS-ER AW) pods. Also included are Low Cost Reduced Range Practice Rockets; support equipment; communications equipment; spare and repair parts; test sets; batteries; laptop computers; publications and technical data; facility design; personnel training and equipment; systems integration support; Quality Assurance Teams and a Technical Assistance Fielding Team; United States Government and contractor engineering and logistics personnel services; training; sensors; and other related elements of logistics and program support. The total estimated cost is \$10 billion.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Poland's military goals of updating capability while further enhancing interoperability with the United States and other allies. Poland intends to use these defense articles and services to modernize its armed forces and expand its capability to strengthen its homeland defense and deter regional threats. Poland will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, Grand Prairie, TX. There are no known offset agreements proposed in connection with this

potential sale. Any future offset agreement would be defined in negotiations between the purchaser and the contractor(s).

Implementation of this proposed sale will require U.S. Government or contractor representatives to travel to Poland for program management reviews to support the program. Travel is expected to occur approximately twice per year as needed to support equipment fielding and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 23–10

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology*:

1. The M142 High Mobility Artillery Rocket System (HIMARS) is a C–130 transportable wheeled launcher mounted on a 5-ton Family of Medium Tactical Vehicles truck chassis. HIMARS is the modern Army-fielded version of the Multiple Launch Rocket System (MLRS) M270 launcher and can fire all of the MLRS Family of Munitions (FOM) including Guided Multiple Launch Rocket System (GMLRS) variants and the Army Tactical Missile System (ATACMS). Utilizing the MLRS FOM, the HIMARS can engage targets between 15 and 300 kilometers with GPS-aided precision accuracy.

2. The HIMARS Launcher Loader Module (LM) is mounted to the vehicle chassis and provides the necessary structure and mechanisms for the loading, launching, and unloading of all the MFOM rocket and missile munitions. The LM consists of a platform, a turret, and a base assembly. The base assembly interfaces with the carrier vehicle. The turret system sits on top of the base and allows for the aiming of the LM assembly in azimuth. The platform, on which one rocket pod is mounted, allows for the aiming of the LM in elevation.

3. The M57 Army Tactical Missile System (ATACMS)—Unitary is a conventional, semi-ballistic missile that utilizes a 500-pound high explosive warhead. It has an effective range of between 70 and 300 kilometers and has increased lethality and accuracy over previous versions of the ATACMS due to a GPS/Precise Position System (PPS) aided navigation system.

4. The M31A2 GMLRS Unitary is the Army's primary munition for units fielding the M142 HIMARS and M270A1

Multiple Launcher Rocket System (MLRS) Launchers. The M31 Unitary is a solid propellant artillery rocket that uses Global Positioning System/Precise Positioning Service (GPS/PPS)-aided inertial guidance to accurately and quickly deliver a single high-explosive blast fragmentation warhead to targets at ranges from 15–70 kilometers. The rockets are fired from a launch pod container that also serves as the storage and transportation container for the rockets. Each rocket pod holds six (6) total rockets.

5. The M30A2 GMLRS Alternative Warhead shares a greater than 90% commonality with the M31A1 Unitary. The primary difference between the GMLRS-U and GMLRS-AW is the replacement of the Unitary's high explosive warhead with a 200-pound fragmentation warhead of pre-formed tungsten penetrators which is optimized for effectiveness against large area and imprecisely located targets. The munitions otherwise share a common motor, GPS/PPS-aided inertial guidance and control system, fuzing mechanism, multi-option height of burst capability, and effective range of 15–70km.

6. The Extended Range (ER) GMLRS provides a persistent, responsive, all-weather, rapidly deployed, long range, surface-to-surface, area- and point-precision strike capability. The XM403 Alternative Warhead (AW) carries a 200-pound fragmentation assembly filled with high explosives which, upon

detonation, accelerates two layers of preformed penetrators optimized for effectiveness against large area and imprecisely located targets. The ER GMLRS maintains the accuracy and effectiveness demonstrated by the baseline GMLRS out to an increased range of 150 km and includes a modernized Height of Burst (HOB) capability.

7. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

8. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

9. A determination has been made that Poland will provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

10. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Poland.

[FR Doc. 2024-19129 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 23-03]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Neil Hedlund at neil.g.hedlund.civ@mail.mil or (703) 697-9214.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 23-03, Policy Justification, and Sensitivity of Technology.

Dated: August 16, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

February 9, 2023

The Honorable Kevin McCarthy
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-03, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Singapore for defense articles and services estimated to cost \$55 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

[Handwritten signature of James A. Hursch]

James A. Hursch
Director

Enclosures:

- 1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 23-03

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Singapore

(ii) Total Estimated Value:

Table with 2 columns: Category and Value. Rows include Major Defense Equipment (\$37 million), Other (\$18 million), Total (\$55 million), and Funding Source: National Funds.

(iii) Description and Quantities of Articles or Services under Consideration for Purchase:

- Major Defense Equipment (MDE):
One hundred (100) KMU-556 Tail Kits for Joint Direct-Attack Munition (JDAM) GBU-31
Nine hundred (900) KMU-572 Tail Kits for JDAM GBU-38 and Laser JDAM GBU-54
Two hundred fifty (250) MAU-169 Computer Control Group for 500lb Paveway II (PWII) GBU-12
Two hundred fifty (250) MXU-650 Air Foil Group for 500lb PWII

GBU-12
Non-MDE:

Also included are DSU-38 laser guidance sets; Common Munitions Built-In-Test/Reprogramming Equipment; spare parts, consumables, accessories, and repair and return support; aircraft and munitions support and support equipment; personnel training and training equipment; unclassified software; unclassified technical books and other publications; U.S. Government and contractor engineering, technical and logistics

support services, studies and surveys; and other related elements of logistical and program support.

(iv) *Military Department: Air Force (SN-D-YAJ)*

(v) *Prior Related Cases, if any: SN-D-YAH*

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time*

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex*

(viii) *Date Report Delivered to Congress: February 9, 2023*

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Singapore—Air-to-Ground Munitions Kits and Services

The Government of Singapore has requested to buy one hundred (100) KMU-556 Tail Kits for Joint Direct-Attack Munition (JDAM) GBU-31; nine hundred (900) KMU-572 Tail Kits for JDAM GBU-38 and Laser JDAM GBU-54; two hundred fifty (250) MAU-169 Computer Control Group for 500lb Pave way-II (PWII) GBU-12; and two hundred fifty (250) MXU-650 Air Foil Group for 500lb PWII GBU-12. Also included are DSU-38 laser guidance sets; Common Munitions Built-In-Test/Reprogramming Equipment; spare parts, consumables, accessories, and repair and return support; aircraft and munitions support and support equipment; personnel training and training equipment; unclassified software; unclassified technical books and other publications; U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support. The estimated total cost is \$55 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a strategic partner that is an important force for political stability and economic progress in Asia.

The proposed sale will support the Republic of Singapore Air Force's capability to contribute to coalition operations and meet its national defense requirements. Singapore will have no difficulty absorbing these articles and services into its armed forces.

This proposed sale will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile and Defense, Tucson, AZ. A portion of the defense articles is

anticipated to come from U.S. Government stock. There are no known offset agreements proposed in connection with this sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Singapore.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 23-03

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The Pave way II (PWII) is a maneuverable, free-fall Laser Guided Bomb (LGB) that guides to a spot of laser energy reflected off the target. The LGB is delivered like a normal general purpose (GP) warhead, and the semi-active laser guidance corrects many of the normal errors inherent in any delivery system. Laser designation can be provided by a variety of laser target markers or designators. An LGB consists of a non-warhead-specific MAU-209 or MAU-169 Computer Control Group (CCG) and a warhead-specific Air Foil Group (AFG) that attaches to the nose and tail of the GP bomb body.

The GBU-12 is a 500lb GP bomb body fitted with the MXU-650 AFG to guide it to laser-designated targets.

2. Joint Direct-Attack Munitions (JDAM) consist of a bomb body paired with a warhead-specific tail kit containing an Inertial Navigation System (INS)/Global Positioning System (GPS) guidance capability that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions.

The JDAM weapon can be delivered from modest standoff ranges at high or low altitudes against a variety of land and surface targets during the day or night. The JDAM is capable of receiving target coordinates via preplanned mission data from the delivery aircraft, by onboard aircraft sensors (*i.e.*, FLIR, radar, etc.) during captive carry, or from a third-party source via manual or automated aircrew cockpit entry.

a. The GBU-38 is a 500lb JDAM, consisting of a KMU-572 tail kit and BLU-111 or MK-82 bomb body.

b. The GBU-31 is a 2,000lb JDAM, consisting of a KMU-556 tail kit and BLU-109 or MK-84 bomb body.

c. The GBU-54 Laser Joint Direct Attack Munition (LJDAM) is a 500lb JDAM that incorporates all the capabilities of the JDAM guidance tail kit and adds a precision laser guidance

set. The LJDAM gives the weapon system an optional semi-active laser guidance in addition to the INS/GPS guidance. This provides the optional capability to strike moving targets. The GBU-54 consists of a DSU-38 laser guidance set, KMU-572 tail kit, and MK-82 or BLU-111 bomb body.

3. The Common Munitions Built-In-Test (BIT)/Reprogramming Equipment (CMBRE) is supporting equipment used to interface with weapon systems to initiate and report Built-in-Test (BIT) results and upload/download flight software. The CMBRE supports multiple munitions platforms with a range of applications that perform preflight checks, periodic maintenance checks, loading of Operational Flight Program data, loading of munitions mission planning data, loading of GPS cryptographic keys, and declassification of munitions memory.

4. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

5. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

6. A determination has been made that Singapore can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

7. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Singapore.

[FR Doc. 2024-19127 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Strategic Environmental Research and Development Program Scientific Advisory Board; Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), Department of Defense (DoD).

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The DoD is publishing this notice to announce that the following

Federal Advisory Committee meeting of the Strategic Environmental Research and Development Program (SERDP) Scientific Advisory Board (SAB) will take place.

DATES: SERDP SAB will hold a meeting open to the public. Day 1—Monday, September 16, 2024, from 9 a.m. to 5 p.m. Eastern Daylight Time (EDT). Day 2—Tuesday, September 17, 2024, from 9 a.m. to 5 p.m. EDT. Day 3—Wednesday, September 18, 2024, from 9 a.m. to 5 p.m. EDT. Day 4—Thursday, September 19, 2024, from 9 a.m. to 5 p.m. EDT.

ADDRESSES: The meeting will be accessible in person or by videoconference. The in-person meeting will be held at Hilton Arlington National Landing, 2399 Richmond Highway, Arlington, VA 22202. Information for accessing the videoconference is provided in **SUPPLEMENTARY INFORMATION**, “Meeting Accessibility”.

FOR FURTHER INFORMATION CONTACT: Dr. Kimberly Spangler, Designated Federal Officer (DFO), 703-571-2477 (voice), kimberly.y.spangler.civ@mail.mil (email). Mailing address is SERDP Office, 3500 Defense Pentagon, RM 5C646, Washington, DC 20301-3500. Website: <https://serdp-estcp.mil/about/programs?Id=b7ba8fa2-c6b0-4ae3-bdcd-50a3461ef4d9>. The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the “Federal Advisory Committee Act” or “FACA”) and 41 Code of Federal Regulations (CFR) 102-3.140 and 102-3.150.

Availability of Materials for the Meeting: Additional information, including the agenda or any updates to the agenda, is available on <https://serdp-estcp.mil/about/programs?Id=b7ba8fa2-c6b0-4ae3-bdcd-50a3461ef4d9>.

Purpose of the Meeting: The purpose of the meeting is for the SERDP SAB to make recommendations regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of SERDP FY 2025.

Agenda: Monday, September 16, 2024, from 9 a.m. to 5 p.m.—Welcome, Introductions,

Statement of Need Overview and Proposals, Voting on FY 2025 Recommendations, and Public Comment.

Tuesday, September 17, 2024, from 9 a.m. to 5 p.m.—Welcome, Statement of Need Overview and Proposals, Voting on FY 2025 Recommendations, and Public Comment.

Wednesday, September 18, 2024, from 9 a.m. to 5 p.m.—Welcome, Statement of Need Overview and Proposals, Voting on FY 2025 Recommendations, and Public Comment.

Thursday, September 19, 2024, from 9 a.m. to 5 p.m.—Welcome, Statement of Need Overview and Proposals, Voting on FY 2025 Recommendations, and Public Comment.

Meeting Accessibility: Pursuant to 5 U.S.C. 1009(a) and 41 CFR 102-3.140 through 102-3.165, this meeting is open to the public. The meeting will be held in person and via videoconference. The in-person meeting will be held at the Hilton Arlington National Landing, 2399 Richmond Highway, Arlington, VA 22202. If you attend in person you are required to bring photo identification. If you wish to attend by videoconference you must register at this link: <https://www.zoomgov.com/meeting/register/vJlTcu-qqzwrHyg-GWas5t1G8Sb1itX9vk0>.

Once registered, the web address and audio number will be provided. For purposes of transparency and attendance reporting you will be required to use your actual first name and last name as your username and provide your affiliation.

Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact Dr. Kimberly Spangler at 703-571-2477 (voice) no later than Wednesday, September 11, 2024 (by 5 p.m. EDT) so that appropriate arrangements can be made.

Written Statements: Pursuant to 41 CFR 102-3.140 and 5 U.S.C. 1009(a)(3), interested persons may submit a written statement to the SERDP SAB. Individuals submitting a statement must submit their statement no later than 5 p.m. EDT, Friday, September 13, 2024, to kimberly.y.spangler.civ@mail.mil (email) or to 703-571-2477 (voice). If a statement pertaining to a specific topic being discussed at the planned meeting is not received by Friday, September 13,

2024, prior to the meeting, then it may not be provided to, or considered by, the SERDP SAB during the September 16-19, 2024 meeting. The DFO, Dr. Kimberly Spangler, will review all timely submissions with the SERDP SAB Chair and ensure such submissions are provided to the members of the SERDP SAB before the meeting.

Public Comment Period: Just before the meeting adjourns the SERDP SAB Chair will ask those in the virtual meeting if there are any oral public comments. If there are, the chair will call on each person to speak. The individual will have up to 5 minutes to address the board. After oral comments, any comments submitted to the DFO will be read aloud.

Dated: August 21, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2024-19134 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 23-0A]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Neil Hedlund at neil.g.hedlund.civ@mail.mil or (703) 697-9214.

SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 23-0A.

Dated: August 16, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

January 25, 2023

Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23 0A. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-65 of April 4, 2018.

Sincerely,

James A. Hursch
Director

Enclosures:
1. Transmittal

BILLING CODE 6001-FR-C

Transmittal No. 23-0A

REPORT OF ENHANCEMENT OR
UPGRADE OF SENSITIVITY OF
TECHNOLOGY OR CAPABILITY (SEC.
36(B)(5)(C)), (AECA)

(i) *Purchaser:* Government of Spain
(ii) *Sec. 36(b)(1), AECA Transmittal*
No.: 17-65

Date: April 4, 2018

Implementing Agency: Army

Funding Source: National Funds

(iii) *Description:* On April 4, 2018, Congress was notified by Congressional certification transmittal number 17-65, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of seventeen (17) CH-47F cargo helicopters with customer-unique modifications, twenty-one (21) Common Missile Warning System (CMWS) AN/AAR-57A(V)8, and forty-two (42) Embedded Global Positioning System

(GPS) Inertial Navigation System (INS) (EGI). Also included were mission equipment, hardware and services required to implement customer-unique modifications, communication, Aircraft Survivability Equipment (ASE), and navigation equipment including AN/ARC-231 Multi-mode radios, AN/ARC-201D SINCGARS radios, AN/ARC-220 High Frequency (HF) Radio, Identification, Friend or Foe (IFF), AN/AAR-57A(V)8, and the Radar Signal Detecting Set (RSDS), AN/APR-39A(V)1, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, MWO/ECPs, technical assistance, transportation of aircraft and training, and other related elements of logistics and program support. The estimated total case value was \$1.3 billion. Major

Defense Equipment (MDE) constituted \$900 million of this total.

This transmittal notifies the addition of the following MDE items:

- One (1) CH-47F Cargo Helicopter with customer-unique modifications;
- Two (2) Common Missile Warning Systems (CMWS) AN/AAR-57A(V)8
- Two (2) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI)

Also included are equipment and services to support the new CH-47F cargo helicopter, as well as support the upgrade/remanufacturing of the previously notified, seventeen (17) cargo helicopters from CH-47D to CH-47F configuration, to include: mission equipment, hardware and services required to implement customer-unique modifications; communications equipment: Aircraft Survivability Equipment (ASE) and navigation

equipment including: AN/ARC-231 Multi-mode radios, AN/ARC-201D SINGGARS radios, AN/ARC-220 High Frequency (HF) radios, Identification Friend or Foe (IFF), AN/AAR-57A(V)8, and the Radar Signal Detecting Set (RSDS); AN/APR-39A(V)1; special tools and test equipment; ground support equipment; airframe and engine spare parts; technical data; publications; Modification Work Order/Engineering Change Proposals (MWO/ECP); technical assistance, transportation of aircraft and training; and other related elements of logistics and program support. The estimated total value of the new items is \$91.3 million, but will not cause an increase in the total estimated program cost. The total estimated case value will remain \$1.3 billion with MDE remaining \$900 million of this total.

(iv) *Significance*: This notification is being provided as the additional MDE items were not enumerated in the original notification. The proposed sale will support Spain's capability to strengthen its homeland defense and deter regional threats. This additional aircraft will also enhance Spain's commitment and contribution to NATO in providing a Combat Aviation Brigade.

(v) *Justification*: This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO ally which is an important force for political stability and economic progress in Europe. It is vital to the U.S. national interest to assist Spain in developing and maintaining a strong and ready self-defense capability.

(vi) *Sensitivity of Technology*: The statement contained in the original AECA 36(b)(1) transmittal applies to the MDE items reported here.

(vii) *Date Report Delivered to Congress*: January 25, 2023

[FR Doc. 2024-19124 Filed 8-23-24; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF ENERGY

Open Meeting of the Environmental Management Site-Specific Advisory Board, Savannah River Site

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Savannah River Site. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES:

Monday, September 16, 2024; 1 p.m.–4:15 p.m. EDT.

Tuesday, September 17, 2024; 9 a.m.–5 p.m. EDT.

ADDRESSES: University of South Carolina, Close-Hipp Building 8th Floor, 1705 College Street, Columbia, South Carolina 29208. The meeting will also be streamed on YouTube, no registration is necessary; links for the livestream can be found on the following website: <https://cab.srs.gov/srs-cab.html>.

FOR FURTHER INFORMATION CONTACT:

James Tanner, Office of External Affairs, U.S. Department of Energy (DOE), Savannah River Operations Office, P.O. Box A, Aiken, SC 29802; Phone: (803) 646-2167; or Email: james.tanner@srs.gov.

SUPPLEMENTARY INFORMATION: Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on any EM program components.

Tentative Agenda:

Monday, September 16, 2024:

Chair Update
Agency Updates
Subcommittee Updates
Program Presentations
Board Business
Public Comments

Tuesday, September 17, 2024:

Program Presentations
Public Comments
Board Business and Voting

Public Participation: The meeting is open to the public. To register for in-person attendance, please send an email to srscitizensadvisoryboard@srs.gov no later than 4 p.m. EDT on Thursday, September 12, 2024. The EM SSAB, Savannah River Site, welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact James Tanner at least seven days in advance of the meeting at the telephone number listed above. Written statements may be filed with the Board via email either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should submit their request to srscitizensadvisoryboard@srs.gov. Requests must be received five

days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. Comments will be accepted after the meeting, by no later than 4 p.m. EDT on Tuesday, September 24, 2024. Please submit comments to srscitizensadvisoryboard@srs.gov. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make oral public comments will be provided a maximum of five minutes to present their comments. Individuals wishing to submit written public comments should email them as directed above.

Minutes: Minutes will be available by emailing or calling James Tanner at the email address or telephone number listed above. Minutes will also be available at the following website: <https://cab.srs.gov/srs-cab.html>.

Signing Authority: This document of the Department of Energy was signed on August 19, 2024, by Alyssa Petit, Deputy Committee Management Officer, 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 August 21, 2024.

Treena V. Garrett,

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

[FR Doc. 2024-19079 Filed 8-23-24; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Northern New Mexico

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an in-person/virtual hybrid meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Northern New Mexico. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Wednesday, September 18, 2024; 1 to 5 p.m. MDT.

ADDRESSES: Hotel Don Fernando de Taos, 1005 Paseo Del Pueblo Sur, Taos, New Mexico 87501. This hybrid meeting will be open to the public in person and via WebEx. To attend virtually, please contact the Northern New Mexico Citizens Advisory Board (NNMCAB) Executive Director (below) no later than 5 p.m. MDT on Friday, September 13, 2024.

FOR FURTHER INFORMATION CONTACT: Bridget Maestas, NNMCAB Executive Director, by Phone: 505-709-7466 or Email: bridget.maestas@em.doe.gov.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on any EM program components.

Tentative Agenda

- History and Overview of the Waste Isolation Pilot Plant
- Agency Updates

Public Participation: The in-person/online virtual hybrid meeting is open to the public in person or virtually, via WebEx. Written statements may be filed with the Board no later than 5 p.m. MDT on Friday, September 13, 2024, or within seven days after the meeting by sending them to the NNMCAB Executive Director at the aforementioned email address. Written public comments received prior to the meeting will be read into the record. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to submit public comments should follow as directed above.

Minutes: Minutes will be available by emailing or calling Bridget Maestas, NNMCAB Executive Director, at bridget.maestas@em.doe.gov or at (505) 709-7466.

Signing Authority: This document of the Department of Energy was signed on August 19, 2024, by Alyssa Petit, Deputy Committee Management Officer, 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 August 21, 2024.

Treana V. Garrett,

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

[FR Doc. 2024-19077 Filed 8-23-24; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Open Meeting of the Environmental Management Site-Specific Advisory Board, Portsmouth

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Portsmouth. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, September 17, 2024; 6 p.m. to 8 p.m. EDT.

ADDRESSES: The Ohio State University, Endeavor Center, 1862 Shyville Road, Room 165, Piketon, Ohio 45661.

FOR FURTHER INFORMATION CONTACT: Greg Simonton, Federal Coordinator, by Phone: (740) 897-3737 or Email: greg.simonton@pppo.gov.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on any EM program components.

Tentative Agenda:

- Presentation
- Administrative Activities
- Public Comments

Public Participation: The meeting is open to the public. The EM SSAB, Portsmouth, will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Greg

Simonton in advance of the meeting at the telephone number listed above. The EM SSAB, Portsmouth will hear oral public comments during the meeting. Written statements may be filed either before or after the meeting. Written comments received no later than 5 p.m. EDT on Friday, September 13, 2024, will be read aloud during the meeting. Written comments submitted by 5 p.m. EDT on Friday, September 20, 2024, will be included in the minutes. Please submit written comments to Greg Simonton with "Public Comment" in the subject line. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: Minutes will be available by writing or calling Greg Simonton, Federal Coordinator, U.S. Department of Energy, Portsmouth/Paducah Project Office, P.O. Box 700, Piketon, OH 45661, Email: greg.simonton@pppo.gov or by Phone: (740) 897-3737, Minutes will also be available at the following website: <https://www.energy.gov/pppo/ports-ssab/listings/meeting-materials>.

Signing Authority: This document of the Department of Energy was signed on August 19, 2024, by Alyssa Petit, Deputy Committee Management Officer, 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 August 21, 2024.

Treana V. Garrett,

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

[FR Doc. 2024-19078 Filed 8-23-24; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Open Meeting of the Environmental Management Site-Specific Advisory Board, Paducah

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice.

SUMMARY: This notice announces a meeting of the Environmental

Management Site-Specific Advisory Board 2(EM SSAB), Paducah. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Thursday, September 19, 2024; 5:30–7 p.m. CDT.

ADDRESSES: West Kentucky Community and Technical College, Emerging Technology Center, Room 215, 5100 Alben Barkley Drive, Paducah, Kentucky 42001.

FOR FURTHER INFORMATION CONTACT: Robert “Buz” Smith, Federal Coordinator, by Phone: (270) 441–6821 or Email: Robert.Smith@pppo.gov.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on any EM program components.

Tentative Agenda:

- Administrative Activities
- Public Comment Period

Public Participation: The meeting is open to the public. The EM SSAB, Paducah will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Robert “Buz” Smith in advance of the meeting. The EM SSAB, Paducah will hear oral public comments during the meeting. Written statements may be filed either before or after the meeting. Written comments received no later than 5 p.m. CDT on Monday, September 16, 2024, will be read aloud during the meeting. Written comments submitted by 5 p.m. CDT on Thursday, September 26, 2024, will be included in the minutes. Please submit written comments to Robert “Buz” Smith with “Public Comment” in the subject line. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: Minutes will be available by writing or calling Eric Roberts, Board Support Manager, Emerging Technology Center, Room 221, 4810 Alben Barkley Drive, Paducah, KY 42001; Phone: (270) 554–3004. Minutes will also be available at the following website: <https://www.energy.gov/pppo/pgdp-cab/listings/meeting-materials>.

Signing Authority: This document of the Department of Energy was signed on August 20, 2024, by David Borak, Committee Management Officer, 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 August 21, 2024.

Treena V. Garrett,

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

[FR Doc. 2024–19085 Filed 8–23–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[GDO Docket No. EA–504]

Application for Authorization To Export Electric Energy; AlbertaEx L.P., Inc

AGENCY: Grid Deployment Office, Department of Energy.

ACTION: Notice of application.

SUMMARY: AlbertaEx, L.P. (AlbertaEx or Applicant) has applied for authorization to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before September 25, 2024.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to Electricity.Exports@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT: Janessa Zucchetto, 240–474–8226 Electricity.Exports@hq.doe.gov.

SUPPLEMENTARY INFORMATION: The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-

defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On April 10, 2023, the authority to issue such orders was delegated to the DOE’s Grid Deployment Office (GDO) by Delegation Order No. S1–DEL–S3–2023 and Redelegation Order No. S3–DEL–GD1–2023.

On October 13, 2023, AlbertaEx filed an application with DOE (Application or App.) for authorization to transmit electric energy to Canada for a ten-year term. App. at 1. The Applicant filed supplemental information on July 22, 2024 to include information regarding the issuance of market-based rate authority from the Federal Energy Regulatory Commission. *Id.* at 3.

According to the Application, AlbertaEx is a power marketer and a wholly owned affiliate of BHE Canada Holdings Corporation, which is wholly owned by Berkshire Hathaway Energy Corporation. *Id.* at 2. The Applicant states that it is “a limited partnership organized under the laws of Alberta, Canada, with its principal place of business in Calgary, Alberta, Canada, and is currently authorized to operate in Montana.” *Id.*

Applicant states that it “does not have a power supply system on which its exports of power could have reliability, fuel use or system stability impact, nor does it have an obligation to serve any native load within a franchised service area.” *Id.* at 6. Additionally, the Applicant represents that it “does not own or control electric generation facilities or transmission facilities.” *Id.* AlbertaEx further states that it “will purchase the power it plans to export voluntarily from electric utilities, wholesale generators, power marketers and other parties and thus such power will be surplus to the needs of the selling parties.” *Id.* AlbertaEx asserts that its exports will not impair or impede the sufficiency of the electric supply in the United States or the regional coordination of electric utility planning or operation. *Id.*

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. *See id.* at Attachment 2.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at Electricity.Exports@hq.doe.gov. Protests should be filed in

accordance with Rule 211 of Federal Energy Regulatory Commission's (FERC's) Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at Electricity.Exports@hq.doe.gov in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning AlbertaEx's Application should be clearly marked with GDO Docket No. EA-504. Additional copies are to be provided directly to mailto:uspower@mft-energy.com Amie V. Colby, Troutman Pepper Hamilton Sanders LLP, 401 9th Street NW, Suite 1000, Washington, DC 20004, amie.colby@troutman.com, and AlbertaEx, 255 5th Avenue SW, Suite 2675, Calgary, AB T2P 3G6, benjamin.lucky@bhe-canada.ca.

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing Electricity.Exports@hq.doe.gov.

Signing Authority: This document of the Department of Energy was signed on August 15, 2024, by Maria Robinson, Director, Grid Deployment 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 August 21, 2024.

Trenea V. Garrett,

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

[FR Doc. 2024-19073 Filed 8-23-24; 8:45 am]

BILLING CODE 6450-01-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: PR24-89-000.
Applicants: Northern States Power Company, a Minnesota corporation.

Description: 284.123 Rate Filing: 2024-08-16 Statement of Rates & Statement of Op. Conditions eff 8-1-2024 to be effective 8/1/2024.

Filed Date: 8/16/24.

Accession Number: 20240816-5154.

Comment Date: 5 p.m. ET 9/6/24.

Docket Numbers: PR24-90-000.

Applicants: ONEOK Gas Transportation, L.L.C.

Description: 284.123(g) Rate Filing: 2024 Revised Statement of Operating Conditions to be effective 9/1/2024.

Filed Date: 8/16/24.

Accession Number: 20240816-5246.

Comment Date: 5 p.m. ET 9/6/24.

284.123(g) Protest: 5 p.m. ET 10/15/24

Docket Numbers: PR24-91-000.

Applicants: ONEOK WesTex Transmission, L.L.C.

Description: 284.123(g) Rate Filing: 2024 Revised Statement of Operating Conditions to be effective 9/1/2024.

Filed Date: 8/16/24.

Accession Number: 20240816-5248.

Comment Date: 5 p.m. ET 9/6/24.

284.123(g) Protest: 5 p.m. ET 10/15/24.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 19, 2024.

Debbie-Anne A. Reese,

Acting Secretary.

[FR Doc. 2024-19031 Filed 8-23-24; 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 electric corporate filings:

Docket Numbers: EC24-111-000.
Applicants: Algonquin Power Co., Altius Renewables, ULC, Algonquin Energy Services Inc., Algonquin Power Sanger LLC, Altavista Solar, LLC, Carvers Creek LLC, Clearview Solar I, LLC, Deerfield Wind Energy, LLC, Deerfield Wind Energy 2, LLC, Great Bay Solar I, LLC, Great Bay Solar II, LLC, GSG 6, LLC, Minonk Wind, LLC, New Market Solar ProjectCo 1, LLC, New Market Solar ProjectCo 2, LLC, Odell Wind Farm, LLC, Sandy Ridge Wind, LLC, Sandy Ridge Wind 2, LLC, Shady Oaks Wind 2, LLC, Sugar Creek Wind One LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Algonquin Power Co., et al.

Filed Date: 8/13/24.

Accession Number: 20240813-5192.

Comment Date: 5 p.m. ET 9/3/24.

Docket Numbers: EC24-112-000.

Applicants: Edgewood Energy, LLC, Equus Power I, L.P., Pinelawn Power, LLC, Shoreham Energy, LLC, Hull Street Energy, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Edgewood Energy, LLC, et al.

Filed Date: 8/13/24.

Accession Number: 20240813-5195.

Comment Date: 5 p.m. ET 9/3/24.

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

Docket Numbers: ER10-1585-026; ER10-1594-026; ER10-1597-010; ER10-1617-026; ER10-1624-011; ER10-1628-026; ER10-1632-028; ER10-2385-013; ER12-60-028; ER16-733-017; ER16-1148-017.
Applicants: Tenaska Energía de Mexico, S. de R. L. de C.V., LQA, LLC, Tenaska Power Management, LLC, Elkhorn Ridge Wind, LLC, Tenaska Power Services Co., Texas Electric Marketing, LLC, Tenaska Gateway Partners, Ltd., New Mexico Electric Marketing, LLC, Kiowa Power Partners, LLC, California Electric Marketing, LLC, Alabama Electric Marketing, LLC.
Description: Notice of Change in Status of Alabama Electric Marketing, LLC, et al.
Filed Date: 8/16/24.
Accession Number: 20240816-5270.
Comment Date: 5 p.m. ET 9/6/24.
Docket Numbers: ER14-199-003.
Applicants: Lakewood Cogeneration, L.P.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.
Filed Date: 8/19/24.
Accession Number: 20240819-5084.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER14-714-003.
Applicants: Essential Power Rock Springs, LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.
Filed Date: 8/19/24.
Accession Number: 20240819-5082.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER14-715-003.
Applicants: Essential Power OPP, LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.
Filed Date: 8/19/24.
Accession Number: 20240819-5065.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER18-2002-003.
Applicants: Essential Power Rock Springs, LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.
Filed Date: 8/19/24.
Accession Number: 20240819-5073.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER20-2452-007.
Applicants: Hamilton Liberty LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.

Filed Date: 8/19/24.
Accession Number: 20240819-5074.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER20-2453-008.
Applicants: Hamilton Patriot LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT & Request for Waiver to be effective N/A.
Filed Date: 8/19/24.
Accession Number: 20240819-5076.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER22-1361-001.
Applicants: Georgia-Pacific Toledo LLC.
Description: Notice of Change in Status of Georgia-Pacific Toledo LLC.
Filed Date: 8/15/24.
Accession Number: 20240815-5219.
Comment Date: 5 p.m. ET 9/5/24.
Docket Numbers: ER24-2602-001.
Applicants: Fillmore County Solar Project, LLC.
Description: Tariff Amendment: Amendment to Market Based Rate Authority to be effective 9/1/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5182.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2797-000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2024-08-16_MISO-SPP JOA—Joint Targeted Interconnection Queue to be effective 11/14/2024.
Filed Date: 8/16/24.
Accession Number: 20240816-5251.
Comment Date: 5 p.m. ET 9/6/24.
Docket Numbers: ER24-2798-000.
Applicants: Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: SPP-MISO JOA Revisions to Implement Joint Targeted Interconnection Queue to be effective 11/14/2024.
Filed Date: 8/16/24.
Accession Number: 20240816-5252.
Comment Date: 5 p.m. ET 9/6/24.
Docket Numbers: ER24-2800-000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2024-08-19_SA 4326 ITC Midwest-Golden Stripe Solar Energy GIA (J1503) to be effective 8/7/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5034.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2801-000.
Applicants: Mid-Atlantic Interstate Transmission, LLC, PJM Interconnection, L.L.C.
Description: Tariff Amendment: Mid-Atlantic Interstate Transmission, LLC submits tariff filing per 35.15: MAIT—Notice of Cancellation of ECSA SA No. 6301 to be effective 10/18/2024.

Filed Date: 8/19/24.
Accession Number: 20240819-5036.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2802-000.
Applicants: Steele Flats Wind I, LLC.
Description: Baseline eTariff Filing: Steele Flats Wind I, LLC Application for Market-Based Rate Authorization to be effective 10/19/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5058.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2803-000.
Applicants: PacifiCorp.
Description: Tariff Amendment: Notice of Termination (Rate Schedule No. 739) to be effective 11/7/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5080.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2804-000.
Applicants: Constellation Mystic Power, LLC.
Description: Constellation Mystic Power, LLC submits a petition for approval of the uncontested Settlement Agreement and related materials establishing a settled Return on Equity.
Filed Date: 8/14/24.
Accession Number: 20240814-5171.
Comment Date: 5 p.m. ET 9/4/24.
Docket Numbers: ER24-2805-000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX-HyFuels Green Lake Wind Generation Interconnection Agreement to be effective 7/24/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5131.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2806-000.
Applicants: Prosperity Wind, LLC.
Description: Baseline eTariff Filing: Application for Market Based Rate Authority to be effective 11/1/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5137.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ER24-2807-000.
Applicants: Prairie Mist Solar Project, LLC.
Description: Baseline eTariff Filing: Baseline new to be effective 8/20/2024.
Filed Date: 8/19/24.
Accession Number: 20240819-5141.
Comment Date: 5 p.m. ET 9/9/24.
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, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

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Dated: August 19, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19030 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24-2791-000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Breckinridge Energy Storage, LLC

This is a supplemental notice in the above-referenced proceeding of Breckinridge Energy Storage, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

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rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 14, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19109 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP24-510-000]

Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline: Florida Gas Transmission Company, LLC

Take notice that on August 8, 2024, Florida Gas Transmission Company, LLC (FGT), 1300 Main St., Houston, Texas 77002, filed in the above referenced docket, a prior notice request pursuant to sections 157.205, 157.208, 157.210, and 157.211 of the Commission's regulations under the Natural Gas Act (NGA), and FGT's blanket certificate issued in Docket No. CP82-553-000, for authorization to: (1) construct the new Compressor Station 6.5 consisting of a 5,000 horsepower natural gas-driven reciprocating compressor engine and appurtenant facilities in Calcasieu Parish, Louisiana; (2) construct the new Orange—Entergy Meter & Regulation (M&R) Station delivery point in Orange County, Texas; and (3) upgrade its existing Gillis-Trunkline M&R Station located in Calcasieu Parish, Louisiana (Southeast Texas Project). FGT states the project is designed to provide additional firm transportation service of up to 150,000 million British thermal units per day of natural gas to Entergy Texas, Inc's. Orange County Advanced Power Station in Orange County, Texas. The estimated cost for the project is \$35,400,000, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing,

printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

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Any questions concerning this request should be directed to Blair Lichtenwalter, Senior Director of Certificates, Florida Gas Transmission Company, LLC, 1300 Main St., Houston, Texas 77002, by phone (713) 989-2605, by fax (713) 989-1205, or by email blair.lichtenwalter@energytransfer.com.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on October 18, 2024. How to file protests, motions to intervene, and comments is explained below.

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Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,¹ any person² or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be

authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,³ and must be submitted by the protest deadline, which is October 18, 2024. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁴ and the regulations under the NGA⁵ by the intervention deadline for the project, which is October 18, 2024. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic)

of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before October 18, 2024. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP24-510-000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Protest", "Intervention", or "Comment on a Filing";⁶

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP24-510-000.

To file via USPS: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the applicant either by mail or email (with a link to the document) at: to Blair Lichtenwalter, Senior Director of Certificates, Florida Gas Transmission Company, LLC, 1300 Main St., Houston, Texas, 77002 or by

⁶ Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at www.ferc.gov under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

¹ 18 CFR 157.205.

² Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

³ 18 CFR 157.205(e).

⁴ 18 CFR 385.214.

⁵ 18 CFR 157.10.

email blair.lichtenwalter@energytransfer.com. Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

Dated: August 19, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19032 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24-2794-000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Minco II Energy Storage, LLC

This is a supplemental notice in the above-referenced proceeding of Minco II Energy Storage, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and

385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

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processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19106 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24-2792-000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Oliver Wind IV, LLC

This is a supplemental notice in the above-referenced proceeding of Oliver Wind IV, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in

Filed Date: 8/20/24.
Accession Number: 20240820–5064.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2814–000.
Applicants: Avista Corporation.
Description: Section 205(d) Rate Filing: Avista Corp Four Lakes Construction Agreement AV–TR24–1228 to be effective 10/21/2024.
Filed Date: 8/20/24.
Accession Number: 20240820–5077.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2815–000.
Applicants: Harquahala Sun 1, LLC.
Description: Section 205(d) Rate Filing: Harquahala Sun 1, LLC MBR Tariff to be effective 10/1/2024.
Filed Date: 8/20/24.
Accession Number: 20240820–5095.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2816–000.
Applicants: Harquahala Sun 2, LLC.
Description: Section 205(d) Rate Filing: Harquahala Sun 2, LLC MBR Tariff to be effective 10/1/2024.
Filed Date: 8/20/24.
Accession Number: 20240820–5097.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2817–000.
Applicants: Duke Energy Progress, LLC.
Description: Section 205(d) Rate Filing: DEP–NCEMC Reimbursement Agmt RS No. 449 to be effective 10/21/2024.
Filed Date: 8/20/24.
Accession Number: 20240820–5107.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2818–000.
Applicants: Arizona Public Service Company.
Description: Section 205(d) Rate Filing: Service Agreement No. 418, Amendment No. 1 to be effective 10/20/2024.
Filed Date: 8/20/24.
Accession Number: 20240820–5108.
Comment Date: 5 p.m. ET 9/10/24.
Docket Numbers: ER24–2819–000.
Applicants: HV Sun SFA Manager 1, LLC.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of HV Sun SFA Manager 1, LLC.
Filed Date: 8/20/24.
Accession Number: 20240820–5112.
Comment Date: 5 p.m. ET 9/10/24.
 Take notice that the Commission received the following electric securities filings:
Docket Numbers: ES24–57–000.
Applicants: Horizon West Transmission, LLC.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Horizon West Transmission, LLC.

Filed Date: 8/19/24.
Accession Number: 20240819–5206.
Comment Date: 5 p.m. ET 9/9/24.
Docket Numbers: ES24–58–000.
Applicants: Montana-Dakota Utilities Co.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Montana-Dakota Utilities Co.
Filed Date: 8/19/24.
Accession Number: 20240819–5208.
Comment Date: 5 p.m. ET 9/9/24.
 The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

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Dated: August 20, 2024.
Debbie-Anne A. Reese,
Acting Secretary.
 [FR Doc. 2024–19098 Filed 8–23–24; 8:45 am]
BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7242–060]

Notice of Reasonable Period of Time for Water Quality Certification Application: STS Hydropower, LLC

On August 14, 2024, the California State Water Resources Control Board (Water Board) submitted to the Federal Energy Regulatory Commission (Commission) notice that it received a request for a Clean Water Act section 401(a)(1) water quality certification as defined in 40 CFR 121.5, from STS Hydropower, LLC, in conjunction with the above captioned project on July 15, 2024. We hereby notify the Water Board of the following:

Date of Receipt of the Certification Request: July 15, 2024.

Reasonable Period of Time to Act on the Certification Request: One year, July 15, 2025.

If the Water Board fails or refuses to act on the water quality certification request on or before the above date, then the certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024–19101 Filed 8–23–24; 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: RP24–978–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates—Yankee Gas to Emera Energy to be effective 8/17/2024.
Filed Date: 8/19/24.
Accession Number: 20240819–5144.
Comment Date: 5 p.m. ET 9/3/24.
Docket Numbers: RP24–979–000.
Applicants: Viking Gas Transmission Company.

Description: § 4(d) Rate Filing: Compliance Filing to Implement Settlement Tariff Records to be effective 2/1/2024.

Filed Date: 8/19/24.

Accession Number: 20240819–5191.

Comment Date: 5 p.m. ET 9/3/24.

Docket Numbers: RP24–980–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: § 4(d) Rate Filing: Non-Conforming—REA Interim Firm Service Terminations to be effective 9/19/2024.

Filed Date: 8/19/24.

Accession Number: 20240819–5195.

Comment Date: 5 p.m. ET 9/3/24.

Docket Numbers: RP24–981–000.

Applicants: Viking Gas Transmission Company.

Description: § 4(d) Rate Filing: Update to Statement of Rates—Consolidation Filing to be effective 4/1/2024.

Filed Date: 8/19/24.

Accession Number: 20240819–5201.

Comment Date: 5 p.m. ET 9/3/24.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

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Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024–19107 Filed 8–23–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24–2807–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Prairie Mist Solar Project, LLC

This is a supplemental notice in the above-referenced proceeding of Prairie Mist Solar Project, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

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Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024–19103 Filed 8–23–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP24–511–000]

Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline: Northwest Pipeline LLC

Take notice that on August 9, 2024, Northwest Pipeline LLC (Northwest), Post Office Box 1396, Houston, Texas 77251, filed in the above referenced docket, a prior notice request pursuant to sections 157.203, 157.205, 157.208 and 157.210 of the Commission's regulations under the Natural Gas Act (NGA), and Northwest's blanket certificate issued in Docket No. CP82–433–000, for authorization to reclassify its existing portable 4,700 ISO-rated horsepower (hp)¹ gas-fueled Solar Centaur compressor unit at Northwest's

¹ Northwest states that the equivalent site-rated hp of the portable Solar Centaur unit is 3,137 hp.

Kemmerer Compressor Station (CS) located Lincoln County, Wyoming (Kemmerer Horsepower Reclassification Project). Specifically, Northwest requests authorization to remove the primary and secondary functions of its portable Solar Centaur compressor unit at its Kemmerer CS and to reclassify the compression as permanent to reflect its actual usage, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

Any questions concerning this request should be directed to Georgia Clark, Regulatory Analyst, Sr., Northwest Pipeline LLC, Post Office Box 1396, Houston, Texas 77251, at (346) 388-0663 or by email to Georgia.clark@williams.com.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on October 18, 2024. How to file protests, motions to intervene, and comments is explained below.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice

communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,² any person³ or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,⁴ and must be submitted by the protest deadline, which is October 18, 2024. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁵ and the regulations under the NGA⁶ by the intervention deadline for the project, which is October 18, 2024. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have

property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before October 18, 2024. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP24-511-000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Protest", "Intervention", or "Comment on a Filing"; or⁷

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference

² 18 CFR 157.205.

³ Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

⁴ 18 CFR 157.205(e).

⁵ 18 CFR 385.214.

⁶ 18 CFR 157.10.

⁷ Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at www.ferc.gov under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

the Project docket number CP24–511–000.

To file via USPS: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the applicant either by mail or email (with a link to the document) at: Georgia Clark, Regulatory Analyst, Sr., Northwest Pipeline LLC, Post Office Box 1396, Houston, Texas 77251, or by email to Georgia.clark@williams.com. Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at www.ferc.gov using the “eLibrary” link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

Dated: August 19, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024–19033 Filed 8–23–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24–2806–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Prosperity Wind, LLC

This is a supplemental notice in the above-referenced proceeding of Prosperity Wind, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary.

The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024–19104 Filed 8–23–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24–2793–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Ponderosa Wind II, LLC

This is a supplemental notice in the above-referenced proceeding of Ponderosa Wind II, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to

intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

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assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19100 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2490-031]

Notice of Reasonable Period of Time for Water Quality Certification Application: Green Mountain Power Corporation

On August 12, 2024, Green Mountain Power Corporation submitted to the Federal Energy Regulatory Commission (Commission) a copy of its application for a Clean Water Act section 401(a)(1) water quality certification filed with the Vermont Department of Environmental Conservation (Vermont DEC), in conjunction with the above captioned project. Pursuant to 40 CFR 121.6 and section 4.34(b)(5) of the Commission's regulations,¹ we hereby notify Vermont DEC of the following:

Date of Receipt of the Certification Request: August 9, 2024.

Reasonable Period of Time to Act on the Certification Request: One year (August 9, 2025).

If Vermont DEC fails or refuses to act on the water quality certification request on or before the above date, then the certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19102 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER24-2802-000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization; Steele Flats Wind I, LLC

This is a supplemental notice in the above-referenced proceeding of Steele Flats Wind I, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 9, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary.

¹ 18 CFR 4.34(b)(5).

The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19105 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL24-130-000]

Notice of Institution of Section 206 Proceeding and Refund Effective Date; Tenaska Virginia Partners, L.P.

On August 20, 2024, the Commission issued an order in Docket Nos. EL24-130-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Tenaska Virginia Partners, L.P.'s Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *Tenaska Virginia Partners, L.P.*, 188 FERC 61,133 (2024).

The refund effective date in Docket No. EL24-130-000 established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL24-130-000

must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2023), within 21 days of the date of issuance of the order.

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. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 20, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-19108 Filed 8-23-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Western Area Power Administration

Pick-Sloan Missouri Basin Program—Eastern Division—Rate Order No. WAPA-217

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed extension of transmission and ancillary services formula rates.

SUMMARY: The Upper Great Plains (UGP) region of the Western Area Power Administration (WAPA or Western) proposes to extend existing formula rates (without any changes) for the Pick-Sloan Missouri Basin Program—Eastern Division (P-SMBP—ED) through September 30, 2030. The existing rates UGP proposes to extend are: WAUGP-ATRR (Annual Transmission Revenue Requirement), WAUGP-AS1 (Scheduling, System Control, and Dispatch Service), WAUW-AS3 (Regulation and Frequency Response Service), WAUW-AS4 (Energy Imbalance Service), WAUW-AS5 (Operating Reserve-Spinning Reserve Service), WAUW-AS6 (Operating Reserve-Supplemental Reserve Service), and WAUW-AS7 (Generator Imbalance Service). The existing rates expire on September 30, 2025.

DATES: A consultation and comment period will begin August 26, 2024 and end September 25, 2024. UGP will accept written comments at any time during the consultation and comment period.

ADDRESSES: Written comments and requests to be informed of Federal Energy Regulatory Commission (FERC) actions concerning the proposed extension submitted by WAPA to FERC for approval should be sent to: Lloyd Linke, Regional Manager, Upper Great Plains Region, Western Area Power Administration, 2900 4th Avenue North, 6th Floor, Billings, MT 59101-1266, or email: UGPTRates@wapa.gov. UGP will post information about the proposed formula rate extension and written comments received to its website at: www.wapa.gov/ugp/ugp-rates.

FOR FURTHER INFORMATION CONTACT: Linda Cady-Hoffman, Rates Manager, Upper Great Plains Region, Western Area Power Administration, 2900 4th Avenue North, 6th Floor, Billings, MT

59101–1266, (406) 255–2920 or email: UGPTRates@wapa.gov.

SUPPLEMENTARY INFORMATION: On September 28, 2020, FERC approved and confirmed Western Area Power Administration—Upper Great Plains Region’s transmission and ancillary services formula rates under Rate Schedules WAUGP–ATRR, WAUGP–AS1, WAUW–AS3, WAUW–AS4, WAUW–AS5, WAUW–AS6, and WAUW–AS7 under Rate Order No. WAPA–188 for a five-year period through September 30, 2025.¹

In accordance with 10 CFR 903.23(a),² UGP is proposing to extend the existing formula rates under Rate Schedules WAUGP–ATRR, WAUGP–AS1, WAUW–AS3, WAUW–AS4, WAUW–AS5, WAUW–AS6, and WAUW–AS7 for the period of October 1, 2025, through September 30, 2030. The existing formula rates are viewable online at the following locations: (1) UGP’s OASIS at: <https://www.oasis.oati.com/wapa/index.html>; (2) on UGP’s Rates website at: www.wapa.gov/about-wapa/regions/ugp/ugp-rates; and (3) the “Western Area Power Administration UGP Information” link on SPP’s Member Related Postings website at: opsportal.spp.org/OASIS/Directory/Member%20Related%20Postings. The existing formula rates provide sufficient revenue to pay all annual costs, including interest expense, and repay investment within the allowable period consistent with the cost recovery criteria set forth in Department of Energy (DOE) Order RA 6120.2.

On April 28, 2023, WAPA published a **Federal Register** notice titled “Recommendation for Western Area Power Administration’s Rocky Mountain Region and Colorado River Storage Project Management Center to Pursue Final Negotiations Regarding Membership in the Southwest Power Pool Regional Transmission Organization and for the Upper Great Plains Region to Expand Its Participation”.³ On September 8, 2023, WAPA’s Administrator authorized staff to move forward with the recommendation to pursue final negotiations for membership and expanded participation in the Southwest Power Pool Regional Transmission Organization (SPP RTO). UGP’s expanded participation in the SPP RTO will have impacts on the

above rate methodologies. Extending the existing formula rates for five years allows UGP time to evaluate rate methodologies to conduct a major rate adjustment process to put new formula rates in place that would become effective upon UGP’s expanded participation in the SPP RTO (currently planned on April 1, 2026).

In accordance with 10 CFR 903.23(a), UGP has determined that it is not necessary to hold public information or public comment forums for this rate action but is initiating a 30-day consultation and comment period to give the public an opportunity to comment on the proposed extension. UGP will review and consider all timely public comments at the conclusion of the consultation and comment period and adjust the proposal as appropriate.

Legal Authority

By Delegation Order No. S1–DEL–RATES–2016, effective November 19, 2016, the Secretary of Energy delegated: (1) the authority to develop power and transmission rates to WAPA’s Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, or to remand or disapprove such rates to FERC. By Delegation Order No. S1–DEL–S3–2023, effective April 10, 2023, the Secretary of Energy also delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Under Secretary for Infrastructure. By Redelegation Order No. S3–DEL–WAPA1–2023, effective April 10, 2023, the Under Secretary for Infrastructure further redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to WAPA’s Administrator.

Ratemaking Procedure Requirements Environmental Compliance

Categorical exclusion determinations were previously issued for these rates under the following categorical exclusion listed in appendix B to subpart D of 10 CFR part 1021: B4.3 (Electric power marketing rate changes).⁴ Those categorical exclusion determinations are also applicable to this rate action. Copies of the categorical exclusion determinations are available

on WAPA’s website at: www.wapa.gov/about-wapa/regions/ugp/environment/.

Determination Under Executive Order 12866

WAPA has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Signing Authority

This document of the Department of Energy was signed on August 19, 2024, by Tracey A. LeBeau, Administrator, Western Area Power Administration, pursuant to delegated authority from the Secretary of Energy. That document, with the original signature and date, is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on August 21, 2024.

Treena V. Garrett,

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

[FR Doc. 2024–19080 Filed 8–23–24; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2023–0393; FRL–12211–01–OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Greenhouse Gas Reduction Fund Accomplishment Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Greenhouse Gas Reduction Fund (GGRF) Accomplishment Reporting (EPA ICR Number 2783.01, OMB Control Number 2090–New) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a request for approval of a new collection. Public

¹ Order Confirming and Approving Rate Schedules on a Final Basis, FERC Docket Nos. EF20–3–000 and EF20–3–001.

² 50 FR 37835 (Sept. 18, 1985) and 84 FR 5347 (Feb. 21, 2019).

³ 88 FR 26298 (Apr. 28, 2023).

⁴ The determination was done in compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4321–4347, the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500–1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021).

comments were previously requested via the **Federal Register** on February 6, 2024, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Comments may be submitted on or before September 25, 2024.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OA–2023–0393, to EPA online using www.regulations.gov (our preferred method), by email to Docket_OMS@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460. EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection 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: Julie Zavala, Office of the GGRF, Office of the Administrator, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202–564–0138; email address: ggrf@epa.gov.

SUPPLEMENTARY INFORMATION: This is a request for approval of a new collection. 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.

Public comments were previously requested via the **Federal Register** on February 6, 2024, during a 60-day comment period (89 FR 8198). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Abstract: This ICR covers the collection of information from those organizations that receive grants funding from the Environmental Protection Agency (EPA) under the authority of section 134 of the Clean Air Act (CAA). CAA 134 was enacted as part of the Inflation Reduction Act (IRA) and authorizes EPA to make competitive grants to states, municipalities, Tribal governments, and eligible non-profit recipients to implement the Greenhouse Gas Reduction Fund, a historic \$27 billion investment to combat the climate crisis by mobilizing financing and private capital for greenhouse gas- and air pollution-reducing projects in communities across the country. Within the GGRF, EPA designed three programs; the National Clean Investment Fund (NCIF), Clean Communities Investment Accelerator (CCIA), and Solar for All (SFA). This ICR covers the collection of information under awards for all three programs. EPA will use information from these reports as part of program-wide public reporting, except to the extent such information includes CBI or PII pursuant to 2 CFR 200.338. Information claimed as CBI in accordance with this Notice will be disclosed only to the extent, and by means of the procedures, set forth in 40 CFR part 2, subpart B.

Form numbers: None.

Respondents/affected entities: Recipients of grants funding from the Environmental Protection Agency (EPA) under the authority of section 134 of the Clean Air Act (CAA). CAA 134 was enacted as part of the Inflation Reduction Act (IRA) and authorizes EPA to make competitive grants to states, municipalities, Tribal governments, and eligible non-profit recipients to implement the Greenhouse Gas Reduction Fund.

Respondent's obligation to respond: required to obtain or retain a benefit under section 134 of the Clean Air Act (CAA).

Estimated number of respondents: NCIF: 3, CCIA: 3, SFA: 60, Sub-recipients: 25 (93 total).

Frequency of response: Quarterly, semi-annually, annually, or one-time response, depending on instrument and respondent.

Total estimated burden: 560,131 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$37,450,170 (per year), which includes \$8,859,143 annualized capital or operation & maintenance costs.

Changes in the estimates: This is a new collection therefore there is no change in burden.

Courtney Kerwin,

Director, Information Engagement Division.

[FR Doc. 2024–19002 Filed 8–23–24; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

[Public Notice: 2024–3041]

Agency Information Collection Activities: Proposed Collection; Comment Request; EIB 11–01 Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

SUMMARY: The Export-Import Bank of the United States (EXIM), pursuant to the Export-Import Bank Act of 1945, as amended, facilitates the finance of the export of U.S. goods and services. As part of its continuing effort to reduce paperwork and respondent burden, EXIM invites the general public and other Federal agencies to comment on the proposed information collection, as required by the paperwork Reduction Act of 1995.

DATES: Comments must be received on or before September 25, 2024 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on www.regulations.gov. (EIB 11–01), by mail to Office of Information and Regulatory Affairs, 725 17th Street NW, Washington, DC 20038 Attn: OMB 3048–0036, or by email to Brian Rolfe, Brian.Rolfe@exim.gov.

Comments submitted in response to this notice may be made available to the public through the www.regulations.gov. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: To request additional information, please contact Brian Rolfe, *Bryan.Rolfe@exim.gov*, 202–565–3809.

SUPPLEMENTARY INFORMATION: The proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

The solicitation of feedback will target areas such as: timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered will be used only internally for general service

improvement and program management purposes and is not intended for release outside of the agency;

- Information gathered will not be used for the purpose of substantially informing influential policy decisions; and
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: the target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

The Agency received no comments in response to the 60-day notice published in the **Federal Register** of May 24, 2024 (89 FR 45885).

Title and Form Number: EIB 11–01, Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Number: 3048–0036.

Current Actions: Extension of approval for a collection of information.

Type of Review: Regular review for Generic Clearance extension.

Survey Type: Web based/email-based survey; Feedback/Comment Evaluation Form; Detailed Mail Evaluation Form; Telephone; Focus Group.

Affected Public: Individuals and Households, Businesses and

Organizations, State, Local or Tribal Government.

Below we provide projected average estimates for the next three years:

Average Expected Annual Number of Activities: 10.

Average number of Respondents per Activity: 467.

Annual Responses: 4,670.

Frequency of Response: Once per request.

Average Minutes per Response: 8.

Burden Hours: 623.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. 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. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

All written comments will be available for public inspection *Regulations.gov*.

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 Office of Management and Budget control number.

Dated: August 13, 2024.

Andrew Smith,
Records Officer.

[FR Doc. 2024–18429 Filed 8–23–24; 8:45 am]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK**[Public Notice: AP089536XX]****Application for Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of \$100 Million: AP089536XX****AGENCY:** Export-Import Bank of the United States.**ACTION:** Notice.

SUMMARY: This Notice is to inform the public, in accordance with section 3(c)(10) of the Export-Import Bank Act of 1945, as amended, the Export-Import Bank of the United States (“EXIM”) has received an application for final commitment for a long-term loan or financial guarantee in excess of \$100 million. Comments received within the comment period specified below will be presented to the EXIM Board of Directors prior to final action on this Transaction.

DATES: Comments must be received on or before August 20, 2024 to be assured of consideration before final consideration of the transaction by the Board of Directors of EXIM.

ADDRESSES: Comments may be submitted through *Regulations.gov* at <https://www.regulations.gov>. To submit a comment, enter AP089536XX under the heading “Enter Keyword or ID” and select Search. Follow the instructions provided at the Submit a Comment screen. Please include your name, company name (if any) and AP089536XX on any attached document.

SUPPLEMENTARY INFORMATION:*Reference:* AP089536XX.*Purpose and Use:*

Brief description of the purpose of the transaction: To support the export of U.S.-manufactured commercial aircraft to Morocco.

Brief non-proprietary description of the anticipated use of the items being exported: To be used for passenger and cargo air transport between Morocco and Africa, Europe, America, and Asia.

To the extent that EXIM is reasonably aware, the item(s) being exported may be used to produce exports or provide services in competition with the exportation of goods or provision of services by a United States industry.

*Parties:**Principal Supplier:* The Boeing Company*Obligor:* Compagnie Nationale Royal Air Maroc*Guarantor(s):* N/A*Description of Items Being Exported:* Boeing commercial jet aircraft.

Information on Decision: Information on the final decision for this transaction will be available in the “Board Agenda and Meeting Minutes” on <https://www.exim.gov/news/meeting-minutes>.

Confidential Information: Please note that this notice does not include confidential or proprietary business information; information which, if disclosed, would violate the Trade Secrets Act; or information which would jeopardize jobs in the United States by supplying information that competitors could use to compete with companies in the United States.

Deidre Hodge,*Assistant Corporate Secretary.*

[FR Doc. 2024–18117 Filed 8–22–24; 11:15 am]

BILLING CODE 6690–01–P**EXPORT-IMPORT BANK****Application for Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of \$100 Million: AP089537XX****AGENCY:** Export-Import Bank of the United States.**ACTION:** Notice.

SUMMARY: This Notice is to inform the public, in accordance with section 3(c)(10) of the Export-Import Bank Act of 1945, as amended, the Export-Import Bank of the United States (“EXIM”) has received an application for final commitment for a long-term loan or financial guarantee in excess of \$100 million. Comments received within the comment period specified below will be presented to the EXIM Board of Directors prior to final action on this Transaction.

DATES: Comments must be received on or before September 20, 2024 to be assured of consideration before final consideration of the transaction by the Board of Directors of EXIM.

ADDRESSES: Comments may be submitted through *Regulations.gov* at [WWW.REGULATIONS.GOV](https://www.regulations.gov). To submit a comment, enter AP089537XX under the heading “Enter Keyword or ID” and select Search. Follow the instructions provided at the Submit a Comment screen. Please include your name, company name (if any) and AP089537XX on any attached document.

SUPPLEMENTARY INFORMATION:*Reference:* AP089537XX.*Purpose and Use:*

Brief description of the purpose of the transaction: To support the export of U.S.-manufactured commercial aircraft to South Korea.

Brief non-proprietary description of the anticipated use of the items being exported: To be used for passenger air transport between South Korea and Europe, America, and Asia.

To the extent that EXIM is reasonably aware, the item(s) being exported may be used to produce exports or provide services in competition with the exportation of goods or provision of services by a United States industry.

*Parties:**Principal Supplier:* The Boeing Company*Obligor:* Korean Air Lines Co., Ltd.*Guarantor(s):* N/A*Description of Items Being Exported:* Boeing commercial jet aircraft.

Information on Decision: Information on the final decision for this transaction will be available in the “Board Agenda and Meeting Minutes” on <https://www.exim.gov/news/meeting-minutes>.

Confidential Information: Please note that this notice does not include confidential or proprietary business information; information which, if disclosed, would violate the Trade Secrets Act; or information which would jeopardize jobs in the United States by supplying information that competitors could use to compete with companies in the United States.

Deidre Hodge,*Assistant Corporate Secretary.*

[FR Doc. 2024–18631 Filed 8–22–24; 11:15 am]

BILLING CODE 6690–01–P**FEDERAL COMMUNICATIONS COMMISSION****[OMB 3060–0484; FR ID 240721]****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 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 September 25, 2024.

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: 3060–0484.

Title: Part 4 of the Commission’s Rules Concerning Disruptions to Communications.

Form Number: 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: 3,224 respondents; 201,848 responses.

Estimated Time per Response: 1 hour–2 hours (average per response).

Frequency of Response: On occasion and Annual Reporting Requirements and Recordkeeping Requirement.

Obligation to Respond: Mandatory and Voluntary. Statutory authority for this collection is contained in sections 1, 4(i), 4(j), 4(n), 4(o), 201(b), 214, 218, 251(e)(3), 251(e)(4), 254, 301, 303(b), 303(g), 303(r), 307, 309(a), 309(j), 316, 332, and 403 of the Communications Act of 1934, as amended, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. 151, 154(i)–(j), (n), & (o), 201(b), 214, 218, 251(e)(3), 251(e)(4), 254, 301, 303(b), 303(g), 303(r), 307, 309(a), 332, 403, 615, 615a–1, and 1302.

Total Annual Burden: 398,319 hours.

Total Annual Cost: No Cost.

Needs and Uses: The general purpose of the Commission’s Part 4 rules is to gather sufficient information regarding disruptions to telecommunications to facilitate FCC monitoring, analysis, and investigation of the reliability and security of voice, paging, and interconnected Voice over internet Protocol (interconnected VoIP) communications services, and to identify and act on potential threats to our Nation’s telecommunications infrastructure. The Commission uses this information collection to identify the duration, magnitude, root causes, and contributing factors with respect to significant outages, and to identify outage trends; support service

restoration efforts; and help coordinate with public safety officials during times of crisis. The Commission also maintains an ongoing dialogue with reporting entities, as well as with the communications industry at large, generally regarding lessons learned from the information collection in order to foster a better understanding of the root causes of significant outages and to explore preventive measures in the future so as to mitigate the potential scale and impact of such outages.

In a Second Report and Order adopted on November 18, 2022, as FCC 22–88, the Commission adopted rules harmonizing its 911 special facility notifications rules such that outage notifications from covered 911 service providers and originating service providers (OSPs) will include the same notification content, be transmitted by the same means, and with the same timing and frequency. In addition, in a Report and Order adopted on July 20, 2023, as FCC 23–57, the Commission extended outage reporting and notification requirements to outages affecting 988 special facilities in order to ensure that officials responsible for overseeing the 988 Suicide & Crisis Lifeline (988 Lifeline), which is a 24/7 hotline available to people in suicidal crisis and mental health distress, receive timely and actionable information about 988 service outages. The Commission’s existing Part 4 rules allow certain federal, state, and Tribal Nation agencies (Participating Agencies) to access to certain geographically relevant outage reports filed in the Commission’s Network Outage Reporting System (NORS).

The information collections and record keeping provisions adopted in the 2022 Second Report and Order will harmonize and standardize 911 outage reporting, which assists 911 special facilities in receiving and responding to service outage notification, and the information we are requiring to be contained in the reports will improve the speed and accuracy of responses to service outages by 911 service providers, which promotes public safety.

The information collections adopted in the 2023 988 Report and Order will allow the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration (SAMHSA), the Department of Veterans Affairs (VA), and the 988 Lifeline administrator, which are the entities responsible for overseeing the 988 Lifeline, to provide the public with notice of outages impacting 988 services, and information how they can access the 988 Lifeline despite the

outage. SAMHSA, the VA, and the 988 Lifeline administrator can also take steps to reroute 988 calls to available crisis centers and take other steps to reduce the amount of time that individuals would need to wait before they receive assistance. Notice about outages will allow SAMHSA, the VA, and the Lifeline administrator to continue meeting the immediate health needs of people in suicidal crisis and mental health distress. The Commission will also be able to improve 988 reliability by using this information to analyze outage trends and identify best practices to prevent and mitigate outages.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2024–19121 Filed 8–23–24; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX, OMB 3060–0741; FR ID 241305]

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 September 25, 2024.

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: Section 9.10(t), Interim 911 Requirements for Supplemental Coverage from Space.

Form Number: N/A.

Type of Review: New information collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 59 respondents; 59 responses.

Estimated Time per Response: 49 hours.

Frequency of Response: One-time and annual reporting requirements.

Obligation to Respond: Mandatory. Statutory authority for this collection is contained in sections 1, 2, 4(i), 4(j), 4(o), 251(e), 303(b), 303(g), 303(r), 316, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j), 154(o), 251(e), 303(b), 303(g), 303(r), 316, 403, and section 4 of the Wireless Communications and Public Safety Act of 1999, Public Law 106–81, sections 101 and 201 of the New and Emerging Technologies 911 Improvement Act of 2008, Public Law 110–283, and section 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111–260, as amended 47 U.S.C. 615a, 615a–1, 615b, 615c.

Total Annual Burden: 2,891 hours.

Total Annual Cost: No cost.

Needs and Uses: In an effort to facilitate the process of terrestrial providers taking steps to ensure their subscribers’ access to the 911 system in areas where they use SCS arrangements to expand coverage to their end-users and thus comply with the new *Interim 911 Requirements for Supplemental Coverage from Space* as established in Section 9.10(t), the Commission adopted certain information collection requirements for those CMRS providers.

Annual Reporting Requirement. Under Section 9.10(t)(3), each CMRS provider that utilizes SCS arrangements to expand its coverage areas for providing service to its end-user subscribers must maintain records of all SCS 911 voice calls and SCS 911 text messages received on its network and received at its emergency call center. By October 15 of each year, each CMRS provider that utilizes SCS arrangements to expand its coverage areas for providing service to its end-user subscribers must submit a report to the Commission regarding SCS 911 voice calls and 911 text messages, and its emergency call center data, current as of

September 30 of that year. These reports must include, at a minimum: (i) The name and address of the CMRS provider, the address of that CMRS provider's emergency call center, and the contact information of the emergency call center; (ii) The aggregate number of SCS 911 voice calls and SCS 911 text messages received by the network of the CMRS provider that provides SCS service to its end-user subscribers during each month during the relevant reporting period; (iii) The aggregate number of SCS 911 voice calls and SCS 911 text messages received by the emergency call center each month during the relevant reporting period; (iv) The aggregate number of SCS 911 voice calls and SCS 911 text messages received by the emergency call center each month during the relevant reporting period that required forwarding to a PSAP and how many did not require forwarding to a PSAP; (v) The aggregate number of SCS 911 voice calls that were routed using location information that met the timeliness and accuracy thresholds defined in paragraphs (s)(3)(i)(A) and (B) of this section; (vi) The aggregate number of SCS 911 voice calls and SCS 911 text messages that were routed using location information that did not meet the timeliness and accuracy thresholds defined in paragraphs (s)(3)(i)(A) and (B) of this section; and (vii) an explanation of how the SCS deployment, including network architecture, systems, and procedures, will support routing SCS 911 voice calls and SCS 911 text messages to the geographically appropriate PSAP with sufficient location information in compliance with paragraph (t)(2) of this section. The Commission would use the data generated by this annual information collection to monitor CMRS provider compliance as well as analyze the growth and development of 911 system access for end-users.

One-time Privacy Certification Requirement. Under Section 9.10(t)(4), CMRS providers that utilize SCS arrangements to expand their coverage areas for providing service to their end-user subscribers must certify on a one-time basis that neither they nor any third party they rely on to obtain location information or associated data used for compliance with paragraph (t)(2)(i) or (ii) will use such location information or associated data for any non-911 purpose, except with prior express consent or as otherwise permitted or required by law. The certification must state that the CMRS provider and any third parties it relies on to obtain location information or

associated data used for compliance with paragraph (t)(2)(i) or (ii) have implemented measures sufficient to safeguard the privacy and security of such location information or associated data. CMRS providers that utilize SCS arrangements to expand their coverage areas for providing service to their end-user subscribers must submit this one-time certification in the Commission's Electronic Comment Filing System on the due date of the first report made under paragraph (t)(3) of this section. The Commission would use the data generated by this annual information collection to monitor CMRS provider compliance as well as analyze the growth and development of 911 system access for end-users.

One-time Subscriber Notification Requirement. Under Section 9.10(t)(5), each CMRS provider that utilizes SCS arrangements to expand its coverage areas for providing service to its end-user subscribers shall specifically advise every subscriber, both new and existing, in writing prominently and in plain language, of the circumstances under which 911 service for all SCS 911 calls, or SCS 911 text messages may not be available via SCS or may be in some way limited by comparison to traditional enhanced 911 service.

OMB Control Number: 3060-0741.

Title: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, GN Docket No. 17-84.

Form Number(s): N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 4,688 respondents; 471,548 responses.

Estimated Time per Response: 0.5-4.5 hours.

Frequency of Response: On occasion reporting requirements; recordkeeping and third-party disclosure requirements.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 222 and 251.

Total Annual Burden: 473,068 hours.

Total Annual Cost: No cost.

Needs and Uses: Section 251 of the Communications Act of 1934, as amended, 47 U.S.C. 251, is designed to accelerate private sector development and deployment of telecommunications technologies and services by spurring competition. Section 222(e) is also designed to spur competition by prescribing requirements for the sharing of subscriber list information. These information collection requirements are designed to help implement certain

provisions of sections 222(e) and 251, and to eliminate operational barriers to competition in the telecommunications services market. Specifically, these information collection requirements will be used to implement (1) local exchange carriers' ("LECs") obligations to provide their competitors with dialing parity and non-discriminatory access to certain services and functionalities; (2) incumbent local exchange carriers' (ILECs) duty to make network information disclosures; and (3) numbering administration. In November 2017, the Commission adopted new rules concerning certain information collection requirements implemented under section 251(c)(5) of the Act, pertaining to network change disclosures. Most of the changes to those rules applied specifically to a certain subset of network change disclosures, namely notices of planned copper retirements. In addition, the changes removed a rule that prohibits incumbent LECs from engaging in useful advanced coordination with entities affected by network changes. In June 2018, the Commission revised its network change disclosure rules to (1) revise the types of network changes that trigger an incumbent LEC's public notice obligation, and (2) extend the force majeure provisions applicable to copper retirements to all types of network changes. The changes were aimed at removing unnecessary regulatory barriers to the deployment of high-speed broadband networks.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2024-19119 Filed 8-23-24; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

TIME AND DATE: Thursday, August 29, 2024, 10:00 a.m.

PLACE: Hybrid meeting: 1050 First Street NE, Washington, DC (12th floor) and virtual.

Note: if you would like to virtually access the meeting, see the instructions below.

STATUS: This meeting will be open to the public. To access the meeting virtually, 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 2024-06: American Target Advertising and The Conservative Caucus

Draft Advisory Opinion 2024–07: Team Graham, Inc.
REG 2019–03 (Mailing Lists)—Draft Notice of Disposition
REG 2023–02 (Artificial Intelligence in Campaign Ads)—Draft Notice of Disposition
Management and Administrative Matters

CONTACT PERSON FOR MORE INFORMATION:
Judith Ingram, Press Officer.

Telephone: (202) 694–1220.

Individuals who plan to attend in person and who require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Laura E. Sinram, Secretary and Clerk, at (202) 694–1040 or secretary@fec.gov, at least 72 hours prior to the meeting date.

(Authority: Government in the Sunshine Act, 5 U.S.C. 552b)

Vicktoria J. Allen,

Deputy Secretary of the Commission.

[FR Doc. 2024–19240 Filed 8–22–24; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to

remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

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 September 25, 2024.

A. Federal Reserve Bank of New York (Ivan Hurwitz, Head of Bank Applications) 33 Liberty Street, New York, New York 10045–0001. Comments can also be sent electronically to Comments.applications@ny.frb.org:

1. *Porticoes Capital LLC and Porticoes Investors, LLC*; to become bank holding companies by acquiring Porticoes National Bank (in formation), all of New York, New York.

B. Federal Reserve Bank of Richmond (Brent B. Hassell, Assistant Vice President) P.O. Box 27622, Richmond, Virginia 23261. Comments can also be sent electronically to Comments.applications@rich.frb.org:

1. *CSBH, LLC, Powhatan, Virginia*; to acquire Industry Bancshares, Inc., Industry, Texas, and thereby indirectly acquire Industry State Bank, Industry, Texas; Bank of Brenham, National Association, Brenham, Texas; Fayetteville Bank, Fayetteville, Texas; The First National Bank of Shiner, Shiner, Texas; Citizens State Bank, Buffalo, Texas; and The First National Bank of Bellville, Bellville, Texas.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2024–19111 Filed 8–23–24; 8:45 am]

BILLING CODE P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting; Correction

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Notice; correction.

SUMMARY: The FRTIB published a document in the **Federal Register** of August 21, 2024, concerning a notice of its August 2024 Board Meeting. The notice contains an incorrect link required to join the meeting via Microsoft Teams.

FOR FURTHER INFORMATION CONTACT:
Kimberly Weaver, Director, Office of External Affairs, (202) 942–1640.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of August 21, 2024, in FR Doc 2024–18652, on page 67637, replace the existing link with the following link under the heading **ADDRESSES**, and following the phrase “via web”: https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDMxZDRkODktMGZjZS00ZDQ3LWJkNmMtNzRjMDA4ZThkMDQ1%40thread.v2/0?context=%7b%22tid%22%3a%223f6323b7-e3fd-4f35-b43d-1a7afae5910d%22%2c%22oid%22%3a%221a441fb8-5318-4ad0-995b-f28a737f4128%22%7d.

Dated: August 21, 2024.

Dharmesh Vashee,

General Counsel.

[FR Doc. 2024–19054 Filed 8–23–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0061; Docket No. 2024–0053; Sequence No. 12]

Submission for OMB Review; Federal Acquisition Regulation Part 47: Transportation Requirements

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement regarding Federal Acquisition Regulation (FAR) part 47, transportation requirements. **DATES:** Submit comments on or before September 25, 2024.

ADDRESSES: Written comments and recommendations for this 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.

FOR FURTHER INFORMATION CONTACT:

Zenaida Delgado, Procurement Analyst, at telephone 202-969-7207, or zenaida.delgado@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. OMB Control Number, Title, and Any Associated Form(s)

9000-0061, Federal Acquisition Regulation Part 47: Transportation Requirements.

B. Need and Uses

This clearance covers the information that contractors must submit to comply with the following requirements in FAR part 47:

- FAR 52.247-2, Permits, Authorities, or Franchises.

The clause requires an offeror to indicate whether it has the proper authorization from the Federal Highway Administration (or other cognizant regulatory body) before it can be allowed to move material under any contract for regulated freight transportation or transportation-related services. The offeror may also be requested to furnish a copy of the authorization before moving material under the contract. The contracting officer and transportation office review the information to ensure that the offeror has complied with all regulatory requirements and has obtained any permits, licenses, or franchises that are needed to transport the supplies.

- FAR 52.247-6, Financial Statement. This provision requires an offeror to furnish the Government with a current certified statement of the offeror's financial condition and such data as the Government may request with respect to the offeror's operations. The contracting officer uses this information to determine whether a potential awardee is responsible in accordance with FAR part 9.

- FAR 52.247-48, F.o.b.

Destination—Evidence of Shipment.

This clause requires the contractor to retain and make available to the Government for review, as necessary, evidence of free on board (f.o.b.) destination shipment documentation for a period of three years after final payment of the contract. The Government may request this information from the contractor while auditing a contract or to resolve disputes.

- FAR 52.247-51, Evaluation of Export Offers.

This provision requires an offeror to nominate a port/terminal of loading they recommend for the purposes of

evaluation of their offer and indicate whether the prices proposed are based on f.o.b. origin or f.o.b. destination. The contracting officer uses the information to ensure that offers are evaluated and awards are made on the basis of the lowest laid down cost to the Government at the overseas port of discharge.

- FAR 52.247-52, Clearance and Documentation Requirements—Shipments to DOD Air or Water Terminal Transshipment Points.

This clause directs the contractor to provide the Government certain information regarding shipments to DoD air or water terminal transshipment points. The Government transportation office uses this information to support applications for export release and to prepare the Transportation Control and Movement Document (TCMD).

- FAR 52.247-53, Freight Classification Description.

When the Government purchases supplies that are new to the supply system, nonstandard, or modifications of previously shipped items, and different freight classifications may apply, this provision requests an offeror provide the full Uniform Freight Classification (rail) description, or the National Motor Freight Classification description applicable to the supplies. The contracting officer uses this information to determine the proper freight for supplies.

- FAR 52.247-57, Transportation Transit Privilege Credits.

This clause allows the offeror to identify any transportation charges, including any transit charges, that the offeror will agree to pay, subject to reimbursement by the Government. The contracting officer uses this information to ensure consideration of an offeror's transit credits when evaluating an f.o.b. origin price for shipping supplies to the designated Government destinations.

- FAR 52.247-60, Guaranteed Shipping Characteristics.

This clause requires the offeror to provide details on the shipping container(s) to be used for each part or component that is packed or packaged separately. The contracting officer uses this information to determine transportation costs for evaluation purposes.

- FAR 52.247-63, Preference for U.S.-Flag Air Carriers.

In the event that a contractor selects a carrier other than a U.S.-flag air carrier for international air transportation during performance of the contract, this clause requires the contractor to include a statement regarding the unavailability of U.S.-Flag Air Carriers on vouchers involving such transportation. The

Government uses the information provided on the voucher to ensure compliance with section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118), which requires the Government and its contractors and subcontractors to use U.S.-flag air carriers for U.S. Government-financed international air transportation of personnel (and their personal effects) or property, to the extent that service by those carriers is available.

- FAR 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels.

This clause requires a contractor to provide the contracting officer and the Maritime Administration's one legible copy of rated on-board ocean bill of lading for each shipment made by the contractor or its subcontractors. The Government uses this information to ensure compliance with the Cargo Preference Act of 1954.

- FAR 52.247-67, Submission of Transportation Documents for Audit.

This clause requires the contractor to submit for prepayment audit transportation documents on which the United States will assume freight charges that were paid by the contractor under a cost-reimbursement contract or by the contractor's first-tier subcontractor (for a cost-reimbursement subcontract). For freight shipment bills under \$100 are to be retained on-site by the contractor and made available for on-site audits. The Government uses this information to conduct a prepayment audit of transportation charges on a cost-reimbursement contract when reimbursement of transportation as a direct charge to the contract or subcontract is authorized. The prepayment audit is required to comply with agency prepayment audit programs established pursuant to 31 U.S.C. 3726.

- FAR 52.247-68, Report of Shipment (REPSHIP).

This clause requires contractors to send an advance notice of shipment to the consignee transportation officer to be received at least 24 hours before the arrival of the shipment, unless otherwise directed by a contracting officer. The Government uses this information to alert the receiving activity of certain shipments. The advance notice facilitates arrangements for transportation control, labor, space, and use of materials handling equipment at destination. The timely receipt of notices by the consignee transportation office precludes the Government from incurring demurrage and vehicle detention charges.

- FAR 47.303 Clauses for Standard Delivery Terms.

The following FAR clauses require the contractor to (as appropriate to the delivery terms specified in the contract): Prepare or provide special annotation on a Government or commercial bill of lading; provide an ocean bill of lading or airway bill; annotate commercial shipping documents; distribute copies of the bill of lading; provide applicable transportation receipts; assist in obtaining documents for exportation or importation destinations; and/or obtain insurance documents:

FAR 52.247–1, Commercial Bill of

Lading Notations

FAR 52.247–29, F.o.b. Origin

FAR 52.247–30, F.o.b. Origin,

Contractor's Facility

FAR 52.247–31, F.o.b. Origin, Freight

Allowed

FAR 52.247–32, F.o.b. Origin, Freight

Prepaid

FAR 52.247–33, F.o.b. Origin, With

Differentials

FAR 52.247–34, F.o.b. Destination

FAR 52.247–35, F.o.b. Destination,

Within Consignee's Premises

FAR 52.247–36, F.a.s. Vessel, Port of

Shipment

FAR 52.247–37, F.o.b. Vessel, Port of

Shipment

FAR 52.247–38, F.o.b. Inland Carrier,

Point of Exportation

FAR 52.247–41, C. & f. Destination

FAR 52.247–42, C.i.f. Destination

FAR 52.247–43, F.o.b. Designated Air

Carrier's Terminal, Point of

Exportation

FAR 52.247–44, F.o.b. Designated Air

Carrier's Terminal, Point of

Importation

FAR 52.247–65, F.o.b. Origin, Prepaid

Freight—Small Package Shipments

The contracting officer and the

Government transportation office use

this information in awarding and

administering contracts to ensure: (1)

Acquisitions are made on the basis most

advantageous to the Government; and

(2) supplies arrive in good order and

condition and on time at the required

place.

C. Annual Burden

Respondents: 16,114.

Recordkeepers: 849.

Total Annual Responses: 348,766.

Total Burden Hours: 27,502 (25,936 reporting hours + 1,566 recordkeeping hours).

D. Public Comment

A 60-day notice was published in the **Federal Register** at 89 FR 52051, on June 21, 2024. No comments were received.

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division by calling 202–501–4755 or emailing GSARegSec@gsa.gov. Please cite OMB Control No. 9000–0061, Federal Acquisition Regulation Part 47: Transportation Requirements.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2024–19125 Filed 8–23–24; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Reorganization of the National Center for Injury Prevention and Control

AGENCY: Centers for Disease Control and Prevention (CDC), the Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: CDC has modified its structure. This notice announces the National Center for Injury Prevention and Control (NCIPC) reorganization. NCIPC established the Behavioral Integration Branch.

DATES: This reorganization of NCIPC was approved by the Director of CDC on August 21, 2024 and became effective.

FOR FURTHER INFORMATION CONTACT: Tina Lickliter, Division of Injury Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 4700 Buford Highway NE, MS S106–9, Atlanta, GA 30341. Telephone: 770–488–3453; Email: tma1@cdc.gov.

SUPPLEMENTARY INFORMATION: Part C (Centers for Disease Control and Prevention) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (45 FR 67772–76, dated October 14, 1980, and corrected at 45 FR 69296, October 20, 1980, as amended most recently at 89 FR 59101–59104, dated July 22, 2024) is amended to reflect the reorganization of National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Specifically, the changes are as follows:

I. Under Part C, Section C–B, Organization and Functions, make the following changes:

- Establish the Behavioral Integration Branch (CECE)

II. Under Part C, Section C–B, Organization and Functions, after the Data Analytics Branch (CECD) insert the following:

Behavioral Integration Branch (CECE). (1) plans, directs, and supports epidemiological analysis, applied research, and demonstration projects to advance the integration of behavioral health (including suicide prevention) strategies with healthcare delivery and community behavioral health services; (2) plans and directs strategies to collect, analyze, and interpret scientific findings from surveillance, behavioral, and epidemiologic research activities for use in evaluating trends, setting priorities, and developing intervention strategies for suicidal behaviors and other self-harm; (3) plans, directs, conducts, and supports research to assess environmental, social, behavioral, and other risk and protective factors and to develop and evaluate intervention activities for suicide prevention and control (4) leads and coordinates a national program for the prevention and control of suicide and suicidal behavior in collaboration with federal, state, local, territorial, and tribal agencies, and public and private sector organizations; (5) provides leadership, research, and expert consultation to federal, state, local, territorial, tribal, and non-governmental partners in addressing suicidal and other self-harm behaviors; (6) provides technical assistance to local, state, territorial, and tribal agencies to advance the integration of surveillance and suicide prevention strategies with healthcare delivery and community behavioral health services; (7) develops guidance to reduce or mitigate risk factors and increase protective factors as appropriate; and (8) disseminates scientific findings, evidence-based prevention strategies, and suicide prevention guidelines by publishing research findings in professional journals and government reports, participating in national and international meetings, seminars, and conferences, and developing communication initiatives.

Delegations of Authority

All delegations and redelegations of authority made to officials and employees of affected organizational components will continue in them or their successors pending further redelegation, provided they are consistent with this reorganization.

(Authority: 44 U.S.C. 3101)

Robin D. Bailey,
Chief Operating Officer, Centers for Disease Control and Prevention.
 [FR Doc. 2024–19113 Filed 8–23–24; 8:45 am]
BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for Office of Management and Budget Review; Head Start Program Performance Standards (Office of Management and Budget #: 0970–0148)

AGENCY: Office of Head Start, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is requesting a 3-year extension of the information collection requirements under the Head Start Program Performance Standards (Office of Management and Budget (OMB) #0970–0148, expiration August 31, 2024). On August 21, 2024, the Office of Head

Start (OHS) published a final rule: Supporting the Head Start Workforce and Consistent Quality Programming. This information collection contains changes to recordkeeping requirements as described in this final rule.

DATES: *Comments due within 30 days of publication.* OMB must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

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. You can also obtain copies of the proposed collection of information by emailing infocollection@acf.hhs.gov. Identify all emailed requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:
Description: Section 641A of the Head Start Act, 42 U.S.C. 9836A, directs the

U.S. Department of Health and Human Services to develop “scientifically based and developmentally appropriate education performance standards related to school readiness” and “ensure that any such revisions in the standards do not result in the elimination of or any reduction in quality, scope, or types of health, educational, parental involvement, nutritional, social, or other services.” This information collection is entirely record keeping and does not contain any standardized instruments to provide flexibility for local programs. These records are intended to act as a tool for grantees and delegate agencies to be used in their day-to-day operations. For example, this includes the requirement that programs maintain a waiting list of eligible families. On August 21, 2024, OHS published a final rule, Supporting the Head Start Workforce and Consistent Quality Programming (89 FR 67720). This information collection contains changes to recordkeeping requirements as described in this final rule.

Respondents: Head Start grant recipients. Depending on the standard, the calculated burden hours is based on the individual enrollee, family, grant, program, or staff. In a few cases, only a proportion of one of these may apply.

ANNUAL BURDEN ESTIMATES

Instrument	Annual number of respondents	Annual number of responses per respondent	Average annual burden hours per response	Annual burden hours
Maintain written impasse procedures for resolving internal disputes	2,900	1	0.7	2,030
Documenting eligibility	260,000	1	0.25	65,000
Maintain a waiting list	2,900	1	2	5,800
Track attendance	2,900	1	5	14,500
Written plan to support program participation following temporary suspension	150	1	1	150
Obtain child developmental screenings and conduct standardized and structured assessment for individualizations	800,000	1	1	800,000
Dual Language Learners Assessment	269,000	1	2	538,000
Obtain determinations of child health status, source of health care, and identify each child’s nutritional health needs	800,000	1	0.66	528,000
Documents lack of available funds for assessment and treatment	2,900	1	0.5	1,450
Maintaining records on the administration of medication	2,900	1	0.5	1,450
Maintenance of plan to prevent exposure to lead in water and paint	1,900	1	0.5	950
Waiver to family service worker assignment ratios	190	1	1	190
Joint agreements, procedures, or contracts with community organizations and memorandum of understanding with the appropriate local entity responsible for managing publicly funded preschool programs in the service area of the program	2,900	1	0.166	481
Documenting services to enrolled pregnant women	13,000	1	0.5	6,500
Tracking wages for Head Start staff and staff in local school districts	2,900	1	5	14,500
Criminal record checks	74,000	1	0.33	24,420
Ensure all staff has an initial health examination and periodic re-examination	25,000	1	0.25	6,250
Regular volunteer screening for tuberculosis	2,900	1	0.166	481
Maintain automated accounting and recordkeeping system and Collect and use data to monitor program performance and continuous improvement, and conduct a self-assessment and community assessment	2,900	1	79	229,100
If deficient, EHS or HS program submits Quality Improvement Plan	100	1	10	1,000
Reporting child incidents	131	1	0.083	11

ANNUAL BURDEN ESTIMATES—Continued

Instrument	Annual number of respondents	Annual number of responses per respondent	Average annual burden hours per response	Annual burden hours
Submit proof of coverage	2,900	1	0.166	481
Parental Consent, Annual Notice, and Recordkeeping of PII Disclosure	723,000	1	0.33	238,590
Applications for the purchase, construction, or renovation of facilities; record retention and submission of documents on facilities	250	1	40	10,000
Waiver request	200	1	1	200
Up-to-date child rosters and lists of adults each child is authorized to be released to are maintained.	2,900	1	2	5,800
Agencies required to compete will have to complete an application for each grant competed	75	1	60	4,500
Each Head Start or Early Head Start agency wishing to be renewed for 5 years without competition shall request that status from ACF	400	1	0.25	100
Updating program and personnel policies and procedures that promote implementation of Head Start standards in the program	2,900	1	9	26,100

Estimated Total Annual Burden Hours: 2,526,034.

Authority: Section 641A of the Head Start Act, 42 U.S.C. 9836A.

Mary C. Jones,
ACF/OPRE Certifying Officer.

[FR Doc. 2024-19051 Filed 8-23-24; 8:45 am]

BILLING CODE 4184-40-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Pre-testing Administration for Children and Families Data Collection Activities (Office of Management and Budget #: 0970-0355)

AGENCY: Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) proposes revisions to the existing overarching generic clearance for Pre-testing of ACF Data Collection Activities (Previously titled Pre-testing of Evaluation Data Collection Activities; Office of Management and Budget (OMB) #0970-0355). Revisions are proposed to broaden the scope of the generic to include pretesting of data elements used on information collections that are not specifically for research and evaluation. This includes updates to the title of the request, overarching description, and burden estimates. We are also requesting an extension for currently approved information collections under this generic.

DATES: *Comments due* September 25, 2024. OMB must make a decision about

the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

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. You can also obtain copies of the proposed collection of information by emailing OPREinfocollection@acf.hhs.gov. Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: ACF intends to request approval from OMB for an extension with revisions for a generic clearance to pre-test data collections with more than nine participants to identify and resolve any questions or problems that may arise, and to assess potential data quality, prior to full-scale administration.

This generic is available for use by ACF program offices but is most often used by the ACF Office of Planning, Research, and Evaluation (OPRE). OPRE studies ACF programs and the populations they serve, through rigorous research and evaluation projects. These include evaluations of existing programs, evaluations of innovative approaches to helping low-income children and families, research syntheses, and descriptive and exploratory studies.

ACF program offices could benefit from use of this pretesting generic for similar purposes outlined above, as well as to inform the development of data

collection activities such as grant recipient forms, forms used by programs on ACF’s behalf, and other data collection efforts driven by ACF. This could be used to inform a variety of data collection efforts in ACF to allow for consistent data requests across program offices that are high quality and appropriate to respondents who represent ACF program populations. For example, ACF envisions using this mechanism to pre-test sexual orientation and gender identity questions with youth. This is an area with minimal research and would benefit ACF program offices that serve youth. Program offices are also considering use of this generic for efforts to support language access for data collections, which a priority as detailed in Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency.”

To improve the development of its data collection activities, ACF will use the pre-testing generic clearance to employ a variety of techniques including cognitive and usability laboratory and field techniques, behavior coding, exploratory interviews, respondent debriefing questionnaires, split sample experiments, focus groups, and pilot studies/pre-tests. These activities allow ACF to identify if and when a data collection may be simplified for respondents, respondent burden may be reduced, data elements could be improved, and other possible improvements.

Following standard OMB requirements, ACF will submit directly to OMB, a request specific to each individual proposed data collection activity under this generic clearance. Each request will include the individual instrument(s), a justification specific to the individual information collection,

and any supplementary documents. ACF requests OMB review within 10 days of receiving an individual request.

Results of these methodological studies may be made public through methodological appendices or footnotes, reports on instrument development, instrument user guides, descriptions of respondent behavior, and other publications or presentations describing findings of methodological interest. The results of these pre-testing activities may be prepared for presentation at

professional meetings or publication in professional journals. When necessary, results will be labeled as exploratory in nature and any limitations will be described.

Respondents: Participants in ACF programs being evaluated; participants in ACF demonstrations; recipients of ACF grants and individuals served by ACF grant recipients; comparison group members; and other relevant populations, such as individuals at risk of needing ACF services.

Annual Burden Estimates

Burden estimates have been updated to reflect the broadened scope from primarily used by OPRE for research and evaluation to include ACF program office pretesting of data elements used on information collections that are not specifically for research and evaluation. Estimates have been informed by program office input and are consistent with estimates for other ACF-wide umbrella generics (for example, OMB #s 0970–0531 and 0970–0630).

Instrument or activity type	Number of respondents (total over request period)	Number of responses per respondent (total over request period)	Avg. burden per response (in hours)	Total burden (in hours)
Interviews/Focus Groups/Cognitive Testing/Debriefings	10,000	1.5	1.5	22,500
Questionnaires/Surveys	6,500	1.5	.5	4,875
Iterative Testing	1,500	5	.75	5,625
Usability Tests	5,000	5	.25	6,250
Totals	23,000	.....	.....	39,250

This request will also include a request to extend approval for the following currently approved

information collections. For more information, see [https://](https://www.reginfo.gov/public/do/PRAICList?ref_nbr=202403-0970-019)

www.reginfo.gov/public/do/PRAICList?ref_nbr=202403-0970-019.

Title of approved collection	Number of respondents (total over request period)	Total burden (in hours)
Measuring Self- and Co-Regulation in Sexual Risk Avoidance Education Programs Phase 1	450	153
Supporting and Strengthening the Home Visiting Workforce (SAS–HV): Testing and Validation of a Draft Measure of Reflective Supervision for Home Visiting	785	809.6
Measuring Self- and Co-Regulation in Sexual Risk Avoidance Education Programs Part 2	700	220
Totals	1,935	1,182.6

Authority: Social Security Act, Sec. 1110 [42 U.S.C. 1310].

Mary C. Jones,
ACF/OPRE Certifying Officer.

[FR Doc. 2024–19084 Filed 8–23–24; 8:45 am]

BILLING CODE 4184–88–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Announcing the Intent To Award a Single-Source Supplement for the Eldercare Locator

AGENCY: Administration Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) announces its intent to award a single-source supplement to the current cooperative agreement held by USAgIng for the

Eldercare Locator. The purpose of this funding is to continue operation of the Disability Information and Access Line (DIAL). Originally funded in FY 2021 to connect people with disabilities to information about COVID–19 and assistance with accessing the COVID–19 vaccine, DIAL has become a critical resource for people with disabilities to get information and connect to state and local organization able to provide assistance serving over 100,000 since launching in June, 2021.

FOR FURTHER INFORMATION CONTACT: For further information or comments regarding this program supplement, contact Erica McFadden, U.S. Department of Health and Human Services, Administration for Community Living, Office of Independent Living Programs, email erica.mcfadden@acl.hhs.gov or phone (202) 795–7446; or Bernice Hutchinson, U.S. Department of Health and Human Services, Administration for

Community Living, Administration on Aging, phone (202) 795–7313, email Bernice.hutchinson@acl.hhs.gov.

SUPPLEMENTARY INFORMATION:

Program Name: The Eldercare Locator.

Recipient: USAgIng.

Period of Performance: Supplemental funds will be added to the current project year’s Notice of Award (NOA) to operate DIAL from October 1, 2024 through September 30, 2025.

Total Award Amount: \$1 million in FY 2024.

Award Type: Cooperative Agreement Supplement.

Statutory Authority: This program is authorized under 42 U.S.C. 15081 and 29 U.S.C. 796.

Basis for Award: USAgIng is currently funded to carry out the objectives of this program, entitled The Eldercare Locator. Older adults and their caregivers and people with disabilities face a complicated array of decisions regarding home and community-based services.

For almost 30 years, the Eldercare Locator has helped older adults and their families navigate this complex environment by connecting those needing assistance with State and local agencies on aging that serve older adults and their caregivers.

The Eldercare Locator serves approximately 450,000 people a year through the call center. To ensure that the needs of those who contact the Eldercare Locator are carefully matched with the appropriate resources, information specialists are trained to listen closely to callers, identify relevant local, state and/or national resources and, when needed, provide a transfer to a particular resource.

As a trusted national resource, the supplement to the Eldercare Locator will be used to expand the capacity of the service to link a larger number of people with disabilities, including older adults and their family caregivers needing services from local organizations that can assist.

With the supplemental funding, ACL will fund the maintenance of the DIAL call center to support at least of 40,000 calls from people with disabilities and their caregivers. In addition, DIAL will utilize, maintain, and update a list of trusted resources to assist callers in making appropriate local connections. Having to sift through countless websites and make multiple phone calls to gain education and access to important community resources is a significant issue for people with disabilities.

Having an established one-stop call center to provide accurate and up-to-date state and local specific information and referrals on important information regarding local community resources for people with disabilities is critically needed. Using the established DIAL and Eldercare Locator infrastructure, this supplement will be used for maintaining and providing technical assistance about DIAL to assist people with disabilities to make appropriate state and local linkages to resources. The grantee, working with appropriate national disability organizations, will maintain a call center with a dedicated line and trained information specialists to serve approximately 40,000 people with disabilities.

Dated: August 20, 2024.

Alison Barkoff,

Principal Deputy Administrator, for the Administration for Community Living, performing the duties of the Administrator and Assistant Secretary for Aging.

[FR Doc. 2024–19070 Filed 8–23–24; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0134]

Withdrawal of Approval and Amending of Mammography Quality Standards Act Alternative Standards

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of withdrawal.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the withdrawal of two Mammography Quality Standards Act (MQSA) Alternative Standards and the amending of one Alternative Standard due to the updated MQSA regulations.

DATES: The relevant Alternative Standards will be withdrawn or amended as of September 10, 2024.

FOR FURTHER INFORMATION CONTACT: Preetham Sudhaker, Division of Mammography Quality Standards (DMQS), Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Silver Spring, MD 20993, 301–796–5911.

SUPPLEMENTARY INFORMATION:

I. Background

On March 10, 2023, FDA issued a final rule (88 FR 15126) to update the mammography regulations that were issued under the Mammography Quality Standards Act of 1992 and the Federal Food, Drug, and Cosmetic Act. The final rule amending §§ 900.1 through 900.25 (21 CFR 900.1 through 900.25) will become effective September 10, 2024. Based on FDA's determination that withdrawing and amending several MQSA Alternative Standards is justified by § 900.12 (as amended in that final rule), in accordance with § 900.18, FDA is withdrawing approval of and amending those alternatives.

II. Withdrawal of Approval and Amendment of Alternative Standards

As of September 10, 2024, FDA is withdrawing approval of MQSA Alternative Standards #11 “Modifications in the Assessment Categories Used in Medical Reports” (<https://www.fda.gov/radiation-emitting-products/regulations-mqsa/mqsa-alternative-standard-11-modifications-assessment-categories-used-medical-reports>) and #12 “Assessment category for ‘Post Procedure Mammograms for Marker Placement’” (<https://www.fda.gov/radiation-emitting-products/regulations->

[mqsa/mqsa-alternative-standard-12-assessment-category-post-procedure-mammograms-marker-placement](https://www.fda.gov/radiation-emitting-products/regulations-mqsa/mqsa-alternative-standard-12-assessment-category-post-procedure-mammograms-marker-placement)). FDA is also amending the Alternative Standard #8 “Separate Assessment for Findings for Each Breast” (<https://www.fda.gov/radiation-emitting-products/regulations-mqsa/mqsa-alternative-standard-8-separate-assessment-findings-each-breast>).

FDA may approve an alternative to a quality standard under § 900.12 when the Agency determines that the proposed alternative standard is at least as effective in assuring quality mammography as the standard it proposes to replace, and is too limited in applicability to justify amending the standard, or when the expected benefit to human health is so great that the time needed to amend the standard presents an unjustifiable risk to human health. See § 900.18. Under § 900.18(g), FDA shall amend or withdraw approval of an alternative standard whenever the Agency determines that such action is necessary to protect the human health or where otherwise justified by § 900.12. For the reasons discussed below, FDA has determined that withdrawing and/or amending the Alternative Standards is justified by § 900.12.

FDA has determined that withdrawing Alternative Standard #11 is justified by § 900.12. Alternative Standard #11 provided an alternative standard to § 900.12(c)(1)(iv) and (v), which provides the categories of overall assessment of findings for use in the reports of mammography examinations. Specifically, the approved alternative allowed use of: (1) an additional assessment category (“Known Biopsy-Proven Malignancy”), (2) a reference to the possible need to obtain prior mammograms to make a final assessment for the “Incomplete” assessment category, and (3) certain clarifying language to various existing assessment categories (e.g., “Benign Finding(s)”, “Suspicious Abnormality” (emphases added)).

Amended § 900.12(c)(1)(iv) includes the additional assessment category “Known Biopsy-Proven Malignancy” and amended § 900.12(c)(1)(v) includes a new provision that addresses the potential need for prior mammograms for comparison for “Incomplete” assessments. Specifically, the amended § 900.12(c)(1)(v)(A) and (B) provides different requirements depending on whether facilities use the assessment category of “Incomplete: Need additional imaging evaluation” or “Incomplete: Need prior mammograms for comparison.” Alternative Standard #11, however, groups these two assessment categories into a single

assessment category: “Incomplete: Need additional imaging evaluation and/or prior mammograms for comparison.” As such, it is not clear how a facility would comply with both the Alternative Standard and the other applicable requirements in the amended regulations.

Moreover, as discussed in the MQSA small entity compliance guide, FDA has generally exercised enforcement discretion regarding the final assessment category wording where the variation in wording does not change the meaning of the assessment category (e.g., “benign finding” instead of “benign” or “suspicious abnormality” instead of “suspicious”), and FDA intends to continue such a practice. Thus, FDA has determined that Alternative Standard #11 is no longer needed, no longer appropriate, and may cause confusion, and so withdrawal of Alternative Standard #11 is justified by § 900.12.

FDA also has determined that withdrawal of Alternative Standard #12 is justified by § 900.12. Alternative Standard #12 allowed use of an additional assessment category “Post Procedure Mammograms for Marker Placement.” As of the effective date of the MQSA final rule (September 10, 2024), the nearly identical assessment statement “Post-Procedure Mammogram for Marker Placement” is included in the amended § 900.12(c)(1)(iv)(G). Because amended § 900.12(c)(1)(iv)(G) incorporates Alternative Standard #12, FDA has determined that the alternative is no longer needed, no longer appropriate, and may cause confusion, and so withdrawal of Alternative Standard #12 is justified by § 900.12.

Finally, FDA is amending Alternative Standard #8, which permitted interpreting physicians to provide a separate assessment of findings for each breast in the medical report instead of a single overall assessment of findings as set forth in § 900.12(c)(1)(iv). Specifically, the alternative permitted: “A separate assessment of findings for each breast, classified in one of the following categories,” instead of “A separate final assessment of findings for each breast, classified in one of the following categories.” This language is being amended to use the term “final assessment” to match the updated language in amended § 900.12(c)(1)(v). As a result of the amended § 900.12, amending Alternative Standard #8 is justified by § 900.12.

Dated: August 20, 2024.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2024–19058 Filed 8–23–24; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the National Vaccine Advisory Committee

AGENCY: Office of Infectious Disease and HIV/AIDS Policy, Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) hereby gives notice that the National Vaccine Advisory Committee (NVAC) will hold an in-person meeting. The meeting will be open to the public and public comment will be heard during the meeting.

DATES: The meeting will be held September 12–13, 2024. The confirmed meeting times and agenda will be posted on the NVAC website at <http://www.hhs.gov/nvpo/nvac/meetings/index.html> as soon as they become available.

ADDRESSES: Instructions regarding attending this meeting will be posted online at <http://www.hhs.gov/nvpo/nvac/meetings/index.html> at least one week prior to the meeting. Pre-registration is required for those who wish to attend the meeting in person or participate in public comment. Please register at <http://www.hhs.gov/nvpo/nvac/meetings/index.html>.

FOR FURTHER INFORMATION CONTACT: Ann Aikin, Acting Designated Federal Officer, Office of Infectious Disease and HIV/AIDS Policy, U.S. Department of Health and Human Services, Tower Building, Room, 1101 Wootton Parkway, Rockville, MD 20852. Email: nvac@hhs.gov. Phone: 202–795–7697.

SUPPLEMENTARY INFORMATION: Pursuant to section 2101 of the Public Health Service Act (42 U.S.C. 300aa–1), the Secretary of HHS was mandated to establish the National Vaccine Program to achieve optimal prevention of human infectious diseases through immunization and to achieve optimal prevention against adverse reactions to vaccines. The NVAC was established to provide advice and make recommendations to the Director of the National Vaccine Program on matters related to the Program’s responsibilities.

The Assistant Secretary for Health serves as Director of the National Vaccine Program.

During this meeting, the NVAC will hear presentations about implementation of the universal hepatitis B vaccine recommendations of adults aged 19–59 years and adults aged 60 years and older with risk factors for hepatitis B infection, new approaches for tuberculosis vaccine innovation, and research to inform future HIV vaccine development. The NVAC will also host panels on vaccine equity, provider payment, and planning for the development of the next national vaccine strategy.

Please note that agenda items are subject to change, as priorities dictate. Information on the final meeting agenda will be posted prior to the meeting on the NVAC website: <http://www.hhs.gov/nvpo/nvac/index.html>.

Members of the public will have the opportunity to provide comment at the NVAC meeting during the public comment period designated on the agenda. Public comments made during the meeting will be limited to three minutes per person to ensure time is allotted for all those wishing to speak. Members of the public may also submit written comments. Written comments should not exceed three pages in length. Individuals planning to submit comments should email their written comments or their request to provide a comment during the meeting to nvac@hhs.gov at least five business days prior to the meeting.

Dated: August 19, 2024.

Ann Aikin,

Acting Designated Federal Official, Office of the Assistant Secretary for Health.

[FR Doc. 2024–19053 Filed 8–23–24; 8:45 am]

BILLING CODE 4150–44–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center For Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 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; NIH Research Enhancement Award (R15) in Oncological Sciences.

Date: September 25, 2024.

Time: 9:00 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: Byung Min Chung, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496-4056, justin.chung@nih.gov.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Pathophysiological Basis of Mental Disorders and Addictions Study Section.

Date: September 25–26, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814 (In-Person meeting).

Contact Person: Boris P. Sokolov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217A, MSC 7846, Bethesda, MD 20892, 301-408-9115, bsokolov@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: August 21, 2024.

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19061 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, NIDCD.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other

reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute On Deafness And Other Communication Disorders, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIDCD.

Date: October 21–22, 2024.

Open: October 21, 2024, 9 a.m. to 9:30 a.m.

Agenda: Reports from the Institute staff.

Place: Porter Neuroscience Research Center, Building 35A, Room 610, 35 Convent Drive, Bethesda, MD 20892, In Person.

Closed: October 21, 2024, 9:30 a.m. to 5 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Place: Porter Neuroscience Research Center, Building 35A, Room 610, 35 Convent Drive, Bethesda, MD 20892, In Person.

Closed: October 22, 2024, 9 a.m. to 5 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Place: Porter Neuroscience Research Center, Building 35A, Room 610, 35 Convent Drive, Bethesda, MD 20892, In Person.

Contact Person: Lisa L. Cunningham, Ph.D., Senior Investigator, National Institute of Deafness and other Communication Diseases, National Institutes of Health, 35A Convent Drive, Rockville, MD 20850, 301-443-2766, lisa.cunningham@nih.gov.

Information is also available on the Institute's/Center's home page: <https://www.nidcd.nih.gov/about/advisory-committees>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: August 21, 2024.

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19062 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meetings

Pursuant to section 1009 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 General Medical Sciences Special Emphasis Panel; Review of K99/R00 applications.

Date: October 15–16, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Lee Warren Slice, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3AN12, Bethesda, Maryland 20892, 301-435-0807, slicelw@mail.nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of NIH IDEa Networks of Biomedical Research Excellence (INBRE) applications.

Date: October 29, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Jason M. Chan, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-3663, jason.chan2@nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of NIH IDEa Networks of Biomedical Research Excellence (INBRE) applications.

Date: November 4, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical

Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Kimberly Hammer, Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-2849, kimberly.hammer@nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Renewal of Centers of Biomedical Research Excellence (COBRE) (Phase 2).

Date: November 7-8, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Nina Sidorova, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-3663, sidorova@nigms.nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of Support for Research Excellence (SuRE) Award (R16).

Date: November 15, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Jason M. Chan, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-3663, jason.chan2@nih.gov.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of Support for Research Excellence (SuRE) Award (R16).

Date: November 20, 2024.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute of General Medical Sciences, Natcher Building, 45 Center Drive, Bethesda, Maryland 20892 (Virtual Meeting).

Contact Person: Kimberly Hammer, Scientific Review Officer, Scientific Review Branch, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, MSC 6200, Bethesda, Maryland 20892, 301-594-2849, kimberly.hammer@nih.gov.

(Catalogue of Federal Domestic Assistance Program No. 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: August 20, 2024.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19057 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin Diseases; Notice of Closed Meeting

Pursuant to section 1009 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 Arthritis and Musculoskeletal and Skin Diseases Special Emphasis Panel; NIAMS T32 2025/01 Review Meeting.

Date: October 9, 2024.

Time: 10 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Arthritis and Musculoskeletal and Skin Diseases, One Democracy Plaza, 6701 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Archana Jha, Ph.D., Scientific Review Officer, Scientific Review Branch (SRB), National Institute of Arthritis and Musculoskeletal and Skin Diseases, One Democracy Plaza, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892, (240) 921-1233, archana.jha@nih.gov. (Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: August 20, 2024.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19056 Filed 8-23-24; 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 1009 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; Using Networks to Understand Heterogeneity in FTD-TDP and Aging.

Date: October 8, 2024.

Time: 12 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Fishers Lane, 5601 Fishers Lane, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Joshua Jin-Hyouk Park, Ph.D., Scientific Review Officer, National Institute of Aging, National Institutes of Health, 5601 Fishers Lane, RM 2W200, Rockville, MD 20852, (301) 496-6208, joshua.park4@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: August 21, 2024

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19091 Filed 8-23-24; 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 1009 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; High End Mass Spectrometry Instrumentation.

Date: September 26-27, 2024.

Time: 10 a.m. to 6 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: Dennis Pantazatos, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594-2381, dennis.pantazatos@nih.gov.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Maximizing Investigators' Research Award B Study Section.

Date: October 3-4, 2024.

Time: 9 a.m. to 8:30 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: Sudha Veeraraghavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4166, MSC 7846, Bethesda, MD 20892, (301) 827-5263, sudha.veeraraghavan@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: August 21, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19093 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 1009 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 Drug Abuse Special Emphasis Panel; Accelerating the Pace of Drug Abuse Research Using Existing Data.

Date: October 30, 2024.

Time: 10 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Li Rebekah Feng, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 827-7245, rebekah.feng@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: August 21, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19095 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meeting

Pursuant to section 1009 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 Center for Advancing Translational Sciences Special Emphasis Panel; Conference Grant (R13) Review.

Date: November 7, 2024.

Time: 9 a.m. to 2 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Rockville, MD 20892 (Video Assisted Meeting).

Contact Person: Jing Chen, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Suite 1E504, Bethesda, MD 20892, (301) 827-3268, chenjing@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: August 21, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19092 Filed 8-23-24; 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 1009 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; Epigenetics of aging.

Date: October 18, 2024.

Time: 12:30 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, 5601 Fishers Lane, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Gianina Ramona Dumitrescu, Ph.D., MPH, Scientific Review Officer, National Institute of Aging, National Institute of Health, 5601 Fishers Lane, Room 4193-C, Rockville, MD 20852, 301-827-0696, dumitrescug@csr.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: August 21, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19097 Filed 8-23-24; 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 Meeting**

Pursuant to section 1009 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 Environmental Health Sciences Special Emphasis Panel: Mechanism for Time-Sensitive Research Opportunities in Environmental Health Sciences (R21).

Date: September 17, 2024.

Time: 12 p.m. to 1 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, Durham, NC 27709 (Virtual Meeting).

Contact Person: Murali Ganesan, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training (DERT), National Institute of Environmental Health Sciences, National Institutes of Health, Keystone Building, Room 3097, Research Triangle Park, NC 27713, Phone: 984-287-4674, Email: murali.ganesan@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: August 20, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19007 Filed 8-23-24; 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 1009 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: Early Career Development and Pathway to Independence in Basic/Biomedical and Clinical Research Special Emphasis Panel.

Date: October 22–23, 2024.

Time: 10 a.m. to 2 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, Durham, NC 27709 (Virtual Meeting).

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, National 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: Worker Safety and Training with Hazardous Chemical Waste Special Emphasis Panel.

Date: November 13–15, 2024.

Time: 10 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, 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.

(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: August 21, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19060 Filed 8-23-24; 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 1009 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; Glia and Alzheimer's Diseases.

Date: October 16, 2024.

Time: 12 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, 5601 Fishers Lane, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Ivan Tadeu Rebutini, Ph.D., Scientific Review Officer, National Institute of Aging, National Institute of Health, 5601 Fishers Lane, Rm. 100, Rockville, MD 20814, (301) 555-1212, ivan.rebutini@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: August 21, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024-19096 Filed 8-23-24; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2024 Notice of Supplemental Funding Opportunity

AGENCY: Substance Abuse and Mental Health Services Administration, Department of Health and Human Services (HHS).

ACTION: Notice of intent to award supplemental funding.

SUMMARY: This notice is to inform the public that the Substance Abuse and Mental Health Services Administration (SAMHSA) is supporting an administrative supplement in scope of the parent award for one eligible grant recipient funded under the FY 2023 Provider's Clinical Support System—Medications for Opioid Use Disorder (PCSS–MOUD), Notice of Funding Opportunity (NOFO) TI–23–014. The recipient may receive up to \$1,000,000. This supplement provides support to the recipient with a project end date of September 30, 2025. The supplemental funding will be used to support increased fees from the training platform service as a result of an increase in the number of practitioners accessing training from the program.

FOR FURTHER INFORMATION CONTACT: Patti Juliana, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, Rockville, MD 20857, telephone 240–276–1195; email: patti.juliana@samhsa.hhs.gov.

SUPPLEMENTARY INFORMATION:

Funding Opportunity Title: FY2024 Providers' Clinical Support System—Medications for Opioid Use Disorder (PCSS–MOUD) TI–23–014.

Assistance Listing Number: 93.243.

Authority: Section 509 of the of the Public Health Service Act.

Justification: The one SAMHSA-funded grant recipient of this NOFO has experienced increased fees from its training platform service as a result of an increase in the number of practitioners accessing training from the program.

This is not a formal request for application. Assistance will only be provided to the one PCSS–MOUD grant recipient funded in FY 2023 under the Providers' Clinical Support System—Medications for Opioid Use Disorder (PCSS–MOUD) [TI–23–014] based on the receipt of a satisfactory application and associated budget that is approved by a review group.

Dated: August 20, 2024.

Ann Ferrero,

Public Health Analyst.

[FR Doc. 2024–19021 Filed 8–23–24; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2024 Notice of Supplemental Funding Opportunity

AGENCY: Substance Abuse and Mental Health Services Administration, Department of Health and Human Services (HHS).

ACTION: Notice of intent to award supplemental funding.

SUMMARY: This notice is to inform the public that the Substance Abuse and Mental Health Services Administration (SAMHSA) is supporting administrative supplements in scope of the parent award for the 26 eligible grant recipients funded in FY 2022 under the First Responders-Comprehensive Addiction and Recovery Act (FR–CARA), Notice of Funding Opportunity (NOFO) TI–22–008. Recipients may receive up to \$58,190 each, for a total of \$1,512,940 across the program. These recipients have a project end date for use of these supplemental funds of September 29, 2025. The supplements will be used to fund a Training of Trainer (ToT) model to rapidly expand workforce development and capacity in the arena of preventing overdose related deaths and adverse events within existing projects funded under the FR–CARA program.

FOR FURTHER INFORMATION CONTACT:

Shannon Hastings, NOFO Lead, Division of Targeted Prevention, Center for Substance Abuse Prevention, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, Rockville, MD 20857, *DTP-NOFO@samhsa.hhs.gov*, Telephone: (240) 276–1869.

SUPPLEMENTARY INFORMATION:

Funding Opportunity Title: FY 2022 First Responders-Comprehensive Addiction and Recovery Act (FR–CARA) TI–22–008.

Assistance Listing Number: 93.243.

Authority: Section 546 of the Public Health Service Act, as amended, 42 U.S.C. 290ee–1.

Justification: These supplement awards will be offered to the FY 2022 cohorts under TI–22–008. Supplemental funding will be awarded to this cohort that has two years remaining in awards

to implement their projects. FY 2022 cohorts have implemented existing activities well positioned to be leveraged under the ToT model. These factors will benefit SAMHSA so that the agency will be able to track the effects of the ToT model over time. This work aligns with SAMHSA's goals of expanding access to naloxone and other opioid overdose reversal medications and enhances SAMHSA's naloxone saturation and overdose prevention efforts.

This is not a formal request for application. Assistance will only be provided to the 26 FR–CARA grant recipients funded in FY 2022 under the First Responders-Comprehensive Addiction and Recovery Act NOFO (TI–22–008) based on the receipt of a satisfactory application and associated budget that is approved by a review group.

Dated: August 20, 2024.

Ann Ferrero,

Public Health Analyst.

[FR Doc. 2024–18944 Filed 8–23–24; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2024 Notice of Supplemental Funding Opportunity

AGENCY: Substance Abuse and Mental Health Services Administration, Department of Health and Human Services (HHS).

ACTION: Notice of intent to award supplemental funding.

SUMMARY: This notice is to inform the public that the Substance Abuse and Mental Health Services Administration (SAMHSA) is supporting administrative supplements in scope of the parent award for the five eligible grant recipients funded in FY22 and FY23 under the Grants to Prevent Prescription Drug/Opioid Overdose Program (PDO), Notice of Funding Opportunity (NOFO) SP–21–002. Recipients may receive up to \$279,266 each for a total of \$1,396,330 across the program. These recipients have a project end date for use of these supplemental funds of September 29, 2025. The supplemental funding will be used to fund a comprehensive Training of Trainer (ToT) model to enhance workforce development and capacity in the arena of preventing prescription drug/overdose related deaths and adverse

events within existing projects funded under the PDO program.

FOR FURTHER INFORMATION CONTACT:

Shannon Hastings, NOFO Lead, Division of Targeted Prevention, Center for Substance Abuse Prevention, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, Rockville, MD 20857, email: DTP-NOFO@samhsa.hhs.gov, telephone: (240) 276-1869.

SUPPLEMENTARY INFORMATION:

Funding Opportunity Title: FY 2021 Grants to Prevent Prescription Drug/Opioid Overdose-Related Deaths (PDO) SP-21-002.

Assistance Listing Number: 93.243.

Authority: Section 516 of the Public Health Service Act, as amended, 42 U.S.C. 290bb-22.

Justification: These supplement awards will be offered to the FY22 and FY23 cohorts under SP-21-002. Supplemental funding will be awarded to these cohorts because they have over three years remaining in their awards to implement their projects. The cohorts, which are comprised of state grantees, will receive a larger supplemental award per recipient which will increase opportunity to implement the activities. These cohorts have implemented existing activities well positioned to be leveraged under the ToT model. These factors will benefit SAMHSA so that the agency will be able to track the effects of the ToT model over time. This work aligns with SAMHSA's goals of expanding access to naloxone and other opioid overdose reversal medications and enhances SAMHSA's naloxone saturation and overdose prevention efforts.

This is not a formal request for application. Assistance will only be provided to the 5 PDO grant recipients funded in FY22 and FY23 under the Grants to Prevent Prescription Drug/Opioid Overdose Program, NOFO (SP-21-002) based on the receipt of a satisfactory application and associated budget that is approved by a review group.

Dated: August 20, 2024.

Ann Ferrero,

Public Health Analyst.

[FR Doc. 2024-18943 Filed 8-23-24; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2024-0431]

National Commercial Fishing Safety Advisory Committee; September 2024 Meetings

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Notice of open Federal advisory committee meetings.

SUMMARY: The National Commercial Fishing Safety Advisory Committee (Committee) will conduct a series of meetings over two days to review, discuss, and make recommendations to the Secretary on matters relating to marine investigation cases and other relevant initiatives pertaining to commercial fishing vessels (CFVs). For more detailed information see section VI below.

DATES:

Meetings: The Committee will hold a meeting on Tuesday, September 10, 2024, from 9 a.m. until 5 p.m. Alaska Daylight Time (AKDT), and Wednesday, September 11, 2024, from 8 a.m. until 5 p.m. AKDT. Please note these meetings may close early if the Committee has completed its business.

Comments and supporting documentation: To ensure your comments are received before the meetings, please submit your written comments no later than September 2, 2024.

ADDRESSES: These meetings will be held at the William A. Eagan Civic & Convention Center 555 W Fifth Avenue, Anchorage, Alaska 99501. <https://anchorageconventioncenters.com/egancenter/overview>.

The National Commercial Fishing Safety Advisory Committee is committed to ensuring all participants have equal access regardless of disability status. If you require reasonable accommodation due to a disability to fully participate, please email Mr. Jonathan Wendland at Jonathan.G.Wendland@uscg.mil or call at 202-372-1245 as soon as possible.

Instructions: You are free to submit comments at any time, including orally at the meetings as time permits, but if you want your comment reviewed before the meetings, please submit your comments no later than September 2, 2024. We are particularly interested in comments regarding the topics in the "Agenda" section below. We encourage you to submit comments through Federal Decision Making Portal at

<https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2024-0431 in the search box and click "Search". Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, email the individual in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. You must include the docket number USCG-2024-0431. 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 found via link on the homepage of <https://www.regulations.gov>, and DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Docket Search: Documents mentioned in this notice as being available in the docket, and all public comments, will be in our online docket at <https://www.regulations.gov>, and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign-up for email alerts, you will be notified when comments are posted.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Wendland, Alternate Designated Federal Officer of the National Commercial Fishing Safety Advisory Committee, telephone 202-372-1245 or Jonathan.G.Wendland@uscg.mil.

SUPPLEMENTARY INFORMATION: Notice of these meetings is in compliance with the *Federal Advisory Committee Act*, (Pub. L. 117-286, 5 U.S.C. ch. 10). The National Commercial Fishing Safety Advisory Committee was authorized on December 4, 2018, by section 601 of the *Frank LoBiondo Coast Guard Authorization Act of 2018*, (Pub. L. 115-282, 132 Stat. 4190), and is codified in 46 U.S.C. 15102. The Committee operates under the provisions of the *Federal Advisory Committee Act* and 46 U.S.C. 15109. The Committee provides advice and recommendations to the Secretary of Homeland Security through the Commandant of the U.S. Coast Guard, on matters relating to the safe operation of vessels including the matters of:

- (A) navigation safety;
- (B) safety equipment and procedures;
- (C) marine insurance;

(D) vessel design, construction, maintenance, and operation; and (E) personnel qualifications and training;

Additionally, the Committee will review regulations proposed under chapter 45 of Title 46 of U.S. Code (during preparation of the regulations) and review marine casualties and investigations of vessels covered by chapter 45 of Title 46 U.S. Code and make recommendations to the Secretary to improve safety and reduce vessel casualties.

Agenda

Day 1 (9 a.m. to 5 p.m. AKDT)

The agenda for the National Commercial Fishing Safety Advisory Committee is as follows:

I. Opening

- a. Call to Order/Designated Federal Officer (DFO) Remarks.
- b. Roll Call/Determination of Quorum.
- c. U.S. Coast Guard Leadership Remarks.

II. Administration

- a. Review and Adoption of Meeting Agenda.
- b. Meeting Goals.
- c. Roberts Rules Simplified.

III. General Updates

- a. Old Business.
- b. New Business.

IV. U.S. Coast Guard Information Session and Progress Update to Committee

- a. Brief: Numbers and types of injuries and deaths caused by rotational and mechanical equipment.
- b. Brief: U.S. Coast Guard initiatives with search and rescue operations in and around wind farms.
- c. Brief: Very High Frequency (VHF) radio relay tower maintenance and Digital Selecting Calling (DSC) operational status in coastal Alaska.
- d. Brief: Fire risks of emerging alternative propulsion technology (e.g., hydrogen, electric batteries etc.) on commercial fishing vessels.

V. Public Comment Period

VI. U.S. Coast Guard Committee Tasking and Investigation Review

- a. Task Statement #23–24: Review marine casualty investigations linked to fire and smoke detection devices on Commercial Fishing Vessels (CFVs). Make recommendations to the U.S. Coast Guard.
 1. Public Comment Period.
 2. Committee Deliberation.
 3. Committee Vote on Recommendations Presented.

b. Task Statement #24–24: Review CFV marine casualty investigations cases that resulted from structural failures which resulted in sinking and total loss of the vessel. Make recommendations to the U.S. Coast Guard on preferred standards for material conditions, construction, and design to improve vessel seaworthiness.

1. Public Comment Period.
2. Committee Deliberation.
3. Committee Vote on Recommendations Presented.

c. Task Statement #25–24: Advise the U.S. Coast Guard on whether CFVs should be subject to Safety Management System requirements.

d. Task Statement #26–24: Craft a “NCF SAC Posthumous Special Recognition Award” that recognizes the accomplishments and contributions of an advocate to fishing industry safety.

e. Task Statement #10–23: Continue review of the development of the CG–CVC–3 publicly accessible website that contains information related to fishing industry activities, including vessel safety, inspections, enforcement, hazards, training, and outages of the Rescue 21 system.

VII. Public Comment Period

VIII. Meeting Adjourns

Day 2 (8 a.m. to 5 p.m. AKDT)

IX. Call to Order/Designated Federal Officer (DFO) Remarks

X. Roll Call/Determination of Quorum

XI. Committee Discussions/Actions

XII. Public Comment Period

XIII. Review Voluntary Best Practice Updates

XIV. Annual Election of Chair and Vice Chair

XV. Plans for Next Meeting

XVI. Closing Remarks/Committee and U.S. Coast Guard

XVII. Adjournment of Meeting

A copy of pre-meeting documentation will be available at <https://www.dco.uscg.mil/NCFSAC2024/> on or about August 23, 2024. Alternatively, you may contact Mr. Jonathan Wendland as noted in the **FOR FURTHER INFORMATION CONTACT** section above.

There will be public comment periods scheduled each day of the meeting. Speakers are requested to limit their comments to 3 minutes. Please note that the public comment period may end before the period allotted, following the last call for comments.

Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to register as a speaker.

Dated: August 21, 2024.

Amy M. Beach,

Captain, U.S. Coast Guard, Director of Inspections and Compliance.

[FR Doc. 2024–19083 Filed 8–23–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2024–0235]

Certificates of Alternative Compliance for the Eighth Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Notification of issuance of certificates of alternative compliance.

SUMMARY: The Coast Guard announces that the Eighth Coast Guard District’s Prevention Division has issued certificates of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to vessels of special construction or purpose that cannot fully comply with the light, shape, and sound signal provisions of 72 COLREGS without interfering with the vessel’s design and construction. We are issuing this notice because its publication is required by statute. This notification of issuance of certificates of alternative compliance promotes the Coast Guard’s marine safety mission.

DATES: These Certificates of Alternative Compliance were issued between April 2023 and December 2023.

FOR FURTHER INFORMATION CONTACT: For information or questions about this notice call or email Lieutenant Commander Jessica Flennoy, District Eight, Prevention Division, U.S. Coast Guard, telephone 504–671–2156, email Jessica.Flennoy@uscg.mil.

SUPPLEMENTARY INFORMATION: The United States is signatory to the International Maritime Organization’s International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law, however, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.¹

The owner, builder, operator, or agent of a special construction or purpose

¹ 33 U.S.C. 1605.

vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with alternative requirements is justified,² and the Chief of the Prevention Division would then issue the applicant a

certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel's special function.³ If the Coast Guard issues a COAC, it must publish

notice of this action in the **Federal Register**.⁴

The Eighth Coast Guard District has issued COACs to the following vessels from April 2023 to December 2023:

Year	Vessel name	Details
2023	ANGUS R COOPER II.	This certificate authorized the placement of the vessel's mast light 36'-9 ⁷ / ₈ " above the main deck and 23'-7 ⁷ / ₈ " when the mast is in the lowered position; sidelights on the elevated pilot house 4'-6" outboard from the centerline of the vessel; Restricted in Ability to Maneuver and Not Under Command lights 1'-1 ¹ / ₂ " off centerline starting 23'-7 ⁷ / ₈ " above the hull and vertically spaced 6'-7"; stern light placed at the centerline of the vessel on the rear portion of the pilot house at a height no less than nor exceeding 20'-8 ¹ / ₂ " as measured from the main deck; and as a result of the Restricted in Ability to Maneuver and Not Under Command light placement, the towing masthead lights will not be above and clear of all other lights.
2023	HOS RESOLUTION	This certificate authorized the placement of the vessel's stern light 17'-5" above the main deck and 22' outboard from the centerline of the vessel on the starboard side of stern ramp; and the towing light 24' above the main deck and 22' outboard from the centerline of the vessel on the starboard side of stern ramp.
2023	C-LEGACY	This certificate authorized the placement of the vessel's aft masthead light 21'-9 ¹ / ₁₆ " aft of the forward masthead light.
2023	AURORA	This certificate authorized the placement of the vessel's mast light 40'-3 ³ / ₄ " above the main deck and 23'-3" when the mast is in the lowered position and 1'-2" aft of amidships; sidelights on the elevated pilot house 10'-5 ³ / ₄ " outboard from the centerline of the vessel; and Restricted in Ability to Maneuver and Not Under Command lights 1'-6" off centerline starting 25'-5 ¹ / ₈ " above the hull and vertically spaced 6'-7"; and stern light at the centerline of the vessel on the rear portion of the pilot house at a height no less than nor exceeding 23'-3" as measured from the main deck.
2023	EWOLF	This certificate authorized the placement of the vessel's mast light 42'-0 ³ / ₄ " above the main deck and 23'-7 ¹ / ₁₆ " when the mast is in the lowered position; sidelights on the elevated pilot house 6'-7 ³ / ₁₆ " outboard from the centerline of the vessel; Restricted in Ability to Maneuver and Not Under Command lights 1'-6" off centerline starting 27'-8 ³ / ₄ " above the hull and vertically spaced 6'-7"; and stern light at the centerline of the vessel on the rear portion of the pilot house at a height no less than nor exceeding 9'-4" as measured from the main deck.
2023	GENESIS SPIRIT	This certificate authorized the placement of the vessel's sidelights 12'-11" inboard of the side shell on the upper pilot house and 9'-3" inboard of the side shell on the lower pilot house of the vessel; and Restricted in Ability to Maneuver and Not Under Command lights 3'-6" off centerline starting 62'-3 ⁷ / ₁₆ " above the hull and vertically spaced 6'-7".
2023	SIGNET SIRIUS	This certificate authorized the placement of the bottom masthead light 31'-8" above the main deck and 1'-4" forward of amidships with the second and third masthead lights placed directly above and vertically spaced 6'-6.75" between each masthead light; sidelights at a height of 21'-9" above the main deck and 7'-6" outboard from the centerline of the vessel; stern light at a height of 24'-0" above the main deck and 8'-9" abaft of amidships' and Restricted in Ability to Maneuver and Not Under Command lights 3'-3" outboard of the centerline starting 30'-2" above the hull and vertically spaced 6'-6.75".
2023	SIGNET CAPELLA	This certificate authorized the placement of the bottom masthead light 31'-8" above the main deck and 1'-4" forward of amidships with the second and third masthead lights placed directly above and vertically spaced 6'-6.75" between each masthead light; sidelights at a height of 21'-9" above the main deck and 7'-6" outboard from the centerline of the vessel; stern light at a height of 24'-0" above the main deck and 8'-9" abaft of amidships; and the Restricted in Ability to Maneuver and Not Under Command lights 3'-3" outboard of the centerline starting 30'-2" above the hull and vertically spaced 6'-6.75".
2023	EDEN K	This certificate authorized the placement of mast light 40'-3.75" above the main deck and 23'-3" when the mast is in the lowered position and 1'-2" aft of amidships; sidelights on the elevated pilot house 10'-5 ³ / ₄ " outboard from the centerline of the vessel; Restricted in Ability to Maneuver and Not Under Command lights placed 1'-6" off centerline starting 25'-5 ¹ / ₈ " above the hull and vertically spaced 6'-7"; and stern light placed at the centerline of the vessel on the rear portion of the pilot house at a height no less than nor exceeding 23'-3" as measured from the main deck.
2023	GARL L HOLMAN	This certificate authorized the placement of the sidelights on the pilothouse, 7'-11 ¹ / ₂ " outboard from centerline of the vessel.
2023	CELINA CHQUEST	This certificate authorized the placement of the after-masthead light on the main mast above the pilothouse, 21'-9 ¹ / ₁₆ " aft of the forward masthead light.

The Eighth Coast Guard District's Prevention Division, U.S. Coast Guard, certifies that the vessels listed above are of special construction or purpose and are unable to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal

operation, construction, or design of the vessels. The Eighth Coast Guard District's Prevention Division, U.S. Coast Guard, further finds and certifies that the listed vessels are in the closest possible compliance with the applicable provisions of the 72 COLREGS.⁵

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

² 33 CFR 81.5.

³ 33 CFR 81.9.

⁴ 33 U.S.C. 1605(c) and 33 CFR 81.18.

⁵ 33 U.S.C. 1605(a); 33 CFR 81.9.

Dated: August 21, 2024.

A.H. Moore, Jr.

Captain, U.S. Coast Guard, Chief, Prevention Division, Eighth Coast Guard District.

[FR Doc. 2024-19088 Filed 8-23-24; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2024-0190]

National Towing Safety Advisory Committee; September 2024 Meeting

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Notice of open Federal advisory committee meetings.

SUMMARY: The National Towing Safety Advisory Committee (Committee) will meet in person along with the four subcommittees: The Rulemaking Improvements to Subchapter M Subcommittee, The Statutory Information Requirements Within Accommodations Spaces on Merchant Vessels Subcommittee, The Master Key Control Requirements Aboard Merchant Vessels Subcommittee, and The Maritime Administration (MARAD) Maritime Workforce Group Report on the Maritime Workforce Subcommittee. The Committee and the four Subcommittees will meet in public over two days in Portland, Maine, to review and discuss matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety. These meetings will be open to the public.

DATES:

Meetings: National Towing Safety Advisory Committee will be called to order and have four open Subcommittee meetings on Tuesday, September 24, 2024, from 8 a.m. until 5 p.m. Eastern Daylight Time (EDT). The Rulemaking Improvements to Subchapter M Subcommittee will meet from 8:30 a.m. until 9:30 a.m. (EDT), The Statutory Information Requirements Within Accommodations Spaces on Merchant Vessels Subcommittee will meet from 9:30 a.m. until 10:30 a.m. (EDT), The Master Key Control Requirements Aboard Merchant Vessels Subcommittee will meet from 10:30 a.m. until 11:30 a.m. (EDT), and The MARAD Maritime Workforce Group Report on the Maritime Workforce Subcommittee will meet from 12:30 a.m. until 1:30 p.m. (EDT). The full committee will meet on Wednesday, September 25, 2024, from 8 a.m. until 5 p.m. (EDT). Please note that if a Subcommittee meeting ends early

the next Subcommittee meeting will not start prior to its listed time. If the full Committee has completed its business the meeting may end early.

Comments and supporting documentation: To ensure your comments are received by Committee and Subcommittee members before the meetings, submit your written comments no later than September 11, 2024.

ADDRESSES: These meetings will be held at the AC Hotel Portland Downtown/Waterfront, 158 Fore Street Portland, ME 04101.

Pre-registration Information: Pre-registration is not required to attend the Committee or Subcommittee meetings. Please ensure you arrive at least 15 minutes prior to the five meetings listed, we will provide you with appropriate handouts that the Committee and Subcommittee members have in their possession.

The National Towing Safety Advisory Committee is committed to ensuring all participants have equal access regardless of disability status. If you require reasonable accommodation due to a disability to fully participate, please email Mr. Matthew D. Layman at Matthew.D.Layman@uscg.mil or call at 202-372-1421 as soon as possible.

Instructions: You are free to submit comments at any time, including orally at the meetings, but if you want Committee members or Subcommittee members to review your comment before the meetings, please submit your comments no later than September 11, 2024. We are particularly interested in comments on the topics in the "Agenda" section below. We encourage you to submit comments through Federal Decision Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov> type USCG 2024-0190 in the search box and click "Search". Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. You must include the docket number USCG-2024-0190. 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, found via link on the homepage of <https://www.regulations.gov>, and DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). If you

encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Docket Search: Documents mentioned in this notice as being available in the docket, and all public comments, will be in our online docket at <https://www.regulations.gov>, and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign-up for email alerts, you will be notified when comments are posted.

FOR FURTHER INFORMATION CONTACT: Mr. Matthew D. Layman, Designated Federal Officer of the National Towing Safety Advisory Committee, telephone 202-372-1421, or Matthew.D.Layman@uscg.mil.

SUPPLEMENTARY INFORMATION: Notice of these meetings is in compliance with the *Federal Advisory Committee Act*, (Pub. L. 117-286, 5, U.S.C. ch. 10). The National Towing Safety Advisory Committee was authorized by section 601 of the *Frank LoBiondo Coast Guard Authorization Act of 2018*, (Pub. L. 115-282, 132 Stat. 4190), and is codified in 46 U.S.C. 15108. The Committee operates under the provisions of the *Federal Advisory Committee Act*, and 46 U.S.C. 15109. The Committee provides advice and recommendations to the Secretary of Homeland Security through the Commandant of the U.S. Coast Guard, on matters related to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

Agenda

The agenda for the National Towing Safety Advisory Committee is as follows:

The Committee Meeting Agenda, September 24, 2024

I. Opening

- a. Call to order/Designated Federal Officer Remarks.
- b. Committee Chairperson Remarks.
- c. Committee Adjourn for Subcommittee work.

II. Subcommittee Working Session

- a. Task #22-01, Recommendations to the Coast Guard for Rulemaking Improvements to Subchapter M will meet from 8:30 a.m. until 9:30 a.m. (EDT);
- b. Task #24-01, Recommendations for Statutory Information Requirements Within Accommodations Spaces on Merchant Vessels will meet from 9:30 a.m. until 10:30 a.m. (EDT);
- c. Task #24-02, Recommendations for Master Key Control Requirements

Aboard Merchant Vessels will meet from 10:30 a.m. until 11:30 a.m. (EDT);

d. Task #24–03, Recommendations for MARAD’s Maritime Workforce Group Report on the Maritime Workforce will meet from 12:30 a.m. until 1:30 p.m. (EDT).

The agenda of each Subcommittee meeting will include the following:

- (1) Call to order by Subcommittee Chair.
- (2) Subcommittee discussion and preparation of draft recommendations for the full Committee pertaining to task.
- (3) Public comment period.
- (4) Adjournment of Subcommittee meetings.

III. Full Committee Working Session

- a. U.S. Coast Guard E-Gov Travel Service Briefing.
- b. CG-Operating and Environmental Standards Q & A.
- c. Review New Task Statements.

IV. Adjournment of Meeting

The Committee Meeting Agenda, September 25, 2024

I. Opening

- a. Call to Order/Designated Federal Officer Remarks.
- b. Committee Chairperson Remarks.
- c. Roll Call and Determination of Quorum.
- d. U.S. Coast Guard Leadership Remarks.

II. Administration

- a. Adoption of Meeting Agenda.
- b. Approval of Meeting Minutes for May 1, 2024 Committee Meeting.

III. Briefs on the Tasks

a. Task #22–01, Recommendations to the U.S. Coast Guard for Rulemaking Improvements to Subchapter M Subcommittee;

1. Subcommittee Chair Briefs the Committee.
2. Public Comment Period.
3. Committee Deliberations.
4. Committee Vote.

b. Task #24–01, Recommendations for Statutory Information Requirements Within Accommodations Spaces on Merchant Vessels Subcommittee;

1. Subcommittee Chair Briefs the Committee.
2. Public Comment Period.
3. Committee Deliberations.
4. Committee Vote.

c. Task #24–02, Recommendations for Master Key Control Requirements Aboard Merchant Vessels Subcommittee;

1. Subcommittee Chair Briefs the Committee.

2. Public Comment Period.
3. Committee Deliberations.
4. Committee Vote.

d. Task #24–03, Recommendations for MARAD’s Maritime Workforce Group Report on the Maritime Workforce Subcommittee.

1. Subcommittee Chair Briefs the Committee.
2. Public Comment Period.
3. Committee Deliberations.
4. Committee Vote.

IV. New Business

- a. Vetting Subcommittee Update.
- b. Committee Planning.

V. Information Session

- a. U.S. Coast Guard District 1 Prevention.
- b. U.S. Army Corps of Engineers—Navigation, Trident Initiative.
- c. U.S. Coast Guard—Bridges, Permit and Oversight.
- d. U.S. Coast Guard—Investigations.

VI. Committee Discussion

VII. Public Comment Period

VIII. Closing Remarks and Plans for Next Meeting

IX. Adjournment of Meeting

A copy of all pre-meeting documentation will be available at <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Commercial-Regulations-standards-CG-5PS/Office-of-Operating-and-Environmental-Standards/vfos/TSAC/> no later than September 11, 2024. Alternatively, you may contact Mr. Matthew Layman as noted above in the **FOR FURTHER INFORMATION CONTACT** section above.

Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section if you wish to make a public comment. All public comments will be no longer than 3 minutes.

Notice of Future 2024 Committee Meetings

To receive automatic email notices of future National Towing Safety Advisory Committee meetings in 2024, go to the online docket, USCG–2024–0190 (<https://www.regulations.gov/docket/USCG-2024-0190>). Next, click on the “Subscribe” email icon. We plan to use the same docket number for notices of all 2024 meetings of this Committee. When the next meeting notice is published and added to the docket, you will receive an email alert. In addition, you will receive notices of other items being added to the docket.

Dated: August 19, 2024.

Jeffrey G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2024–19044 Filed 8–23–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0NEW]

Agency Information Collection Activities; New Collection of Information; Russian Diamonds & Seafood E.O. 14114

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted no later than October 25, 2024 to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0NEW in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to 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: CBP invites the general public and other

Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (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, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Russian Diamonds & Seafood E.O. 14114.

OMB Number: 1651-0NEW.

Form Number: 3461 & 3461 ALT.

Current Actions: New collection of information.

Type of Review: New collection of information.

Affected Public: Businesses.

Abstract: On December 22, 2023, President Biden issued Executive Order (E.O.) 14114, amending section 1 of E.O. 14068, issued April 15, 2021, to create subsections (a)(i)(A)–(D). Section 1(d) states, “The Secretary of Homeland Security, with the concurrence of the Secretary of the Treasury, shall prescribe rules and regulations to collect, including through an authorized electronic data interchange system as appropriate, any documentation or information as may be necessary to enforce subsections (a)(i)(B)–(D) and (c) of this section as expeditiously as possible.”¹

On December 22, 2023, the Department of Treasury's Office of

Foreign Assets Control (OFAC) issued a determination defining the scope of E.O. 14114 as it relates to Russian Seafood. This determination authorized CBP's collection of additional data elements required to enforce the E.O.²

The E.O. prohibits the importation and entry into the United States, including importation for admission into a U.S. foreign trade zone, of salmon, cod, pollock, or crab that was produced wholly or in part in the Russian Federation or harvested in waters under the jurisdiction of the Russian Federation or by Russia-flagged vessels, even if such salmon, cod, pollock, or crab has been incorporated or substantially transformed into another product outside of the Russian Federation.

On February 8, 2024, the Department of Treasury's Office of Foreign Assets Control (OFAC) issued a determination defining the scope of E.O. 14114 as it relates to Russian Diamonds and Diamond Jewelry. The determination took effect on March 1, 2024.

The E.O. prohibits importation of these products if they were mined, extracted, produced, or manufactured wholly or in part in the Russian Federation regardless of whether such products have been incorporated or substantially transformed into another product with a country of origin that is not the Russian Federation.

These determinations authorize CBP's collection of additional data elements required to enforce the E.O.³

CBP determined the following data elements required are:

(1) *Seafood:*

a. Country of Harvest—of the product, including the country of harvest of any ingredient or component that was incorporated or substantially transformed into the final product.

b. Vessel Name—that harvested the product, including the name of the vessel that harvested any ingredient or component that was incorporated or substantially transformed into the final product.

c. Vessel Flag—Country flag the vessel is registered in.

d. Vessel International Maritime Organization (IMO) number—The unique seven-digit vessel number issued to each vessel.

e. Self-Certification Statement—The document the importer provides verifying the imported goods do not contain Russian inputs. The

certification for seafood must contain the following language on official importer letterhead and signed by a representative of the importer:

i. Certification Statement—“I certify that any fish, seafood, or preparations thereof in this shipment were not harvested in waters under the jurisdiction of the Russian Federation or by Russia-flagged vessels, notwithstanding whether such product has been incorporated or substantially transformed into another product outside of the Russian Federation.”

(2) *Diamonds and Diamond Jewelry:*

a. Country of Mining—Where the diamonds were mined, extracted, produced, or manufactured wholly or in part.

b. Self-Certification Statement—The document the importer provides verifying the imported goods do not contain Russian inputs. The certification for seafood must contain the following language on official importer letterhead and be signed by a representative of the importer:

c. Certification Statement—

i. For non-industrial diamonds: I certify that the non-industrial diamonds in this shipment were not mined, extracted, produced, or manufactured wholly or in part in the Russian Federation, or exported from the Russian Federation, notwithstanding whether such products have been substantially transformed into other products outside of the Russian Federation.

ii. For diamond jewelry and unsorted diamonds: I certify that the diamond jewelry and unsorted diamonds in this shipment were not mined, extracted, produced, or manufactured wholly or in part in the Russian Federation, or exported from the Russian Federation, notwithstanding whether such products have been substantially transformed into other products outside of the Russian Federation.

These new data elements will be added to the CBP Form 3461 Entry/Immediate Delivery and CBP Form 3461 ALT for submission to Ace Cargo Release.

All items imported into the United States are subject to examination before entering the commerce of the United States. There are two procedures available to enable the release of imported merchandise, including “entry” pursuant to 19 U.S.C. 1484, and “immediate delivery” pursuant to 19 U.S.C. 1448(b). Under both procedures, CBP Forms 3461, Entry/Immediate Delivery, and 3461 ALT are the source documents in the packages presented to Customs and Border Protection (CBP). The information collected on CBP

¹ <https://www.federalregister.gov/documents/2023/12/26/2023-28662/taking-additional-steps-with-respect-to-the-russian-federations-harmful-activities>.

² <https://ofac.treasury.gov/faqs/1156#:~:text=The%20Seafood%20Determination%20prohibits%20the,product%20in%20a%20third%20country.>

³ <https://ofac.treasury.gov/faqs/added/2024-02-23>.

Forms 3461 and 3461 ALT allow CBP officers to verify that the information regarding the consignee and shipment is correct and that a bond is on file with CBP.

Type of Information Collection: Paper Only Form 3461.

Estimated Number of Respondents: 28.

Estimated Number of Annual Responses per Respondent: 3.

Estimated Number of Total Annual Responses: 84.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 7 hours.

Type of Information Collection: Ace Cargo Release: Electronic Form 3461, 3461ALT.

Estimated Number of Respondents: 549.

Estimated Number of Annual Responses per Respondent: 274.

Estimated Number of Total Annual Responses: 150,426.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 12,536.

Dated: August 21, 2024.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2024–19050 Filed 8–23–24; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2024–0021]

Agency Information Collection Activities: Nationwide Cyber Security Review Assessment (NCSR)

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: 60-Day notice and request for comments; revision.

SUMMARY: DHS CISA Cybersecurity Division (CSD) submits 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.

DATES: Comments are encouraged and will be accepted until October 25, 2024.

ADDRESSES: You may submit comments, identified by docket number CISA–2024–0021, by following the instructions below for submitting comment via the Federal eRulemaking Portal at <http://www.regulations.gov>.

Instructions: All comments received must include the agency name and docket number Docket # CISA–2024–0021. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Shannon Moser at 202–603–6924 or at cisa.csd.jcdc.ca_oversight@cisa.dhs.gov.

SUPPLEMENTARY INFORMATION: In its reports to the Department of Homeland Security Appropriations Act, 2010, Congress requested a Nationwide Cyber Security Review (NCSR) from the National Cyber Security Division (NCSA), the predecessor organization of the Cybersecurity Division (CSD). S. Rep. No. 111–31, at 91 (2009), H.R. Rep. No. 111–298, at 96 (2009). The House Conference Report accompanying the Department of Homeland Security Appropriations Act, 2010 “note[d] the importance of a comprehensive effort to assess the security level of cyberspace at all levels of government” and directed DHS to “develop the necessary tools for all levels of government to complete a cyber network security assessment so that a full measure of gaps and capabilities can be completed in the near future.” H.R. Rep. No. 111–298, at 96 (2009). Concurrently, in its report accompanying the Department of Homeland Security Appropriations Bill, 2010, the Senate Committee on Appropriations recommended that DHS “report on the status of cyber security measures in place, and gaps in all 50 States and the largest urban areas.” S. Rep. No. 111–31, at 91 (2009).

The Homeland Security Act of 2002, as amended, established “a national cybersecurity and communications integration center (“the Center”) . . . to carry out certain responsibilities of the Director,” including the provision of assessments. 6 U.S.C. 659(b). The Act also directs the composition of the Center to include an entity that collaborates with State and local governments on cybersecurity risks and incidents and has entered into a voluntary information sharing relationship with the Center. 6 U.S.C. 659(d)(1)(E). The Multistate Information Sharing and Analysis Center (MS-ISAC), a division of the Center for Internet Security, currently fulfills this function. CSD currently funds CIS’s MS-ISAC division through a Cooperative Agreement and maintains a close

relationship with this entity. As part of the Cooperative Agreement, CISA directs the MS-ISAC to produce the NCSR as contemplated by Congress. Generally, CSD has authority to perform risk and vulnerability assessments for Federal and non-Federal entities, with consent and upon request. CSD performs these assessments in accordance with its authority to provide voluntary technical assistance to Federal and non-Federal entities. See 6 U.S.C. 659(c)(6). This authority is consistent with the Department’s responsibility to “[c]onduct comprehensive assessments of the vulnerabilities of the Nation’s critical infrastructure in coordination with the SSAs [Sector-Specific Agencies, now known as Sector Risk Management Agencies] and in collaboration with SLTT [State, Local, Tribal, and Territorial] entities and critical infrastructure owners and operators.” Presidential Policy Directive (PPD)–21, at 3. A private sector entity or state and local government agency also has discretion to use a self-assessment tool offered by CSD or request CSD to perform an on-site risk and vulnerability assessment. See 6 U.S.C. 659(c)(6), 6 U.S.C. 652(e)(1)(C). The NCSR is a voluntary annual self-assessment.

Upon submission of the first NCSR report in March 2012, Congress further clarified its expectation “that this survey will be updated every other year so that progress may be charted, and further areas of concern may be identified.” S. Rep. No. 112–169, at 100 (2012). In each subsequent year, Congress has referenced this NCSR in its explanatory comments and recommendations accompanying the Department of Homeland Security Appropriations. Consistent with Congressional mandates, CSD developed the NCSR to measure the gaps and capabilities of cybersecurity programs within SLTT governments. Using the anonymous results of the NCSR, CISA delivers a bi-annual summary report to Congress that provides a broad picture of the current cybersecurity gaps & capabilities of SLTT governments across the nation.

For a draft copy of the information collection, please contact the information contact listed in this notice.

Analysis: The assessment allows SLTT governments to manage cybersecurity related risks through the NIST Cybersecurity Framework (CSF) which consists of best practices, standards, and guidelines. In efforts of continuously providing Congress with an accurate representation of the SLTT gaps and capabilities the NCSR question

has been changed in order to keep up with the shifting threat landscape.

The NCSR is an annual voluntary self-assessment that is hosted on LogicManager, which is a technology platform that provides a foundation for managing policies, controls, risks, assessments, and deficiencies across organizational lines of business. The NCSR self-assessment runs every year, usually from October–February. In efforts to increase participation, the deadline is sometimes extended. The target audience for the NCSR are personnel within the SLTT community who are responsible for the cybersecurity management within their organization.

Through the NCSR, CISA and MS-ISAC will examine relationships, interactions, and processes governing IT management and the ability to effectively manage operational risk. Using the anonymous results of the NCSR, CISA delivers a biannual summary report to Congress that provides a broad picture of the cybersecurity gaps and capabilities of SLTT governments across the nation. The bi-annual summary report is shared with MS-ISAC members, NCSR End Users, and Congress. The report is also available on the MS-ISAC website, <https://www.cisecurity.org/ms-isac/services/ncsr/>.

Upon submission of the NCSR self-assessment, participants will immediately receive access to several reports specific to their organization and their cybersecurity posture. Additionally, after the annual NCSR survey closes there will be a brief NCSR End User Survey offered to everyone who completed the NCSR assessment. The survey will provide feedback on participants' experiences, such as how they heard about the NCSR, what they found or did not find useful, how they will utilize the results of their assessment, and other information about their current and future interactions with the NCSR.

The NCSR End User survey follows the regular NCSR and will also be fully electronic. It contains 10 multiple choice and fill-in-the-blank answers and takes approximately 10 minutes to complete. The feedback survey will be administered via Qualtrics, and settings will be updated to opt out of collecting participants' IP addresses.

The NCSR is a voluntary self-assessment designed to measure the gaps and capabilities of cybersecurity programs within state, local, tribal and territorial governments. As it is voluntary, we do not know the number of potential respondents. To estimate the number of respondents, we looked

at past participation to forecast what participation in the next three years would be. We then took the average of the three-year projection as our estimated annual respondents. This gave us an estimated 3,719 annual respondents. Table 1 presents the estimated number of respondents, based on historical data.

This submission is a revision to the current approved PRA information collection request that is set to expire on 12/31/2025.

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.

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Analysis

Agency: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

Title of Collection: Nationwide Cyber Security Review Assessment.

OMB Control Number: CISA–1670–0040.

Frequency: Annually.

Affected Public: State, local, Tribal, and Territorial Government and Private Sector Individuals.

Number of Respondents: 4,210 for NCSR Assessment, 150 for End User Survey.

Estimated Time per Respondent: 2 hours per respondent for NCSR Assessment, 0.167 hours (10 minutes) per End User Survey.

Total Burden Hours: 8,445.

Total Annualized Respondent Cost: \$557,355.

Total Annualized Government Cost: \$547.67.

Robert J. Costello,

Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2024–19118 Filed 8–23–24; 8:45 am]

BILLING CODE 9111-LF-P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2024–0005]

Notice of President's National Infrastructure Advisory Council Meeting

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: Notice of partial closure *Federal Advisory Committee Act* (FACA) meeting; request for comments.

SUMMARY: CISA is publishing this notice to announce the following President's National Infrastructure Advisory Council (NIAC) meeting.

DATES:

Meeting Registration: Registration is required to attend the meeting and must be received no later than 5:00 p.m. Eastern Daylight Time (EDT) on September 4, 2024. For more information on how to participate, please contact NIAC@cisa.dhs.gov.

Speaker Registration: Registration to speak during the meeting's public comment period must be received no later than 5:00 p.m. EDT on September 4, 2024.

Written Comments: Written comments must be received no later than 5:00 p.m. EDT on September 4, 2024.

Meeting Date: The NIAC will meet on September 10, 2024, from 1:00 p.m. to 5:00 p.m. EDT. The meeting may close early if the council has completed its business.

ADDRESSES: The National Infrastructure Advisory Council's open session will be held in person at 1650 17th St. NW, Washington, DC; however, members of the public may participate via teleconference only. Requests to participate will be accepted and processed in the order in which they are received. For access to the conference call bridge, information on services for individuals with disabilities, or to request special assistance, please email NIAC@cisa.dhs.gov by 5:00 p.m. EDT on September 4, 2024. The NIAC is committed to ensuring all participants have equal access regardless of disability status. If you require a

reasonable accommodation due to a disability to fully participate, please contact Jonathan Dunn at NIAC@cisa.dhs.gov as soon as possible.

Comments: The council will consider public comments on issues as listed in the **SUPPLEMENTARY INFORMATION** section below. Associated materials for potential discussions during the meeting will be available for review at <https://www.cisa.gov/niac> by September 3, 2024. Comments should be submitted by 5:00 p.m. EDT on September 4, 2024 and must be identified by Docket Number CISA–2024–0005. Comments may be submitted by one of the following methods:

- **Federal eRulemaking Portal:** www.regulations.gov. Please follow the instructions for submitting written comments.
- **Email:** NIAC@cisa.dhs.gov. Include the Docket Number CISA–2024–0005 in the subject line of the email.

Instructions: All submissions received must include the words “Department of Homeland Security” and the Docket Number for this action. Comments received will be posted without alteration to www.regulations.gov, including any personal information provided. You may wish to read the Privacy & Security Notice which is available via a link on the homepage of www.regulations.gov.

Docket: For access to the docket and comments received by the National Infrastructure Advisory Council, please go to www.regulations.gov and enter docket number CISA–2024–0005.

A public comment period will take place from 2:45 p.m. to 2:55 p.m. EDT. Speakers who wish to participate in the public comment period must email NIAC@cisa.dhs.gov to register. Speakers should limit their comments to 3 minutes and will speak in order of registration. Please note that the public comment period may end before the time indicated, depending on the number of speakers who register to participate.

FOR FURTHER INFORMATION CONTACT: Jonathan Dunn, 202–731–1020, NIAC@cisa.dhs.gov.

SUPPLEMENTARY INFORMATION: The NIAC is established under Section 10 of E.O. 13231 issued on October 16, 2001, as amended and continued under the authority of E.O. 14109, dated September 29, 2023. Notice of this meeting is given under 10(a) of the Federal Advisory Committee Act (FACA), Public Law 92–463 (5 U.S.C. Ch. 10). The NIAC provides the President, through the Secretary of Homeland Security, advice on the

security and resilience of the Nation’s critical infrastructure sectors.

This meeting will be partially closed to the public, with the closure time of the meeting yet to be determined. Members of the public who register to participate virtually will be informed what portion of the meeting will be closed.

Agenda: The National Infrastructure Advisory Council will meet on Tuesday, September 10, 2024, from 1:00 p.m. to 5:00 p.m. EDT to discuss NIAC activities. The open session will include: (1) a keynote address on critical infrastructure security and resilience; (2) a period for public comment; (3) subcommittee updates and member discussion.

The council will also meet in a closed session, with the closure time of the meeting yet to be determined. In the closed session, senior White House officials will discuss priorities and potential threats concerning the nation’s critical infrastructure. The premature disclosure of this information could frustrate the successful implementation of protective measures designed to keep our country safe. Therefore, this portion of the meeting is required to be closed pursuant to section 10(d) of FACA and the Government in the Sunshine Act, 5 U.S.C. 552b(c)(9)(B).

Dated: August 20, 2024.

Jonathan M. Dunn,

Designated Federal Officer, National Infrastructure Advisory Council, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security.

[FR Doc. 2024–19011 Filed 8–23–24; 8:45 am]

BILLING CODE 9111–LF–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0091]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Replacement Naturalization/ Citizenship Document

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance

with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until September 25, 2024.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS–2006–0052. All submissions received must include the OMB Control Number 1615–0091 in the body of the letter, the agency name and Docket ID USCIS–2006–0052.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommès, Chief, telephone number (240) 721–3000 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on June 14, 2024, at 89 FR 50620, allowing for a 60-day public comment period. USCIS did not receive any comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS–2006–0052 in the search box. Comments must be submitted in English, or an English translation must be provided. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide

in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Replacement Naturalization/Citizenship Document.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* N-565; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary: Individuals or households.* USCIS uses Form N-565 to determine the applicant's eligibility for a replacement document. An applicant may file for a replacement if they were issued one of the documents described above and it was lost, mutilated, or destroyed; if the document is incorrect due to a typographical or clerical error by USCIS; if the applicant's name was changed by a marriage, divorce, annulment, or court order after the document was issued and the applicant now seeks a document in the new name; or if the applicant is seeking a change of the gender listed on their document. The only document that can be replaced on the basis of a change to the

applicant's date of birth, as evidenced by a court order or a document issued by the U.S. government or the government of a U.S. state, is the Certificate of Citizenship. If the applicant is a naturalized citizen who desires to obtain recognition as a citizen of the United States by a foreign country, he or she may apply for a special certificate for that purpose.

USCIS may request that applicants who reside within the United States attend an appointment at a USCIS Application Support Center to have a photograph taken. USCIS may also require applicants to submit additional biometrics under 8 CFR 103.2(b)(9).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection N-565 (paper) is 15,150 and the estimated hour burden per response is 0.967 hours; The estimated total number of respondents for the information collection N-565 (e-file) is 15,150 and the estimated hour burden per response is 0.737 hours; The estimated total number of respondents for the information collection Biometrics Submission is 30,300 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* [The total estimated annual hour burden associated with this collection is 61,267 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$3,901,125.

Dated: August 15, 2024.

Samantha L. Deshommnes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2024-19043 Filed 8-23-24; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF THE INTERIOR

[DOI-2024-0007; 24XD0120AF-DT64201000-DSB4B0000.P1CE00]

Privacy Act of 1974; System of Records

AGENCY: Bureau of Trust Funds Administration, Interior.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended,

the Department of the Interior (DOI, Department) proposes to modify the INTERIOR/OS-03, The Box Index Search System (BISS), system of records. The Department is updating this system of records notice (SORN) to establish the Bureau of Trust Funds Administration, formerly the Office of the Special Trustee for American Indians (OST), as the new responsible organization, propose new and modified routine uses, and update all other sections of the system notice to accurately reflect management of the system in accordance with the Office of Management and Budget (OMB) policy. This modified system will be included in DOI's inventory of systems of records.

DATES: This modified system will be effective upon publication. New or modified routine uses will be effective September 25, 2024. Submit comments on or before September 25, 2024.

ADDRESSES: You may send comments identified by docket number [DOI-2024-0007] by any of the following methods:

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

- *Email:* DOI_Privacy@ios.doi.gov. Include docket number [DOI-2024-0007] in the subject line of the message.

- *U.S. Mail or Hand-Delivery:* Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240.

Instructions: All submissions received must include the agency name and docket number [DOI-2024-0007]. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240, DOI_Privacy@ios.doi.gov or (202) 208-1605.

SUPPLEMENTARY INFORMATION:

I. Background

On August 31, 2020, Secretary's Order 3384 directed the realignment of the OST within the Office of the Secretary (OS) into the new Bureau of Trust Funds Administration (BTFA) under the Assistant Secretary—Indian Affairs, effective October 1, 2020. The mission of the BTFA is to manage the trust beneficiaries' financial assets, which is integrally related to DOI's goal of

meeting its trust responsibilities to American Indians. The BTFA assumed the responsibility for two systems of records previously managed by OST, the INTERIOR/OS-02, Individual Indian Money (IIM) Trust Funds, and the INTERIOR/OS-03, The Box Index Search System (BISS), systems of records notice (SORN). The INTERIOR/OS-3, The Box Index Search System (BISS), is being renamed as INTERIOR/BTFA-02, Box Index Search System (BISS), to reflect the new BTFA organization and is being renumbered as the second system of records maintained by BTFA. BTFA will also publish a separate revised notice for the INTERIOR/OS-02, Individual Indian Money (IIM) Trust Funds, SORN in the **Federal Register**.

The BISS enables centralized management of access to inactive historical records dating back to the 1850's that are retired to the American Indian Records Repository (AIRR) and provides the capacity to (1) create file level listings of the content of boxes containing inactive historical records retired to AIRR as a quick finding aid in the form of an index, (2) provide authorized users with a tool to search a file level index of all inactive historical records, (3) support requests for copies of historical records received from the original record owners, and conduct research in response to requests made under the Freedom of Information Act (FOIA) and in support of litigation, and (4) track box inventories that accession retired inactive historical records into the National Archives and Records Administration (NARA).

The BISS serves as an indexing system locator tool and does not contain copies or contents of the original program files that are transferred from the originating office to the AIRR. The inactive historical records are owned by the originating office where the original records were created and are covered by applicable SORNs that cover the Privacy Act records. Requests for Privacy Act access to inactive historical records are processed in collaboration with the AIRR and the originating office as the data owner. The INTERIOR/OS-03, The Box Index Search System (BISS), system notice was last published in the **Federal Register** at 70 FR 43899 (July 29, 2005); modification published at 73 FR 8342 (February 13, 2008).

DOI is publishing this revised notice to reflect the BTFA management of the system; update the system location, system manager, and authorities for maintenance of the system; expand on categories of individuals and categories of records covered by the modified system, add a new section to describe

the purpose of the system, update the records source categories, storage, safeguards, and the retention and disposal of records sections; update the record access, contesting record, and notification procedures; and provide general administrative updates in accordance with the OMB Circular A-108, *Federal Agency Responsibilities for Review, Reporting, and Publication Under the Privacy Act*. Additionally, DOI is changing the routine uses from a numeric to an alphabetic list and is proposing to add new routine uses and modify existing routine uses to provide clarification and transparency and reflect updates consistent with standard DOI routine uses, facilitate the sharing of information when necessary to carry out the purpose of the system or promote the integrity of the records, or carry out a statutory responsibility of the DOI or Federal Government.

Routine use A has been modified to further clarify disclosures to the Department of Justice or other Federal agencies as necessary in relation to litigation or judicial hearings. Routine use B has been modified to clarify disclosures to a congressional office to respond to or resolve an individual's request made to that office. Routine use D has been modified to allow DOI to share information with other agencies when there is an indication of a violation of law. Routine use E has been modified to allow DOI to share information with other Federal agencies to assist in the performance of their responsibility to ensure records are accurate and complete, and to respond to requests from individuals who are the subject of the records. Routine use G was slightly modified to update legal authority for disclosures to NARA to perform oversight of records management functions. Routine use H has been modified to add territorial governments to the sharing of information in response to court orders or for discovery purposes related to litigation. Routine use I has been modified to include the sharing of information with grantees and shared service providers performing services for DOI who require access to records to carry out the purposes of the system. Modified routine use J and new routine use K allow DOI to share information with appropriate Federal agencies or entities when reasonably necessary to respond to a breach of personally identifiable information and to prevent, minimize, or remedy the risk of harm to individuals or the Federal Government resulting from a breach, in accordance with OMB Memorandum M-17-12, *Preparing for and Responding to a*

Breach of Personally Identifiable Information. Routine use P has been modified to further clarify disclosures to authorized external entities for the purpose of researching records maintained by the system and conducting on-site research of the underlying files at the AIRR.

Proposed routine use C permits sharing of information with the Executive Office of the President to respond to an inquiry by the individual to whom the record pertains. Proposed routine use F allows DOI to share information with agencies when relevant for hiring, firing, and retention, or issuance of a security clearance, license, contract, grant or other benefit. Proposed routine use L allows DOI to share information with OMB during the coordination and clearance process in connection with legislative affairs. Proposed routine use M allows DOI to share information with the Department of Treasury to recover debts owed to the United States. Proposed routine use N allows DOI to share information with the news media and the public when there is a legitimate public interest in the disclosure of the information.

II. Privacy Act

The Privacy Act of 1974, as amended, embodies fair information practice principles in a statutory framework governing the means by which Federal agencies collect, maintain, use, and disseminate individuals' records. The Privacy Act applies to records about individuals that are maintained in a "system of records." A "system of records" is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. The Privacy Act defines an individual as a United States citizen or lawful permanent resident. Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of DOI by complying with DOI Privacy Act regulations at 43 CFR part 2, subpart K, and following the procedures outlined in the Record Access, Contesting Record, and Notification Procedures sections of this notice.

The Privacy Act requires each agency to publish in the **Federal Register** a description denoting the existence and character of each system of records that the agency maintains and the routine uses of each system. The INTERIOR/BTFA-02, Box Index Search System (BISS), system of records is published in its entirety below. In accordance with 5 U.S.C. 552a(r), DOI has provided a

report of this system of records to the Office of Management and Budget and to Congress.

III. Public Participation

You should be aware your entire comment including your personally identifiable information, such as your address, phone number, email address, or any other personal information in your comment, may be made publicly available at any time. While you may request to withhold your personally identifiable information from public review, we cannot guarantee we will be able to do so.

SYSTEM NAME AND NUMBER:

INTERIOR/BTFA-02, Box Index Search System (BISS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system is located at the Bureau of Indian Affairs (BIA), Southwest Region, Albuquerque Data Center, 1001 Indian School Road, Albuquerque, New Mexico 87109, and DOI cloud service provider facilities.

SYSTEM MANAGER(S):

Director of AIRR, Division of Records Management Operations, Office of Trust Records, BTFA, 17501 West 98th Street, Lenexa, Kansas 66219.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Records Management by Agency Heads, 44 U.S.C. 3101; Establishment of Program Management, 44 U.S.C. 3102; Departmental Regulations, 5 U.S.C. 301; and American Indian Trust Fund Management Reform Act of 1994, Public Law 103-412, 108 Stat. 4239.

PURPOSE(S) OF THE SYSTEM:

The purpose of the system is to provide the capability to search a file level index of all inactive historical records to help BTFA (1) create a file-level listing of the contents of boxes that are retired to the AIRR; (2) provide authorized users with a tool to search a file level index of all inactive historical records; (3) support research requests for copies of inactive historical records from original record owners, and conduct research in response to requests made under the Freedom of Information Act (FOIA) and in support of litigation; and (4) track box inventories of retired inactive historical records that are accessioned into the National Archives and Records Administration (NARA).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals whose names or other identifying information appear on file

folder labels of records being retired to AIRR, which may include:

- (1) Individual Indians or Alaskan Natives (or their heirs, if deceased);
- (2) Current and former Federal employees and contractors;
- (3) Individual landowners of land held in trust or restricted status by the Federal Government;
- (4) Individuals who lease, contract, or who are permit holders on Indian lands;
- (5) Members of the public and individuals associated with external entities with whom the Federal Government may conduct business; and
- (6) Tribes that contract or compact Federal Government programs, functions, activities, and/or services under Public Law 93-638 Self-Governance.

File folder labels may also contain information about business entities that are not subject to the Privacy Act. However, personal information on file folder labels about an individual who is associated with a business entity is subject to the Privacy Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

Files in the system include file folder label information, type of inactive historical records, and personally identifiable information (PII), as well as date ranges and location of the originating inactive historical records, general records management information, and miscellaneous information associated with records storage boxes. The file folder labels may contain a combination of PII on individuals including but not limited to name, other names used, maiden name, Social Security numbers (SSN), truncated SSNs, Tax Identification Numbers, Tribe or Tribal affiliation/agency, Tribal enrollment or census numbers, IIM account numbers, dates of birth and/or dates of death, mailing or home address, case file numbers, school names or educational institutions, and other information that may be included in the historical records or provided to facilitate research, access, and communications.

The BISS does not maintain the information about the contents of original documents within the file folders. Inactive historical records that are retired to the AIRR may be covered by other applicable SORNs established by the bureau where the records originated.

RECORD SOURCE CATEGORIES:

Records in the system are obtained from BTFA, BIA, Bureau of Indian Education, and other DOI bureaus and offices; other Federal agencies; programs or offices of Indian Tribes; offices of

contractors or Federal Government service providers under contract to the DOI; and other third-party sources that conduct business with the Federal Government.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DOI as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including Offices of the U.S. Attorneys, or other Federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

- (1) DOI or any component of DOI;
- (2) Any other Federal agency appearing before the Office of Hearings and Appeals;

(3) Any DOI employee or former employee acting in his or her official capacity;

(4) Any DOI employee or former employee acting in his or her individual capacity when DOI or DOJ has agreed to represent that employee or pay for private representation of the employee; or

(5) The United States Government or any agency thereof, when DOJ determines that DOI is likely to be affected by the proceeding.

B. To a congressional office when requesting information on behalf of, and at the request of, the individual who is the subject of the record.

C. To the Executive Office of the President in response to an inquiry from that office made at the request of the subject of a record or a third party on that person's behalf, or for a purpose compatible with the reason for which the records are collected or maintained.

D. To any criminal, civil, or regulatory law enforcement authority (whether Federal, State, territorial, local, Tribal or foreign) when a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature, and the disclosure is compatible with the purpose for which the records were compiled.

E. To an official of another Federal agency to provide information needed in the performance of official duties related to reconciling or reconstructing data files or to enable that agency to

respond to an inquiry by the individual to whom the record pertains.

F. To Federal, State, territorial, local, Tribal, or foreign agencies that have requested information relevant or necessary to the hiring, firing or retention of an employee or contractor, or the issuance of a security clearance, license, contract, grant or other benefit, when the disclosure is compatible with the purpose for which the records were compiled.

G. To representatives of the National Archives and Records Administration (NARA) to conduct records management inspections under the authority of 44 U.S.C. 2904 and 2906.

H. To State, territorial and local governments and Tribal organizations to provide information needed in response to court order and/or discovery purposes related to litigation, when the disclosure is compatible with the purpose for which the records were compiled.

I. To an expert, consultant, grantee, shared service provider, or contractor (including employees of the contractor) of DOI that performs services requiring access to these records on DOI's behalf to carry out the purposes of the system.

J. To appropriate agencies, entities, and persons when:

(1) DOI suspects or has confirmed that there has been a breach of the system of records;

(2) DOI has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, DOI (including its information systems, programs, and operations), the Federal Government, or national security; and

(3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DOI's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

K. To another Federal agency or Federal entity, when DOI determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in:

(1) responding to a suspected or confirmed breach; or

(2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

L. To the Office of Management and Budget (OMB) during the coordination and clearance process in connection with legislative affairs as mandated by OMB Circular A-19.

M. To the Department of the Treasury to recover debts owed to the United States.

N. To the news media and the public, with the approval of the Public Affairs Officer in consultation with counsel and the Senior Agency Official for Privacy, where there exists a legitimate public interest in the disclosure of the information, except to the extent it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

O. To Indian Tribal account holders or their heirs, if deceased.

P. To external entities authorized by the Office of Trust Records Director to research records maintained by the system and conduct on-site research of the underlying files at the AIRR in Lenexa, Kansas.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Paper records are maintained in file folders stored in secured filing cabinets. Electronic records are stored in computers, email, and electronic databases.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Information stored in BISS is full text indexed and can be searched by any significant textual item (words, numbers) or combination of textual items, as well as by any significant field in the database, and may be retrieved by identifiers associated with file folder labels that may be used to retrieve information as described above in the section for Categories of Records in the System.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained in accordance with the applicable Indian Affairs Records Schedule (IARS) and the Departmental Records Schedule (DRS) approved by the NARA. Retention periods vary according to agency needs, specific subject matter, and may also be suspended by litigation holds, court orders, preservation notices, and similar limitations on records disposition issued by the Office of the Solicitor, DOI Records Officer, or by other authorized officials. Within the BISS, information associated with the Box number, Box title, Tribes identified, File title, and at times Document types are covered by IARS 6013-BISS. The disposition for these records is permanent. Permanent records that are no longer needed for agency use are transferred to NARA for permanent retention in accordance with NARA guidelines. Subsequent legal

transfer of the records will be as jointly agreed to between DOI and NARA, in accordance with regulations currently cited in 36 CFR part 1235.

Copies of records related to vital record backups are covered by DRS 1.4.0013, Short-term Information Technology Records, and System Security records are covered by DRS 1.4.0014, System Planning, Design, and Documentation. The disposition for records that are covered by DRS 1.4.0013 and DRS 1.4.0014 is temporary. These records are destroyed/deleted 3 years after cut-off. Approved destruction methods for temporary records that have met their retention period include NARA guidelines and Departmental policy.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The records contained in this system are safeguarded in accordance with 43 CFR 2.226 and other applicable security and privacy rules and policies. During normal hours of operation, paper records are maintained in locked file cabinets under the control of authorized personnel. Computer servers on which electronic records are stored are located in secured DOI controlled facilities with physical, technical and administrative levels of security to prevent unauthorized access to the DOI network and information assets. Access granted to authorized personnel is password-protected, and each person granted access to the system must be individually authorized to use the system. A Privacy Act Warning Notice appears on computer monitor screens when records containing information on individuals are first displayed. Data exchanged between the servers and the system is encrypted. Backup tapes are encrypted and stored in a locked and controlled room in a secure, off-site location.

Computerized records systems follow the National Institute of Standards and Technology privacy and security standards as developed to comply with the Privacy Act of 1974, as amended, 5 U.S.C. 552a; Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*; Federal Information Security Modernization Act of 2014, 44 U.S.C. 3551 *et seq.*; and the Federal Information Processing Standards 199: Standards for Security Categorization of Federal Information and Information Systems. Security controls include user identification, passwords, database permissions, encryption, firewalls, audit logs, network system security monitoring, and software controls.

Access to records in the system is limited to authorized personnel who

have a need to access the records in the performance of their official duties, and each user's access is restricted to only the functions and data necessary to perform that person's job responsibilities. System administrators and authorized users are trained and required to follow established internal security protocols and must complete all security, privacy, and records management training and sign the DOI Rules of Behavior. A Privacy Impact Assessment was conducted on the BISS to ensure that Privacy Act requirements are met and appropriate privacy controls were implemented to safeguard the PII contained in the system, derived from the file folder labels.

RECORD ACCESS PROCEDURES:

An individual requesting access to their records should send a written inquiry to the System Manager identified above. Inactive historical records subject to the Privacy Act of 1974 will be processed in accordance with 43 CFR part 2, subpart K, as described in the applicable SORN. DOI forms and instructions for submitting a Privacy Act request may be obtained from the DOI Privacy Act Requests website at <https://doi.gov/privacy/privacy-act-requests>. The request must include a general description of the records sought and the requester's full name, current address, and sufficient identifying information such as date of birth or other information required for verification of the requester's identity. Records that are retired to the AIRR remain under the ownership of the Bureau/Office that sent them to the AIRR. Privacy Act requests will require collaboration between the System Manager, Associate Privacy Officer, and in coordination with the staff at the AIRR. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. The request must include the specific bureau or office that maintains the record to facilitate location of the applicable records. Requests submitted by mail must be clearly marked "PRIVACY ACT REQUEST FOR ACCESS" on both the envelope and letter. A request for access must meet the requirements of 43 CFR 2.238.

CONTESTING RECORD PROCEDURES:

An individual requesting amendment of their records should send a written request to the System Manager as identified above. Inactive historical records subject to the Privacy Act of 1974 will be processed in accordance with 43 CFR part 2, subpart K, as described in the applicable SORN. DOI

instructions for submitting a request for amendment of records are available on the DOI Privacy Act Requests website at <https://doi.gov/privacy/privacy-act-requests>. The request must clearly identify the records for which amendment is being sought, the reasons for requesting the amendment, and the proposed amendment to the record. The request must include the requester's full name, current address, and sufficient identifying information such as date of birth or other information required for verification of the requester's identity. Records that are retired to the AIRR remain under the ownership of the Bureau/Office that sent them to the AIRR. Privacy Act requests will require collaboration between the System Manager, Associate Privacy Officer, and in coordination with the staff at the AIRR. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. Requests submitted by mail must be clearly marked "PRIVACY ACT REQUEST FOR AMENDMENT" on both the envelope and letter. A request for amendment must meet the requirements of 43 CFR 2.246.

NOTIFICATION PROCEDURES:

An individual requesting notification of the existence of records about them should send a written inquiry to the System Manager as identified above. Inactive historical records subject to the Privacy Act of 1974 will be processed in accordance with 43 CFR part 2, subpart K, as described in the applicable SORN. DOI instructions for submitting a request for notification are available on the DOI Privacy Act Request website at <https://doi.gov/privacy/privacy-act-requests>. The request must include a general description of the records and the requester's full name, current address, and sufficient identifying information such as the date of birth or other information required for verification of the requester's identity. Records that are retired to the AIRR remain under the ownership of the Bureau/Office that sent them to the AIRR. Privacy Act requests will require collaboration between the applicable System Manager, Associate Privacy Officer, and in coordination with the staff at the AIRR. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. Requests submitted by mail must be clearly marked "PRIVACY ACT INQUIRY" on both the envelope and letter. A request for notification must meet the requirements of 43 CFR 2.235.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

70 FR 43899 (July 29, 2005); modification published at 73 FR 8342 (February 13, 2008).

Teri Barnett,

Departmental Privacy Officer, U.S. Department of the Interior.

[FR Doc. 2024–19117 Filed 8–23–24; 8:45 am]

BILLING CODE 4334–98–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–38369; PPWOCRADP2, PCU00RP14.R50000]

National Historic Landmarks Committee of the National Park System Advisory Board Meeting

AGENCY: National Park Service.

ACTION: Meeting notice.

SUMMARY: Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the National Historic Landmarks Committee (Committee) of the National Park System Advisory Board (Board) will meet as indicated below.

DATES: The meeting will be held on Wednesday, September 18, 2024, from 10:00 a.m. to 4:00 p.m. (EASTERN).

ADDRESSES: The meeting will be held virtually at the date and time noted above and instructions and access information will be provided online at <https://www.nps.gov/subjects/national-historiclandmarks/nhl-committee-meetings.htm>. Please check the program website at <https://www.nps.gov/subjects/nationalhistoricalandmarks/index.htm> for the most current meeting information.

FOR FURTHER INFORMATION CONTACT: Dr. Lisa Davidson, Program Manager, National Historic Landmarks Program, National Park Service, 1849 C Street NW, Mail Stop 7228, Washington, DC 20240, at (202) 354–2179, or email Lisa_Davidson@nps.gov. 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. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The purpose of the meeting of the Committee is to evaluate nominations of

historic properties in order to advise the Board of the qualifications of each property being proposed for National Historic Landmark designation, and to make recommendations regarding the possible designation of those properties as National Historic Landmarks to the Board at a future meeting. The Committee also makes recommendations to the Board regarding amendments to existing designations and proposals for withdrawal of designation. The members of the Committee are:

Dr. Lindsay Robertson, Chair
 Dr. David G. Anderson
 Dr. Ethan Carr
 Dr. Julio Cesar Capó
 Dr. Cynthia G. Falk
 Dr. Victor Galan
 Dr. Richard Longstreth
 Dr. Alexandra M. Lord
 Dr. Vergil E. Noble
 Mr. Adam Smith
 Dr. Sharita Jacobs Thompson
 Dr. Carroll Van West
 Dr. Richard Guy Wilson

Request for Accommodations: Please make requests in advance for sign language interpreter services, assistive listening devices, language translation services, or other reasonable accommodations. We ask that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice at least seven (7) business days prior to the meeting to give the Department of the Interior sufficient time to process your request. All reasonable accommodation requests are managed on a case-by-case basis.

The meeting will be open to the public. Pursuant to 36 CFR part 65, any member of the public may file, for consideration by the Committee, written comments concerning the National Historic Landmark nominations, amendments to existing designations, or proposals for withdrawal of designation.

Comments should be submitted to Sherry A. Frear, Chief, National Register of Historic Places and National Historic Landmarks Program, National Park Service, 1849 C Street NW, Mail Stop 7228, Washington, DC 20240, or email to nhl_info@nps.gov. All comments received will be provided to the Committee and the Board.

Purpose of the Meeting: The Board and its Committee may consider the following nominations:

Iowa
 REEVE REA POWER GENERATING PLANT, Hampton, IA
 New Hampshire
 LUCKNOW (CASTLE IN THE CLOUDS), Moultonborough, NH
 New Mexico
 HURD, PETER AND HENRIETTE

WYETH, HOUSE AND STUDIOS, San Patricio, NM

Proposed Amendments to Existing Designations:

Alaska

FORT WILLIAM H. SEWARD (Updated Documentation), Port Chilkoot, AK

Michigan

FAIR LANE (HENRY FORD ESTATE) (Updated Documentation), Dearborn, MI

Pennsylvania

CARRIE BLAST FURNACES NUMBER 6 AND 7 (Updated Documentation), multiple, Alleghany County, PA

Public Disclosure of Comments:

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 36 CFR 65.5.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2024-18991 Filed 8-23-24; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO- NPS0038238; 24XP103905—PPWONRADE2—PMP00E105.YP0000]

Finding of No Significant Impact for the Use of Electric Bicycles in the National Park System Programmatic Environmental Assessment

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: The National Park Service (NPS) announces the availability of the Finding of No Significant Impact (FONSI) for a programmatic environmental assessment (PEA) that evaluates, on a nationwide scale, use of electric bicycles (e-bikes) within National Park System units.

FOR FURTHER INFORMATION CONTACT: Jay Calhoun, Chief, Division of Regulations, Jurisdiction, and Special Park Uses, National Park Service; waso_regulations@nps.gov; (202) 281-0734.

SUPPLEMENTARY INFORMATION: On December 2, 2020, the NPS promulgated a final rule (rule) governing use of e-

bikes within the National Park System (85 FR 69175). On May 24, 2022, the U.S. District Court for the District of Columbia issued an opinion finding that the NPS had improperly relied upon a categorical exclusion to comply with the National Environmental Policy Act (NEPA) for the rule. The Court remanded the rule to the NPS and directed the NPS to conduct additional NEPA analysis for the rule. *Pub Emps. For Env't Responsibility v. Nat'l Park Serv.*, 605 F. Supp. 3d 28 (D.D.C. 2022). The rule remained in place pending the outcome of the required NEPA analysis. The PEA was prepared consistent with the Court's May 24, 2022 opinion.

The PEA evaluates the environmental impacts, on a nationwide scale, of a no-action alternative and the proposed action (the rule). The no-action alternative assumes that the rule has not been promulgated and that there is no nationwide policy about the use of e-bikes. Under the no-action alternative, superintendents would have no specific authority to allow e-bike use in System units and no policy direction about how to use existing authorities to manage e-bikes. This would result in inconsistent management of e-bikes use across the National Park System. In most System units, visitors would likely be allowed to use e-bikes on public roads and parking lots where motor vehicle use is allowed. In some System units, e-bike use also could occur on administrative roads and trails. Under the proposed action (the rule), e-bikes are defined uniformly and subject to a standard set of operating requirements, while superintendents have the discretion to allow e-bike use in National Park System units on a case-by-case basis, on public roads, parking lots, administrative roads, and trails where traditional bicycle use is allowed. The proposed action has been identified as the NPS preferred alternative. The PEA analyzes impacts to soils, vegetation, visitor use and experience, and wildlife.

The NPS has selected the proposed action (the rule) for implementation. Based on the analysis in the PEA and the discussion in the FONSI, the NPS has determined that implementation of the selected alternative will not result in significant impacts to the quality of the human environment. Therefore, an EIS will not be prepared. The FONSI is available online at: <https://parkplanning.nps.gov/e-bikes>.

Raymond M. Sauvajot,

Associate Director, Natural Resource Stewardship and Science.

[FR Doc. 2024-18426 Filed 8-23-24; 8:45 am]

BILLING CODE 4312-52-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–604]

Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution

AGENCY: United States International Trade Commission.

ACTION: Notice of opportunity to submit information relating to matters to be addressed in the Commission's 21st report on the impact of the Andean Trade Preference Act (ATPA).

SUMMARY: Section 206 of the ATPA requires the Commission to report biennially to Congress and the President by September 30 of each reporting year on the economic impact of the ATPA on U.S. industries and U.S. consumers, and on the effectiveness of the ATPA in promoting drug-related crop eradication and crop substitution efforts by beneficiary countries.

DATES:

September 10, 2024: Deadline for filing written submissions.

September 30, 2024: Transmittal of Commission report to Congress and the President.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Co-Project Leaders Erika Bethmann (202–205–3001 or erika.bethmann@usitc.gov) or Wen Jin “Jean” Yuan (202–205–2383 or Wen.Yuan@usitc.gov) for information specific to this investigation. For information on the legal aspects of this investigation, contact Brian Allen (202–205–3034 or brian.allen@usitc.gov) or William Gearhart (202–205–3091 or william.gearhart@usitc.gov) of the Commission's Office of the General Counsel. The media should contact Jennifer Andberg, Office of External Relations (202–205–3404 or jennifer.andberg@usitc.gov). Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. General information concerning the Commission may be

obtained by accessing its internet address (<https://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

SUPPLEMENTARY INFORMATION:

Background: Section 206 of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3204) requires that the Commission submit biennial reports to Congress and the President regarding the economic impact of the ATPA on U.S. industries and consumers and, in conjunction with other agencies, the effectiveness of the ATPA in promoting drug-related crop eradication and crop substitution efforts of the beneficiary countries. Section 206(b) of the ATPA requires that each report include:

(1) the actual effect of the ATPA on the U.S. economy generally as well as on specific domestic industries which produce articles that are like, or directly competitive with, articles being imported under the ATPA from beneficiary countries;

(2) the probable future effect that the ATPA will have on the U.S. economy generally and on such domestic industries before the provisions of the ATPA terminate; and

(3) the estimated effect that the ATPA has had on drug-related crop eradication and crop substitution efforts of beneficiary countries.

Under the statute, the Commission is required to prepare this report regardless of whether duty-free treatment or other preferential treatment was provided during the period covered by the report. During the period to be covered by this report, calendar years 2022 and 2023, no imports entering the United States received preferential treatment under the ATPA.

The Commission does not plan to hold a public hearing in conjunction with this investigation. The Commission will submit its report by September 30, 2024. The notice announcing institution of the investigation for the purpose of preparing the first report under the statute was published in the **Federal Register** of March 10, 1994 (59 FR 11308). Notice providing opportunity to file written submissions in connection with the 20th report was published in the **Federal Register** of July 20, 2022 (85 FR 31209).

Written submissions: Interested persons are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary, and should be received no later than 5:15 p.m., September 10, 2024. All written submissions must conform to

the provisions of section 201.8 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.8), as temporarily amended by 85 FR 15798 (March 19, 2020). Under that rule waiver, the Office of the Secretary will accept only electronic filings at this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person, paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202–205–1802), or consult the Commission's *Handbook on Filing Procedures*.

Definitions of types of documents that may be filed; Requirements: This notice provides for the possible filing of one type of document: written submissions.

Written submissions refers to any written submissions that interested persons wish to make and may include new information or updates of information previously provided.

In accordance with the provisions of section 201.8 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.8), the document must identify on its cover (1) the investigation number and title and the type of document filed (*i.e.*, written submission), (2) the name and signature of the person filing it, (3) the name of the organization that the submission is filed on behalf of, and (4) whether it contains confidential business information (CBI). If it contains CBI, it must comply with the marking and other requirements set out below in this notice relating to CBI. Submitters of written documents are encouraged to include a short summary of their position or interest at the beginning of the document, and a table of contents when the document addresses multiple issues.

Confidential business information: Any submissions that contain CBI must also conform to the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.6). Among other things, section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the “confidential” or “nonconfidential” version, and that the CBI is clearly identified by means of brackets. All written submissions, except for CBI, will be made available for inspection by interested persons.

The Commission will not include any CBI in the report that it sends to Congress and the President. However, all information, including CBI, submitted in this investigation may be

disclosed to and used by: (i) the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission, including under 5 U.S.C. Appendix 3; or (ii) U.S. government employees and contract personnel for cybersecurity purposes. The Commission will not otherwise disclose any CBI in a way that would reveal the operations of the firm supplying the information.

Summaries of views of interested persons: Interested persons wishing to have a summary of their views included in the report should include a summary with a written submission on or before September 10, 2024, and must use the Commission template, which can be downloaded from https://www.usitc.gov/docket_services/documents/firm_or_organization_summary_word_limit.pdf. The Commission template must be uploaded as a separate attachment with the written submission, which is filed on EDIS under the document type “Briefs and Written Submissions.” The summary may not exceed 500 words and should not include any CBI. The summary will be published as provided only if it utilizes the Commission-provided template, meets these requirements, and is germane to the subject matter of the investigation. The Commission will list the name of the organization furnishing the summary and will include a link where the written submission can be found.

By order of the Commission.

Issued: August 19, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–19135 Filed 8–23–24; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; General Provisions and Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment Standards

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection

request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before September 25, 2024.

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: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: To ensure that shipyard personnel do not enter confined spaces that contain oxygen deficient, toxic or flammable atmospheres, qualified (competent) personnel must test such spaces. Information provides individuals deemed qualified by the employer to conduct such tests as well as results and instructions. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 22, 2024 (89 FR 45026). Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (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.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: General Provisions and Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment Standards

OMB Control Number: 1218–0011.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 4,674.

Total Estimated Number of Responses: 3,505,495.

Total Estimated Annual Time Burden: 558,598 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2024–19010 Filed 8–23–24; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0004]

Proposed Extension of Information Collection; Roof Control Plan for Underground Coal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance request for comment to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection entitled Roof Control Plan for Underground Coal Mines.

DATES: All comments must be received on or before October 25, 2024.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that late comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal:* <https://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number MSHA–2024–0012.

- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, 4th Floor West, Arlington, VA 22202–5452. 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 post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: S Aromie Noe, Director, Office of Standards, Regulations, and Variances, MSHA, at MSHA.information.collections@dol.gov (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977, as amended (Mine Act), 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal, and nonmetal mines.

Section 302(a) of the Mine Act, 30 U.S.C. 862, requires that a roof control plan and revisions thereof suitable to the roof conditions and mining system of each underground coal mine be first approved by the Secretary before implementation by the operator. The plan must show the type of support and spacing approved by the Secretary, and the plan must be reviewed at least every 6 months by the Secretary.

B. Information Collection

In order to fulfill the statutory mandates to promote miners’ health and

safety, MSHA requires the collection of information entitled Roof Control Plan for Underground Coal Mines. The information collection is intended to ensure that underground coal mine operators develop and maintain roof control plans approved by MSHA.

1. New Roof Control Plans and Revisions

Under 30 CFR 75.215, the roof control plan for each longwall mining section is required to specify the methods that will be used to maintain a safe travelway out of the section through the tailgate side of the longwall and the procedures that will be followed if a ground failure prevents travel out of the section through the tailgate side of the longwall.

Under 30 CFR 75.220(a)(1), each underground coal mine operator must develop and follow a roof control plan, approved by the District Manager, that is suitable to the prevailing geological conditions and the mining system to be used at the mine. The standard also requires that additional measures be taken to protect persons if unusual hazards are encountered.

Under 30 CFR 75.220(a)(2), the proposed roof control plan and any revisions must be submitted, in writing, to the District Manager. The required elements of the mine map are listed in 30 CFR 75.221(a), including a description and drawings of the sequence of installation and spacing of supports, a description of the methods to be used for the protection of persons from falling material, and a description of the roof and rib support for refuge alternatives.

Under 30 CFR 75.223(a), a mine operator must propose revisions to the roof control plan when conditions indicate that the plan is not suitable for controlling the roof, face, ribs, or coal or rock bursts, or when accident and injury experience at the mine indicates the plan is inadequate. The mine operator is required to review accident and injury experience at each mine at least every six months.

2. Unplanned Roof or Rib Fall and Coal or Rock Burst

Under 30 CFR 75.223(b), underground coal mine operators are required to plot each unplanned roof fall and rib fall and coal or rock burst that occurs in the active workings on a mine map when certain criteria are met.

3. Records

Under 30 CFR 75.220(e), the approved roof control plan and any revisions must be available to the miners and their representatives.

Under 30 CFR 75.223(c), the mine map on which roof falls are plotted must be available at the mine site for inspection by MSHA and miners’ representatives.

4. Plan Review and Approval

Under 30 CFR 75.220(b)(1), the mine operator will be notified in writing of the approval or denial of approval of a proposed roof control plan or proposed revision. Under 30 CFR 75.220(b)(2), when MSHA denies the approval of a proposed plan or revision, the deficiencies of the plan or revision and recommended changes are specified and the mine operator will have an opportunity to discuss the deficiencies and changes with the District Manager.

Roof control plans, and revisions to those plans, are evaluated by MSHA specialists in accordance with the criteria set forth in 30 CFR 75.222. Under 30 CFR 75.222(a), the District Manager may require additional measures in plans and may approve roof control plans that do not conform to the applicable criteria, provided that effective control of the roof, face, and ribs can be maintained.

Under 30 CFR 75.223(d), MSHA must review the roof control plan every six months. This review requires MSHA to take into consideration any falls of the roof, face, and ribs and the adequacy of the support systems used at the time.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Roof Control Plan for Underground Coal Mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA’s estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The information collection request will be available on <https://www.regulations.gov>. MSHA cautions commenters against providing any

information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on <https://www.regulations.gov> and <https://www.reginfo.gov>.

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations and Variances, 201 12th Street South, 4th Floor West, Arlington, VA 22202–5452. Sign in at the receptionist’s desk on the 4th Floor via the West elevator. 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.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This information collection request concerns provisions for Roof Control Plan for Underground Coal Mines. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this information collection request from the previous information collection request.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0004.

Affected Public: Business or other for-profit.

Number of Annual Respondents: 167.

Frequency: On occasion.

Number of Annual Responses: 1,019.

Annual Time Burden: 2,974 hours.

Annual Other Burden Costs: \$3,396.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and be available at <https://www.reginfo.gov>.

Song-ae Aromie Noe,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2024–19016 Filed 8–23–24; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0119]

Proposed Extension of Information Collection; Diesel-Powered Equipment in Underground Coal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection entitled Diesel-Powered Equipment in Underground Coal Mines.

DATES: All comments must be received on or before October 25, 2024.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that late comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal:* <https://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number MSHA–2024–0019.

- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, 4th Floor West, Arlington, VA 22202–5452. 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 post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances, MSHA, at MSHA.information.collections@dol.gov (email); (202) 693–9440 (voice); or (202)

693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977, as amended (Mine Act), 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal mines.

B. Information Collection

In order to fulfill the statutory mandates to promote miners’ health and safety, MSHA requires the collection of information entitled Diesel-Powered Equipment in Underground Coal Mines. The information collection is intended to assist MSHA in determining compliance and to provide useful information to mine operators and miners’ representatives about the performance of diesel engines and any deterioration or defective condition of these engines needing corrective action.

The engines powering diesel equipment are potential contributors to fires and explosion hazards in the confined environment of an underground coal mine where combustible coal dust and explosive methane gas are present. Also, since diesel exhaust is a lung carcinogen in humans, diesel equipment operating in underground coal mines can pose serious health risks to miners from exposure to diesel exhaust emissions, including diesel particulates, oxides of nitrogen, and carbon monoxide.

For these reasons, MSHA requires mine operators to provide important safety and health protections to underground coal miners who work on and around diesel-powered equipment. Safety requirements for diesel-powered equipment include many of the proven features required in existing standards for electric-powered mobile equipment, such as cabs or canopies, methane monitors, brakes, and lights. Sampling of diesel exhaust emissions is required to protect miners from overexposure to carbon monoxide and nitrogen dioxide contained in diesel exhaust.

This information collection includes records for use and maintenance of

diesel equipment; testing and maintenance of fire suppression systems on both the equipment and at fueling stations; exhaust gas sampling; essential testing and maintenance of diesel-powered equipment conducted regularly by qualified persons; corrective actions taken; and the persons performing the maintenance, repairs, examinations, and tests trained and qualified to perform such tasks.

1. Records of Diesel Fuel Purchases

Under 30 CFR 75.1901(a), the mine operator must provide to MSHA, upon request, evidence that the diesel fuel purchased for use in diesel-powered equipment underground meets the requirements of having a sulfur content no greater than 0.05 percent and a flash point of 100 °F (38 °C) or greater.

2. Markings of Underground Diesel Fuel Tanks and Safety Cans

Under 30 CFR 75.1904(b)(4)(i), underground diesel fuel tanks and safety cans must be provided with liquid tight connections for all tank openings that are identified by conspicuous markings that specify the function.

3. Markings of Diesel Fuel Transportation Unit Tanks and Safety Cans

Under 30 CFR 75.1906(d), diesel fuel transportation unit tanks and safety cans must be conspicuously marked as containing diesel fuel.

4. Inspections and Recordkeeping of Fire Suppression Systems for Diesel-Powered Equipment and Fuel Transportation Units

Under 30 CFR 75.1911(i), each fire suppression system for diesel-powered equipment and fuel transportation units must be tested and maintained in accordance with the manufacturer's recommendation and as required by the nationally recognized independent testing laboratory listing or approval and be visually inspected at least once each week by a person trained to make such inspections. Under 30 CFR 75.1911(j), persons performing inspections and tests of fire suppression systems must make a record when a fire suppression system does not meet the installation or maintenance requirements. Under 30 CFR 75.1911(j)(1), the record must include the equipment or facility, the defect found, and the corrective action taken. Under 30 CFR 75.1911(j)(2), records are to be kept in a secure manner that is not susceptible to alteration. Under 30 CFR 75.1911(j)(3), records must be maintained at a surface location at the

mine for one year and made available for inspection by MSHA and miners' representatives (30 CFR 75.1911(j)(3)).

5. Inspections and Recordkeeping of Fire Suppression Systems for Permanent Underground Diesel Fuel Storage Facilities

Under 30 CFR 75.1912(h), each fire suppression system for permanent underground diesel fuel storage facilities must be tested and maintained in accordance with the manufacturer's recommendation and as required by the nationally recognized independent testing laboratory listing or approval, and visually inspected at least once each week by a person trained to make such inspections. Under 30 CFR 75.1912(i), persons performing inspections and tests of fire suppression systems must make a record when a fire suppression system does not meet the installation or maintenance requirements. Under 30 CFR 75.1912(i)(1), the record must include the equipment or facility, the defect found, and the corrective action taken. Under 30 CFR 75.1912(i)(2) and (i)(3), records are to be kept in a secure manner and maintained at a surface location at the mine for one year and made available for inspection by MSHA and miners' representatives.

6. Inspections and Recordkeeping of Diesel-Powered Equipment

Under 30 CFR 75.1914(f), all diesel-powered equipment must be examined and tested weekly by a qualified person. Under 30 CFR 75.1914(f)(2), persons performing weekly examinations and tests of diesel-powered equipment must make a record when the equipment is not in approved or safe condition. The record must include the equipment, the defect found, and the corrective action taken.

7. Development of SOP and Recordkeeping for Testing Undiluted Exhaust Emissions of Diesel-Powered Equipment

Under 30 CFR 75.1914(g), undiluted exhaust emissions of diesel engines in diesel-powered equipment and heavy-duty nonpermissible diesel-powered equipment used in underground coal mines must be tested and evaluated weekly by a trained person. Under 30 CFR 75.1914(g)(1)–(4), the mine operator must develop and implement written standard operating procedures (SOP) for testing and evaluation including methods of achieving repeatable loaded engine operating condition, sampling, analytics, evaluation and interpretation, and concentration of carbon monoxide. The

SOP must also specify the maintenance of records necessary to track engine performance as required in 30 CFR 75.1914(g)(5).

Under 30 CFR 75.1914(h)(1) and (h)(2), weekly examinations and tests of diesel-powered equipment and undiluted exhaust emissions of diesel engines must be recorded securely and retained at a surface location at the mine for at least one year and made available for inspection by MSHA and miners' representatives.

8. Training Program of Persons Working on Diesel-Powered Equipment

Under 30 CFR 75.1915(b)(5), a training and qualification program of persons working on diesel-powered equipment must be in writing, including a description of the course content, materials, and teaching methods for initial training and retraining. Under 30 CFR 75.1915(c), the operator is required to maintain a copy of the training and qualification program and a record of the names of all persons qualified under the program. Under 30 CFR 75.1915(c)(1) and (c)(2), these records must be kept in a secure manner at surface location of the mine and made available for inspection by MSHA and miners' representatives.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection entitled Diesel-Powered Equipment in Underground Coal Mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The information collection request will be available on <https://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal

information provided, will be made available on <https://www.regulations.gov> and <https://www.reginfo.gov>.

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations and Variances, 201 12th Street South, 4th Floor West, Arlington, VA 22202–5452. Sign in at the receptionist’s desk on the 4th Floor via the West elevator. 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.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

III. Current Actions

This information collection request concerns provisions for Diesel-Powered Equipment in Underground Coal Mines. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this information collection request from the previous information collection request.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0119.

Affected Public: Business or other for-profit.

Number of Annual Respondents: 161.

Frequency: On occasion.

Number of Annual Responses: 218,811.

Annual Time Burden: 17,673 hours.

Annual Other Burden Costs: \$398,170.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and be available at <https://www.reginfo.gov>.

Song-ae Aromie Noe,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2024–19009 Filed 8–23–24; 8:45 am]

BILLING CODE 4510–43–P

NATIONAL SCIENCE FOUNDATION

Request for Information (RFI) on National Science Board–National Science Foundation Merit Review Commission Review of NSF’s Merit Review Policy and Processes

AGENCY: National Science Foundation

ACTION: Request for information.

SUMMARY: The National Science Board–National Science Foundation Commission on Merit Review (MRX) is issuing this Request for Information (RFI) to seek input from interested individuals and parties to inform the MRX’s review of NSF’s Merit Review criteria, policy and processes.

Information on the MRX is available at <https://www.nsf.gov/nsb/committees/mrxcmte.jsp>.

DATES: Interested individuals and parties are invited to submit responses to this Request for Information on or before 5:00 p.m. Eastern time on Wednesday, September 18, 2024.

ADDRESSES:

Online: Respond to this RFI at the following url: https://nsfevaluation.gov1.qualtrics.com/jfe/form/SV_6xOeZ04jar2xmhU.

Following this link allows you to access an online form where you can provide input on up to six topics described in more detail in the Supplementary Information section below. You are encouraged to respond to only those that are of interest to you. You may, but are not required to, provide input on each topic to submit your response.

Mail: Attn: Portia Flowers, 2415 Eisenhower Avenue, Alexandria, VA, 22314, USA.

FOR FURTHER INFORMATION CONTACT: Portia Flowers (703/292–7000, pflowers@nsf.gov).

SUPPLEMENTARY INFORMATION: Please refer to definitions provided at the end of this notice for terms used in these Information Requests.

Information Requests

1. MRX is interested in identifying opportunities to improve NSF’s current Merit Review criteria, policy, and processes. Importantly, this includes documenting and understanding any areas of misunderstanding, gaps, or lack of clarity regarding (a) the three Merit Review Principles which are the foundations of the Merit Review Process, (b) the two statutory Merit Review Criteria which are used to evaluate all proposals to NSF, and (c) the five Merit Review Elements NSF uses to assess each criterion. Are the

Principles, Criteria, and Elements clear? Could they be improved upon? The MRX welcomes feedback on any or all of these, and particularly on the Broader Impacts Criterion. Chapter 3 of NSF’s Proposal & Award Policies and Procedures Guide (PAPPG) defines terms in this Information Request. See <https://new.nsf.gov/policies/pappg/24-1/ch-3-proposal-processing-review#a-merit-review-principles-and-criteria-af2>.

Individuals responding to this request are encouraged to indicate whether their perspectives are informed by experience(s) preparing and/or reviewing proposals to NSF.

2. NSF strives to conduct a fair, competitive, transparent Merit Review process for the selection of projects. To accomplish this, NSF relies on a process that considers both the technical aspects of a proposed project and its potential to contribute more broadly to advancing NSF’s mission using the statutory Intellectual Merit and Broader Impacts Merit Review criteria. MRX invites suggestions on the implementation of the Merit Review criteria. We especially invite feedback that would (a) clarify how they can be used in preparing and reviewing proposals, (b) ensure proposals, reviews, and funding decisions demonstrate full consideration of both criteria while maintaining openness to the full spectrum of potential activities under each, and (c) better recognize and support potentially transformative and high-risk/high-reward activities.

Individuals responding to this request are encouraged to indicate whether their perspectives are informed by experience(s) preparing and/or reviewing proposals to NSF.

3. MRX is interested in the experiences and perspectives of those who have considered submitting and/or submitted proposals in the past. We invite you to share your insights and describe any opportunities you believe would improve implementation of the Merit Review criteria, policy, and processes based on your experience as a proposer or investigator. This includes any experiences that may have encouraged or dissuaded you from submitting proposals to NSF. We are especially interested in learning (a) how NSF guidance (e.g., as provided in the NSF PAPPG, program solicitations, or other funding opportunity announcements), may have played a part in your decision(s) whether to submit proposals, and (b) how NSF might best support investigators interested in submitting a proposal to NSF.

Individuals responding to this request are encouraged to indicate whether they

submitted or decided not to submit a proposal, and whether these experiences occurred within the past five years.

4. MRX is interested in the experiences and perspectives of those who have reviewed proposals submitted to NSF. We invite you to share your insights and describe any opportunities you believe would improve implementation of the Merit Review criteria, policy, and processes based on your experience reviewing NSF proposals.

Individuals responding to this request are encouraged to indicate whether they served on a panel and/or as ad hoc reviewers, and whether these experiences occurred within the past five years.

5. MRX is interested in exploring how NSF could better support awardees in demonstrating and documenting outcomes of their awards in advancing knowledge (Intellectual Merit) and benefiting society and contributing to the achievement of specific broader or societal outcomes (Broader Impacts). We invite you to share your insights on how NSF might better support awardees in demonstrating and documenting outcomes of their awards without unnecessarily increasing awardees' administrative burden of reporting.

Individuals responding to this request are encouraged to indicate whether their suggestions are based on experiences as investigators, users of public outcomes reports, or another perspective.

6. MRX welcomes any other comments on or suggestions for improving NSF's current Merit Review criteria, policy, and processes. It also welcomes information about aspects of Merit Review criteria, policy and processes that are currently working well.

What will NSF do with this information?

MRX will use the information submitted in response to this RFI to inform its assessment of the efficacy of the current Merit Review criteria, policy, and processes, and to draft recommendations regarding them. The information provided will be analyzed and considered by MRX. Respondents are advised that the government is under no obligation to acknowledge receipt of the information or provide feedback to respondents with respect to any information submitted. No proprietary, classified, confidential, or sensitive information should be included in your response submission. The government reserves the right to use any non-proprietary technical information in any resultant solicitation(s), policies, or procedures.

All submitted information may be subject to disclosure under the Freedom of Information Act (FOIA) or other applicable law.

This Notice does not invite research proposals nor is it a funding opportunity.

Background

NSB and NSF, with the assistance of expert third parties, have periodically re-examined and revised the criteria, policy, and processes of Merit Review at NSF. The last time the Board systematically examined the Merit Review criteria was in 2010–2011 when NSB established a Task Force on Merit Review to examine the Intellectual Merit and Broader Impacts merit review criteria and their effectiveness in achieving NSF's goals in support of science and engineering research and education. At that time, Congress was considering, and then passed, the America COMPETES Reauthorization Act directing NSF to apply the Broader Impacts criterion to achieve a specific array of societal goals and charging NSF to develop policies addressing it. The 2011 Task Force report concluded that the Merit Review criteria remained appropriate for evaluating NSF proposals; however, it provided certain revisions and clarifications.

Recent events have underscored the importance of demonstrating that portfolios of funded projects enable NSF to meet its statutory mission "to promote the progress of science; to advance the national health, prosperity and welfare; to secure the national defense; and for other purposes." In 2022, Congress passed the CHIPS and Science Act, which directed federal research agencies to regularly assess, and update as necessary, policies, and practices to remove or reduce cultural and institutional barriers limiting the recruitment, retention, and success of groups historically underrepresented in STEM research careers, including policies and practices relevant to the unbiased review of Federal research applications. Reexamining the Merit Review policy and process will help ensure that NSF is best placed to meet the requirements set out by Congress.

Definitions for Terms Used in This RFI

Merit Review Policy

Principles

1. All NSF projects should be of the highest quality and have the potential to advance, if not transform, the frontiers of knowledge.

2. NSF projects, in the aggregate, should contribute more broadly to achieving societal goals. These broader

impacts may be accomplished through the research itself, through activities that are directly related to specific research projects, or through activities that are supported by, but are complementary to, the project. The project activities may be based on previously established and/or innovative methods and approaches, but in either case must be well justified.

3. Meaningful assessment and evaluation of NSF funded projects should be based on appropriate metrics, keeping in mind the likely correlation between the effect of broader impacts and the resources provided to implement projects. If the size of the activity is limited, evaluation of that activity in isolation is not likely to be meaningful. Thus, assessing the effectiveness of these activities may best be done at a higher, more aggregated, level than the individual project.

Criteria

Both criteria are to be given full consideration during the review and decision-making processes; each criterion is necessary but neither, by itself, is sufficient. Therefore, proposers must fully address both criteria.

- *Intellectual Merit (IM)*: the potential for a proposed project to advance knowledge.
- *Broader Impacts (BI)*: the potential for a proposed project to benefit society and contribute to the achievement of specific, desired societal outcomes.

Elements

1. What is the potential for the proposed activity to:

a. Advance knowledge and understanding within its own field or across different fields (Intellectual Merit); and

b. Benefit society or advance desired societal outcomes (Broader Impacts)?

2. To what extent do the proposed activities suggest and explore creative, original, or potentially transformative concepts?

3. Is the plan for carrying out the proposed activities well-reasoned, well-organized, and based on a sound rationale? Does the plan incorporate a mechanism to assess success?

4. How well qualified is the individual, team, or organization to conduct the proposed activities?

5. Are there adequate resources available to the PI (either at the home organization or through collaborations) to carry out the proposed activities?

This description of NSF's merit review policy is from NSF's 2024 Proposal and Award Policies and Procedures Guide (PAPP), part I,

chapter 3. See <https://new.nsf.gov/policies/pappg/24-1>.

Transformative Research

Transformative research is defined as research driven by ideas that have the potential to radically change our understanding of an important existing scientific or engineering concept or leading to the creation of a new paradigm or field of science or engineering. Such research also is characterized by its challenge to current understanding or its pathway to new frontiers. See NSB's statement Enhancing Support of Transformative Research at NSF: <https://www.nsf.gov/pubs/2007/nsb0732/nsb0732.pdf>.

Broadening Participation

"Broadening participation in STEM" is the comprehensive phrase NSF uses to refer to the Foundation's goal of increasing the representation and diversity of individuals, organizations, and geographic regions that contribute to STEM education, research, and innovation. To broaden participation in STEM, it is necessary to address issues of equity, inclusion, and access in STEM education, training, and careers. Whereas all NSF funding programs might support broadening participation components, some funding programs primarily focus on supporting broadening participation research and projects. Examples can be found on the NSF Broadening Participation in STEM website. See <https://new.nsf.gov/funding/initiatives/broadening-participation>, and the NSF PAPPG, Introduction <https://new.nsf.gov/policies/pappg/24-1>.

Interested Individuals and Parties

The phrase used in this Notice, "interested individuals and parties", is intended to be interpreted broadly and inclusively by potential respondents; we anticipate interested individuals and parties include, but are not limited to:

- current, past, and prospective NSF proposers, reviewers, and staff
- sponsored research administrators and support professionals
- representatives of organizations and communities working in or supporting the science and engineering research and education enterprise
- members of other communities of practice in the science and engineering research and education fields and
- members of the general public expressing an interest in these topics.

Ann E. Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2024-19041 Filed 8-23-24; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board hereby gives notice of the scheduling of a teleconference of the Committee on Oversight (CO) for the transaction of National Science Board business pursuant to the NSF Act and the Government in the Sunshine Act.

TIME AND DATE: The CO meeting is scheduled for Tuesday, August 27, 2024, from 12:00 p.m.–1:00 p.m.

PLACE: This meeting will be via videoconference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The agenda for the CO meeting is: Commission Chair's opening remarks regarding the agenda; presentation by the Office of the Inspector General on its budget request for FY2026; and discussion and vote on sense of the committee.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, cblair@nsf.gov, 703/292-7000. Meeting information and updates may be found at www.nsf.gov/nsb.

Ann E. Bushmiller,

Senior Counsel to the National Science Board Office.

[FR Doc. 2024-19181 Filed 8-22-24; 11:15 am]

BILLING CODE 7555-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2024-518 and CP2024-526; MC2024-519 and CP2024-527; MC2024-520 and CP2024-528]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* August 27, 2024.

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):* MC2024-518 and CP2024-526; *Filing Title:* USPS Request

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).

to Add Priority Mail & USPS Ground Advantage Contract 304 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: August 19, 2024; *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*: August 27, 2024.

2. *Docket No(s)*: MC2024–519 and CP2024–527; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 227 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: August 19, 2024; *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*: August 27, 2024.

3. *Docket No(s)*: MC2024–520 and CP2024–528; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 228 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: August 19, 2024; *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*: August 27, 2024.

This Notice will be published in the **Federal Register**.

Erica A. Barker,
Secretary.

[FR Doc. 2024–19005 Filed 8–23–24; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33–11299; 34–100784/August 20, 2024]

Order Making Fiscal Year 2025 Annual Adjustments to Registration Fee Rates

I. Background

The Commission collects fees under various provisions of the securities laws. Section 6(b) of the Securities Act of 1933 (“Securities Act”) requires the Commission to collect fees from issuers on the registration of securities.¹ Section 13(e) of the Securities Exchange Act of 1934 (“Exchange Act”) requires the Commission to collect fees on specified purchases of securities.² Section 14(g) of

the Exchange Act requires the Commission to collect fees on specified proxy solicitations and specified tender offers.³ These provisions require the Commission to make annual adjustments to the applicable fee rates.

II. Fiscal Year 2025 Annual Adjustment to Fee Rates

Section 6(b)(2) of the Securities Act requires the Commission to make an annual adjustment to the fee rate applicable under Section 6(b).⁴ The annual adjustment to the fee rate under Section 6(b) of the Securities Act also sets the annual adjustment to the fee rates under Sections 13(e) and 14(g) of the Exchange Act.⁵

Section 6(b)(2) sets forth the method for determining the annual adjustment to the fee rate under Section 6(b) for fiscal year 2025. Specifically, the Commission must adjust the fee rate under Section 6(b) to a “rate that, when applied to the baseline estimate of the aggregate maximum offering prices for [fiscal year 2025], is reasonably likely to produce aggregate fee collections under [Section 6(b)] that are equal to the target fee collection amount for [fiscal year 2025].” That is, the adjusted rate is determined by dividing the “target fee collection amount” for fiscal year 2025 by the “baseline estimate of the aggregate maximum offering prices” for fiscal year 2025.

III. Target Fee Collection Amount for FY 2025

The statutory “target fee collection amount” for fiscal year 2021 and “each fiscal year thereafter” is “an amount that is equal to the target fee collection amount for the prior fiscal year, adjusted by the rate of inflation.”⁶ Consistent with the fiscal year 2021 calculation, the Commission has determined that it will use an approach similar to one that it uses to annually adjust civil monetary penalties by the rate of inflation.⁷ Under this approach,

³ 15 U.S.C. 78n(g).

⁴ 15 U.S.C. 77f(b)(2). The annual adjustments are designed to adjust the fee rate in a given fiscal year so that, when applied to the aggregate maximum offering prices at which securities are proposed to be offered for the fiscal year, it is reasonably likely to produce total fee collections under Section 6(b) equal to the “target fee collection amount” required by Section 6(b)(6)(A) for that fiscal year.

⁵ 15 U.S.C. 78m(e)(4) and 15 U.S.C. 78n(g)(4).

⁶ 15 U.S.C. 77f(b)(6)(A).

⁷ The Commission annually adjusts for inflation the civil monetary penalties that can be imposed under the statutes administered by Commission, as required by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, pursuant to guidance from the Office of Management and Budget (“OMB”). See OMB Dec. 16, 2019, Memorandum for the Heads of Executive Departments and Agencies, “M–20–05, on

the Commission will use the year-over-year change, rounded to five decimal places, in the Consumer Price Index for All Urban Consumers (“CPI–U”), not seasonally adjusted, in calculating the target fee collection amount, which is then rounded to the nearest whole dollar. The calculation for the fiscal year 2025 target fee collection amount is described in more detail below.

The most recent CPI–U index value, not seasonally adjusted, available for use by the Commission at the time this fee rate update was prepared was for June 2024. This value is 314.175.⁸ The CPI–U index value, not seasonally adjusted, for June 2023 is 305.109.⁹ Dividing the June 2024 value by the June 2023 value and rounding to five decimal places yields a multiplier value of 1.02971. Multiplying the fiscal year 2024 target fee collection amount of \$839,771,535¹⁰ by the multiplier value of 1.02971 and rounding to the nearest whole dollar yields a fiscal year 2025 target fee collection amount of \$864,721,147.

Section 6(b)(6)(B) defines the “baseline estimate of the aggregate maximum offering prices” for fiscal year 2025 as “the baseline estimate of the aggregate maximum offering price at which securities are proposed to be offered pursuant to registration statements filed with the Commission during [fiscal year 2025] as determined by the Commission, after consultation with the Congressional Budget Office and the Office of Management and Budget”

To make the baseline estimate of the aggregate maximum offering prices for fiscal year 2025, the Commission is using the methodology it has used in prior fiscal years and that was developed in consultation with the Congressional Budget Office and OMB.¹¹ Using this methodology, the

“Implementation of Penalty Inflation Adjustments for 2020, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.”

⁸ This value was announced July 11, 2024. See https://www.bls.gov/news.release/archives/cpi_07112024.htm.

⁹ See “Table 1. Consumer Price Index for All Urban Consumers (CPI–U): U.S. city average, by expenditure category, June 2024” in the announcement referenced above.

¹⁰ See 88 FR 59953, published Aug. 30, 2023 (<https://www.federalregister.gov/documents/2023/08/30/2023-18723/order-making-fiscal-year-2024-annual-adjustments-to-registration-fee-rates>).

¹¹ Appendix A explains how we determined the “baseline estimate of the aggregate maximum offering prices” for fiscal year 2025 using our methodology, and then shows the arithmetical process of calculating the fiscal year 2025 annual adjustment based on that estimate. The appendix includes the data used by the Commission in making its “baseline estimate of the aggregate maximum offering prices” for fiscal year 2025.

Commission determines the “baseline estimate of the aggregate maximum offering price” for fiscal year 2025 to be \$5,647,140,476,572. Based on this estimate and the fiscal year 2025 target fee collection amount, the Commission calculates the fee rate for fiscal 2025 to be \$153.10 per million. This adjusted fee rate applies to Section 6(b) of the Securities Act, as well as to Sections 13(e) and 14(g) of the Exchange Act.

IV. Effective Dates of the Annual Adjustments

The fiscal year 2025 annual adjustments to the fee rates applicable under Section 6(b) of the Securities Act and Sections 13(e) and 14(g) of the Exchange Act will be effective on October 1, 2024.¹²

V. Conclusion

Accordingly, pursuant to Section 6(b) of the Securities Act and Sections 13(e) and 14(g) of the Exchange Act,¹³

It is hereby ordered, that the fee rates applicable under Section 6(b) of the Securities Act and Sections 13(e) and 14(g) of the Exchange Act shall be \$153.10 per million effective on October 1, 2024.

By the Commission.

Sherry R. Haywood,
Assistant Secretary.

Appendix A

Congress has established a target amount of monies to be collected from fees charged to issuers based on the value of their registrations. This appendix provides the formula for determining such fees, which the Commission adjusts annually. Congress has mandated that the Commission determine these fees based on the “aggregate maximum offering prices,” which measures the aggregate dollar amount of securities registered with the Commission over the course of the year (hereafter, “registrations”).

In order to maximize the likelihood that the amount of monies targeted by Congress under Section 6(b) of the Securities Act of 1933 will be collected, the fee rate must be set to reflect projected aggregate maximum offering prices. As a percentage, the fee rate equals the ratio of the target amounts of monies to the projected aggregate maximum offering prices.

For 2025, the Commission has estimated the aggregate maximum offering prices by projecting forward the trend established in the previous decade. More specifically, an auto-regressive integrated moving average (“ARIMA”) model was used to forecast the value of the aggregate maximum offering prices for months subsequent to July 2024, the last month for which the Commission has data on the aggregate maximum offering prices.

The following sections describe this process in detail.

A. Baseline Estimate of the Aggregate Maximum Offering Prices for Fiscal Year 2025

First, calculate the aggregate maximum offering prices (AMOP) for each month in the sample (July 2014 through July 2024). Next, calculate the percentage change in the AMOP from month to month.

Model the monthly percentage change in AMOP as a first order moving average process. The moving average approach allows one to model the effect that an exceptionally high (or low) observation of AMOP tends to be followed by a more “typical” value of AMOP.

Use the [estimated moving average] [ARIMA] model to forecast the monthly percent change in AMOP. These percent changes can then be applied to obtain forecasts of the total dollar value of registrations. The following is a more formal (mathematical) description of the procedure:

1. Begin with the monthly data for AMOP. The sample spans ten years, from July 2014 to July 2024.
2. Divide each month’s AMOP (column C) by the number of trading days in that month (column B) to obtain the average daily AMOP (AAMOP, column D).
3. For each month t, the natural logarithm of AAMOP is reported in column E.

4. Calculate the change in log (AAMOP) from the previous month as $\Delta_t = \log(\text{AAMOP}_t) - \log(\text{AAMOP}_{t-1})$. This approximates the percentage change.

5. Estimate the first order moving average model $\Delta_t = \alpha + \beta e_{t-1} + e_t$, where e_t denotes the forecast error for month t. The forecast error is simply the difference between the one-month ahead forecast and the actual realization of Δ_t . The forecast error is expressed as $e_t = \Delta_t - \alpha - \beta e_{t-1}$. The model can be estimated using standard commercially available software. Using least squares, the estimated parameter values are $\alpha = 0.0009130838$ and $\beta = 0.9266757361$.

6. For the month of August 2024 forecast $\Delta_t = 8/2024 = \alpha + \beta e_{t-7/2024}$. For all subsequent months, forecast $\Delta_t = \alpha$.

7. Calculate forecasts of log (AAMOP). For example, the forecast of log (AAMOP) for October 2024 is given by $\text{FLAAMOP}_t = 10/2024 = \log(\text{AAMOP}_{t=7/2024}) + \Delta_{t=8/2024} + \Delta_{t=9/2024} + \Delta_{t=10/2024}$.

8. Under the assumption that e_t is normally distributed, the n-step ahead forecast of AAMOP is given by $\exp(\text{FLAAMOP}_t + \sigma_n^2/2)$, where σ_n denotes the standard error of the n-step ahead forecast.

9. For October 2024, this gives a forecast AAMOP of \$22,312 million (Column I), and a forecast AMOP of \$513,185 million (Column J).

10. Iterate this process through September 2025 to obtain a baseline estimate of the aggregate maximum offering prices for fiscal year 2025 of \$5,647,140,476,572.

B. Using the Forecasts From A To Calculate the New Fee Rate

1. Using the data from Table A, estimate the aggregate maximum offering prices between 10/01/24 and 9/30/25 to be \$5,647,140,476,572.

2. The rate necessary to collect the target \$864,721,147 in fee revenues required by Section 6(b) of the Securities Act is then calculated as: $\$864,721,147 \div \$5,647,140,476,572 = 0.0001531$.

3. Round the result to the seventh decimal point, yielding a rate of 0.0001531 (or \$153.10 per million).

TABLE A—ESTIMATION OF BASELINE OF AGGREGATE MAXIMUM OFFERING PRICES

[Fee rate calculation]

a. Baseline estimate of the aggregate maximum offering prices, 10/01/24 to 09/30/25 (\$Millions)	5,647,140
b. Implied fee rate (\$864,721,147/a)	\$153.10

Month	Number of trading days in month	Aggregate maximum offering prices, in \$millions	Average daily aggregate max. offering prices (AAMOP) in \$millions	log (AAMOP)	Log (change in AAMOP)	Forecast log (AAMOP)	Standard error	Forecast AAMOP, in \$millions	Forecast aggregate maximum offering prices, in \$millions
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
Jul-14	22	373,811	16,991	23.556	-0.170	.....	.....	.....	.....
Aug-14	21	405,017	19,287	23.683	0.127	.....	.....	.....	.....
Sep-14	21	409,349	19,493	23.693	0.011	.....	.....	.....	.....
Oct-14	23	338,832	14,732	23.413	-0.280	.....	.....	.....	.....

¹² 15 U.S.C. 77f(b)(4), 15 U.S.C. 78m(e)(6), and 15 U.S.C. 78n(g)(6).

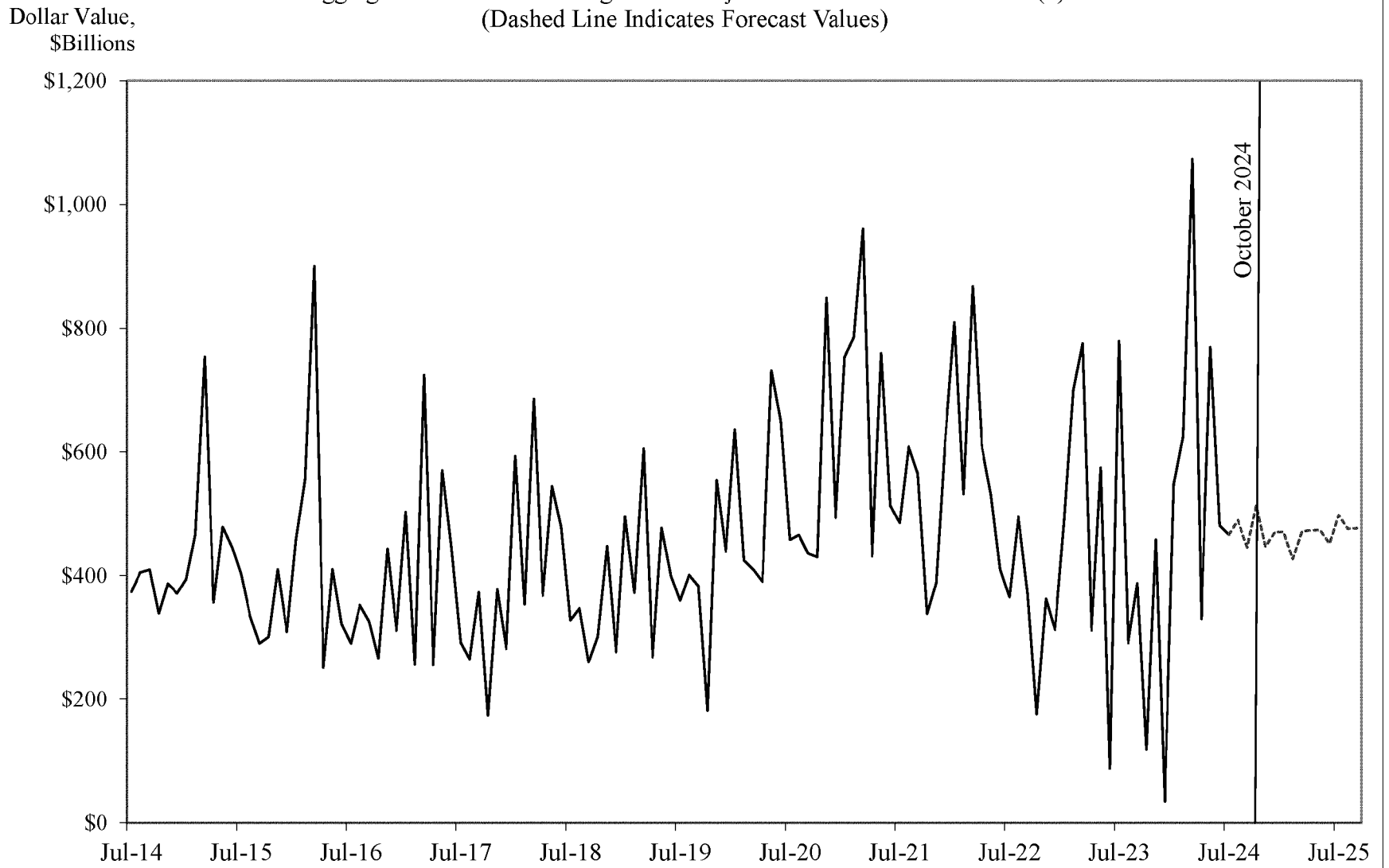
¹³ 15 U.S.C. 77f(b), 78m(e), and 78n(g).

Month	Number of trading days in month	Aggregate maximum offering prices, in \$millions	Average daily aggregate max. offering prices (AAMOP) in \$millions	log (AAMOP)	Log (change in AAMOP)	Forecast log (AAMOP)	Standard error	Forecast AAMOP, in \$millions	Forecast aggregate maximum offering prices, in \$millions
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
Nov-14	19	386,898	20,363	23.737	0.324				
Dec-14	22	370,760	16,853	23.548	-0.189				
Jan-15	20	394,127	19,706	23.704	0.156				
Feb-15	19	466,138	24,534	23.923	0.219				
Mar-15	22	753,747	34,261	24.257	0.334				
Apr-15	21	356,560	16,979	23.555	-0.702				
May-15	20	478,591	23,930	23.898	0.343				
Jun-15	22	446,102	20,277	23.733	-0.166				
Jul-15	22	402,062	18,276	23.629	-0.104				
Aug-15	21	334,746	15,940	23.492	-0.137				
Sep-15	21	289,872	13,803	23.348	-0.144				
Oct-15	22	300,276	13,649	23.337	-0.011				
Nov-15	20	409,690	20,485	23.743	0.406				
Dec-15	22	308,569	14,026	23.364	-0.379				
Jan-16	19	457,411	24,074	23.904	0.540				
Feb-16	20	554,343	27,717	24.045	0.141				
Mar-16	22	900,301	40,923	24.435	0.390				
Apr-16	21	250,716	11,939	23.203	-1.232				
May-16	21	409,992	19,523	23.695	0.492				
Jun-16	22	321,219	14,601	23.404	-0.291				
Jul-16	20	289,671	14,484	23.396	-0.008				
Aug-16	23	352,068	15,307	23.452	0.055				
Sep-16	21	326,116	15,529	23.466	0.014				
Oct-16	21	266,115	12,672	23.263	-0.203				
Nov-16	21	443,034	21,097	23.772	0.510				
Dec-16	21	310,614	14,791	23.417	-0.355				
Jan-17	20	503,030	25,152	23.948	0.531				
Feb-17	19	255,815	13,464	23.323	-0.625				
Mar-17	23	723,870	31,473	24.172	0.849				
Apr-17	19	255,275	13,436	23.321	-0.851				
May-17	22	569,965	25,908	23.978	0.657				
Jun-17	22	445,081	20,231	23.730	-0.247				
Jul-17	20	291,167	14,558	23.401	-0.329				
Aug-17	23	263,981	11,477	23.164	-0.238				
Sep-17	20	372,705	18,635	23.648	0.485				
Oct-17	22	173,749	7,898	22.790	-0.858				
Nov-17	21	377,262	17,965	23.612	0.822				
Dec-17	20	281,126	14,056	23.366	-0.245				
Jan-18	21	593,025	28,239	24.064	0.698				
Feb-18	19	353,182	18,589	23.646	-0.418				
Mar-18	21	685,784	32,656	24.209	0.563				
Apr-18	21	367,569	17,503	23.586	-0.624				
May-18	22	543,840	24,720	23.931	0.345				
Jun-18	21	477,967	22,760	23.848	-0.083				
Jul-18	21	327,710	15,605	23.471	-0.377				
Aug-18	23	347,239	15,097	23.438	-0.033				
Sep-18	19	259,874	13,678	23.339	-0.099				
Oct-18	23	300,814	13,079	23.294	-0.045				
Nov-18	21	447,767	21,322	23.783	0.489				
Dec-18	19	276,130	14,533	23.400	-0.383				
Jan-19	21	495,624	23,601	23.885	0.485				
Feb-19	19	372,166	19,588	23.698	-0.186				
Mar-19	21	604,813	28,801	24.084	0.385				
Apr-19	21	267,737	12,749	23.269	-0.815				
May-19	22	476,892	21,677	23.800	0.531				
Jun-19	20	399,178	19,959	23.717	-0.083				
Jul-19	22	359,438	16,338	23.517	-0.200				
Aug-19	22	401,391	18,245	23.627	0.110				
Sep-19	20	382,876	19,144	23.675	0.048				
Oct-19	23	181,113	7,874	22.787	-0.888				
Nov-19	20	553,889	27,694	24.044	1.258				
Dec-19	21	438,062	20,860	23.761	-0.283				
Jan-20	21	636,403	30,305	24.135	0.373				
Feb-20	19	424,133	22,323	23.829	-0.306				
Mar-20	22	409,403	18,609	23.647	-0.182				
Apr-20	21	389,821	18,563	23.644	-0.002				
May-20	20	731,835	36,592	24.323	0.679				
Jun-20	22	650,219	29,555	24.110	-0.214				
Jul-20	22	457,871	20,812	23.759	-0.351				
Aug-20	21	465,953	22,188	23.823	0.064				
Sep-20	21	435,323	20,730	23.755	-0.068				
Oct-20	22	429,638	19,529	23.695	-0.060				
Nov-20	20	849,894	42,495	24.473	0.777				
Dec-20	22	493,133	22,415	23.833	-0.640				
Jan-21	19	753,590	39,663	24.404	0.571				

Month	Number of trading days in month	Aggregate maximum offering prices, in \$millions	Average daily aggregate max. offering prices (AAMOP) in \$millions	log (AAMOP)	Log (change in AAMOP)	Forecast log (AAMOP)	Standard error	Forecast AAMOP, in \$millions	Forecast aggregate maximum offering prices, in \$millions
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
Feb-21	19	785,163	41,324	24.445	0.041				
Mar-21	23	960,806	41,774	24.456	0.011				
Apr-21	21	430,803	20,514	23.744	-0.711				
May-21	20	759,512	37,976	24.360	0.616				
Jun-21	22	512,966	23,317	23.872	-0.488				
Jul-21	21	485,097	23,100	23.863	-0.009				
Aug-21	22	608,745	27,670	24.044	0.181				
Sep-21	21	565,229	26,916	24.016	-0.028				
Oct-21	21	338,100	16,100	23.502	-0.514				
Nov-21	21	387,841	18,469	23.639	0.137				
Dec-21	22	618,897	28,132	24.060	0.421				
Jan-22	20	809,773	40,489	24.424	0.364				
Feb-22	19	531,622	27,980	24.055	-0.370				
Mar-22	23	868,009	37,740	24.354	0.299				
Apr-22	20	607,591	30,380	24.137	-0.217				
May-22	21	529,417	25,210	23.951	-0.187				
Jun-22	21	410,380	19,542	23.696	-0.255				
Jul-22	20	364,895	18,245	23.627	-0.069				
Aug-22	23	495,621	21,549	23.794	0.166				
Sep-22	21	371,472	17,689	23.596	-0.197				
Oct-22	21	175,612	8,362	22.847	-0.749				
Nov-22	21	362,262	17,251	23.571	0.724				
Dec-22	21	311,922	14,853	23.421	-0.150				
Jan-23	20	484,759	24,238	23.911	0.490				
Feb-23	19	700,233	36,854	24.330	0.419				
Mar-23	23	775,232	33,706	24.241	-0.089				
Apr-23	19	310,952	16,366	23.518	-0.722				
May-23	22	574,632	26,120	23.986	0.467				
Jun-23	21	87,686	4,176	22.153	-1.833				
Jul-23	20	778,808	38,940	24.385	2.233				
Aug-23	23	290,749	12,641	23.260	-1.125				
Sep-23	20	387,612	19,381	23.688	0.427				
Oct-23	22	118,541	5,388	22.407	-1.280				
Nov-23	21	458,187	21,818	23.806	1.399				
Dec-23	20	35,060	1,753	21.285	-2.521				
Jan-24	21	547,780	26,085	23.985	2.700				
Feb-24	20	625,139	31,257	24.166	0.181				
Mar-24	20	1,073,420	53,671	24.706	0.541				
Apr-24	22	330,061	15,003	23.432	-1.275				
May-24	22	769,244	34,966	24.278	0.846				
Jun-24	19	481,093	25,321	23.955	-0.323				
Jul-24	22	465,992	21,181	23.776	-0.178				
Aug-24	22					23.714	0.472	22,245	489,392
Sep-24	20					23.715	0.473	22,279	445,574
Oct-24	23					23.716	0.474	22,312	513,185
Nov-24	20					23.717	0.475	22,346	446,923
Dec-24	21					23.718	0.477	22,380	469,978
Jan-25	21					23.719	0.478	22,414	470,689
Feb-25	19					23.720	0.479	22,448	426,506
Mar-25	21					23.721	0.480	22,482	472,114
Apr-25	21					23.721	0.482	22,516	472,828
May-25	21					23.722	0.483	22,550	473,543
Jun-25	20					23.723	0.484	22,584	451,675
Jul-25	22					23.724	0.485	22,618	497,594
Aug-25	21					23.725	0.487	22,652	475,694
Sep-25	21					23.726	0.488	22,686	476,413

BILLING CODE 8011-01-P

Figure A
Aggregate Maximum Offering Prices Subject to Securities Act Section 6(b)
(Dashed Line Indicates Forecast Values)



**SECURITIES AND EXCHANGE
COMMISSION****Sunshine Act Meetings**

TIME AND DATE: 2:00 p.m. on Thursday, August 29, 2024.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION:

For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: August 22, 2024.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2024-19218 Filed 8-22-24; 4:15 pm]

BILLING CODE 8011-01-P

**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34-100783; File No. SR-LTSE-2024-03]

Self-Regulatory Organizations; Long-Term Stock Exchange, Inc.; Order Approving a Proposed Rule Change To Transition to a New Trading Platform and Amend Its Trading Rules

August 20, 2024.

I. Introduction

On May 9, 2024, the Long-Term Stock Exchange, Inc. ("LTSE" 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")¹ and Rule 19b-4 thereunder,² a proposed rule change to transition to a new trading platform and amend its trading rules in connection thereto. The proposed rule change was published for comment in the **Federal Register** on May 28, 2024.³ On July 11, 2024, pursuant to Section 19(b)(2) of the Exchange Act,⁴ the Commission designated a longer period within which to approve the proposal, disapprove the proposal, or institute proceedings to determine whether to disapprove the proposal.⁵ The Commission has received no comment letters on the proposal. This order approves the proposed rule change.

II. Description of the Proposed Rule Change

As described in detail in the Notice,⁶ the Exchange proposes to: (i) transition the technology supporting the Exchange's trading system ("System") from its current trading platform to a new trading platform that uses technology provided by MEMX Technologies LLC ("MEMX Technologies"),⁷ an affiliate of MEMX LLC ("MEMX Exchange"), and (ii) modify its trading rules in connection with this transition. Specifically, the Exchange proposes to replace its current trading platform with a trading platform licensed from MEMX Technologies, on an outsourced basis, that is substantially similar to the trading platform used by the MEMX Exchange but with certain

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 100205 (May 21, 2024), 89 FR 46225 ("Notice").

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 100499, 89 FR 58224 (July 17, 2024).

⁶ See Notice, *supra* note 3.

⁷ MEMX Technologies is in the business of developing technology systems for use in the financial industry. See *id.* at 46226.

differences in functionality to address LTSE's unique market model.⁸

LTSE's Operation of Its New Trading Platform as a Registered National Securities Exchange

The Exchange proposes that MEMX Technologies will provide LTSE with MEMX Technologies' market-as-a-service trading system to operate LTSE's trading platform.⁹ While LTSE and MEMX Exchange will share a technology provider, LTSE will continue to operate as it does now, as a standalone national securities exchange within the national market system, and the fact that it is licensing a technology platform from MEMX Technologies will not provide any special treatment or advantage to MEMX Exchange.¹⁰ LTSE will operate on its own servers, separate and apart from the MEMX Exchange, with no joint or shared connections to participants.¹¹ LTSE members will be required to utilize LTSE-specific member gateways to connect to the System, and these will be distinct from those of the MEMX Exchange.¹² Neither LTSE nor MEMX Exchange will gain any advantage over other market participants in terms of access, speed or otherwise.¹³ LTSE believes that the use of a common, but not functionally identical, trading platform by LTSE and MEMX Exchange will not in any way alter the competitive position of the two exchanges or establish any type of connection or opportunity for interaction that would be different than LTSE currently has with every other exchange participant in the national market system.¹⁴

Furthermore, LTSE will retain responsibility for overseeing the daily market operations of its trading system and will maintain operational control over the features of such system and any changes thereto.¹⁵ If MEMX Exchange

⁸ See *id.* For example, the Exchange will not offer routing functionality and is not proposing to adopt certain MEMX Exchange order types. See *id.* at 46226.

⁹ The Exchange states that the Exchange and MEMX Technologies executed a Development, License and Services Agreement on January 23, 2024, with accompanying schedules (collectively, the "DLSA"). Among other things, the DLSA sets forth a multi-year arrangement that requires MEMX Technologies to provide the system and services to allow the Exchange to operate fair and orderly markets and provides for transition services to the extent either party decides to terminate the arrangement. See *id.* at 46226-46228, for additional background and information regarding the DLSA.

¹⁰ See *id.* at 46226.

¹¹ See *id.*

¹² See *id.*

¹³ See *id.* at 46228.

¹⁴ See *id.*

¹⁵ See *id.* at 46225.

proposes a rule for its own market, it does not mean that LTSE will automatically adopt the same rule.¹⁶ LTSE will continue to independently evaluate other exchange rule filings, including MEMX Exchange's, to determine whether such changes should be proposed by LTSE. LTSE will not be obligated to accept any change to LTSE's technology platform that may be proposed by MEMX Exchange for its own market, but is not desired by LTSE; there is no incentive, monetary or otherwise, for LTSE to accept any changes proposed by the MEMX Exchange. Moreover, if LTSE seeks to implement an enhancement to its trading platform that is not applicable to the MEMX Exchange, MEMX Technologies will be obligated to develop and implement that enhancement (at a cost to be borne by LTSE).¹⁷ MEMX Technologies has no authority to make any changes to the System without LTSE's direct instruction to do so.¹⁸

Finally, LTSE will continue to have regulatory responsibility for its trading system and will continue to fully discharge its obligations as a national securities exchange.¹⁹ LTSE will also continue to provide for its market and cross-market surveillance through its Regulatory Services Agreement ("RSA") with the Financial Industry Regulatory Authority, Inc. ("FINRA") and maintain its independent regulatory function to oversee the RSA and will not rely on or utilize MEMX Exchange or its personnel to fulfill any aspect of those obligations on LTSE's behalf.²⁰

Regulation SCI

As a registered national securities exchange, LTSE is an "SCI entity" responsible for compliance with the requirements of Regulation Systems Compliance and Integrity ("Regulation SCI").²¹ Regulation SCI requires SCI entities to establish written policies and procedures reasonably designed to ensure that their applicable systems have levels of capacity, integrity, resiliency, availability, and security adequate to maintain their operational capability and promote the maintenance of fair and orderly markets, and that they operate in a manner that complies with the Exchange Act.²² In addition, Regulation SCI requires SCI entities to

take corrective action with respect to SCI events (defined to include systems disruptions, systems compliance issues, and systems intrusions), notify the Commission of such events, and disseminate information about certain SCI events to affected members or participants (and, for certain major SCI events, to all members or participants of the SCI entity).²³ Moreover, Regulation SCI requires SCI entities to conduct a review of their systems by objective, qualified personnel at least annually, submit quarterly reports regarding completed, ongoing, and planned material changes to their SCI systems to the Commission,²⁴ and maintain certain books and records.²⁵ It also requires SCI entities to mandate participation by designated members or participants in scheduled testing of the operation of their business continuity and disaster recovery plans, including backup systems, and to coordinate such testing on an industry- or sector-wide basis with other SCI entities.²⁶

Regulation SCI applies to an SCI entity's "SCI systems," which are systems that directly support any one of six key securities market functions—trading, clearance and settlement, order routing, market data, market regulation, and market surveillance ("SCI systems"). Regulation SCI also applies to "indirect SCI systems," which are any systems that, if breached, are likely to pose a security threat to SCI systems. Further, certain SCI systems that are "critical SCI systems" are held to certain heightened requirements under Regulation SCI.²⁷ The Exchange classifies several of its systems, including the System, as "SCI systems" based on the definitions under Regulation SCI. The Exchange has obtained commitments from MEMX Technologies in connection with its engagement of MEMX Technologies to develop, license, and operate the System on behalf of the Exchange²⁸ to, among other things, address how this arrangement is consistent with the requirements of Regulation SCI.²⁹ The

Exchange acknowledges that the System is the responsibility of the Exchange, and that the contractual arrangements, including the DLSA, between the Exchange and MEMX Technologies do not relieve the Exchange of any responsibilities it may have for its SCI systems and, as applicable, indirect SCI systems under Regulation SCI.³⁰ In addition, and as more fully summarized in the Notice, the DLSA includes commitments from MEMX Technologies as developer, licensor, and operator of the System to cooperate with the Exchange and provide the Exchange with the information and access that will allow the Exchange to satisfy its obligations under Regulation SCI.³¹

The Proposed Rule Changes To Effect the Transition to the New Trading Platform

The proposed rule changes to the LTSE trading rules to effect the transition to the new trading platform are based on rules already approved by or filed for immediate effectiveness with the Commission for use by MEMX Exchange.³² In particular, the Exchange is proposing to delete the following LTSE Rules and replace them with an identical or substantially similar version of the corresponding MEMX Exchange rule, as summarized below and discussed fully in the Notice:³³

- LTSE Rule 11.151 (Market Maker Obligations) is being amended to delete the definitions of "Crossing Quotation" and "Locking Quotation" and relocate them to newly proposed Rule 11.180 (Definitions), where those terms will conform to MEMX's definitions of the same terms.
- LTSE Rule 11.180 (Units of Trading) is being renamed to (Definitions), deleted in its entirety and replaced with MEMX Exchange Rule 11.6 (Definitions).
- LTSE Rule 11.190 (Orders and Modifiers) is being amended to conform with MEMX Exchange Rule 11.8 (Order Types and Modifiers).
- LTSE Rule 11.210 (Minimum Price Variant) is being deleted and the definition is being relocated to newly proposed LTSE Rule 11.180 (Definitions) and is identical to MEMX Exchange Rule 11.6(g) (Minimum Price Variation).
- LTSE Rule 11.220 (Priority of Orders) is being deleted in its entirety and replaced with MEMX Exchange Rule 11.9 (Priority of Orders).

²³ See 17 CFR 242.1002. See also 17 CFR 242.1000 and 17 CFR 242.1006.

²⁴ See 17 CFR 242.1003.

²⁵ See 17 CFR 242.1005. See also 17 CFR 242.1007.

²⁶ See 17 CFR 242.1004.

²⁷ See 17 CFR 242.1000 (definitions of "SCI systems," "indirect SCI systems," and "critical SCI systems").

²⁸ The System has been developed and licensed to meet the Exchange's requirements and operate in accordance with the rules of the Exchange, including those approved herein. See Notice, *supra* note 3, at 46226–46228.

²⁹ See section entitled "Compliance with Regulation SCI" in the Notice, *supra* note 3, at 46228–46229.

³⁰ See Notice, *supra* note 3, at 46225 and 46228.

³¹ See *id.* at 46228–46229.

³² See *id.* at 46226.

³³ See *id.* at 46230–46241.

¹⁶ See *id.* at 46228.

¹⁷ See *id.*

¹⁸ See *id.*

¹⁹ See *id.* at 46225.

²⁰ See *id.* at 46228.

²¹ See Securities Exchange Act Release No. 73639 (November 19, 2014), 79 FR 72252 (December 5, 2014).

²² See 17 CFR 242.1001.

- LTSE Rule 11.230 (Order Execution) is being amended to conform with MEMX Exchange Rule 11.10 (Order Execution).³⁴

- LTSE Rule 11.271 (Trading Halts) is being deleted in its entirety because the substance of the rule will be adopted in newly proposed LTSE Rule 11.281 (Limit Up-Limit Down Plan and Trading Halts on the Exchange).

- LTSE Rules 11.281 (Limit Up-Limit Down Mechanism) and 11.282 (Regulatory Trading Halts) are being amended to conform with MEMX Exchange Rule 11.22 (Limit Up-Limit Down Plan and Trading Halts) and the Nasdaq UTP Plan, as amended.³⁵

- LTSE Rule 11.310 (Locking or Crossing Quotations in NMS Stocks) is being amended to conform with MEMX Exchange Rule 11.10(f) (Locking Quotation or Crossing Quotation in NMS Stocks).

- LTSE Rule 11.320 (Input of Accurate Information) is being amended to conform with MEMX Exchange Rule 11.5 (Input of Accurate Information).

- LTSE Rule 11.330 (Data Products) is being amended to conform with MEMX Exchange Rule 13.8 (Data Products).

- LTSE Rule 11.380 (Risk Management) is being deleted in its entirety and replaced with Interpretation and Policies .01 and .02 of MEMX Exchange Rule 11.10 (Order Execution).

- LTSE Rule 11.410 (Use of Market Data Feeds and Calculations of Necessary Price Reference Points) is being amended to conform with MEMX Exchange Rule 13.4 (Usage of Data Feeds).³⁶

In addition to the above rule changes, the Exchange is also deleting certain rules that relate to functionality not provided by the new System and relocating certain rules to other places in the rulebook.³⁷

³⁴ MEMX Exchange rules related to the routing of orders are not being adopted, as the Exchange is not offering that functionality.

³⁵ See Securities Exchange Act Release No. 92071 (May 28, 2021), 86 FR 29846 (June 3, 2021) (Order Approving the Fiftieth Amendment to the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis, as Modified by Amendments Nos. 1 and 2).

³⁶ LTSE is not adopting the language in MEMX Exchange Rule 13.4 (Usage of Data Feeds) related to the routing of orders.

³⁷ LTSE Rule 11.231 (Regular Market Session Opening Process for Non-LTSE Primary Listed Securities) is being deleted in its entirety as this functionality is not supported in the new System. LTSE Rule 11.240(c) (Trade Execution, Reporting, and Dissemination of Quotations) is being deleted because it appears in newly proposed LTSE Rule 11.230. See Notice, *supra* note 3, at 46226.

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.³⁸ In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Exchange Act,³⁹ which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Commission also finds that the proposed rule change is consistent with Section 6(b)(1) of the Exchange Act,⁴⁰ which requires an exchange to be so organized and have the capacity to carry out the purposes of the Exchange Act and to comply and enforce compliance by its members and persons associated with its members with the Exchange Act and the rules thereunder.

With respect to the transition of LTSE's System to the new trading platform licensed by MEMX Technologies, the arrangements between LTSE and MEMX Technologies are reasonably designed not to confer upon either LTSE or MEMX Exchange any advantage over other market participants in terms of access, speed or otherwise to the other market, and LTSE has represented the same.⁴¹ While LTSE will use the same technology provider as MEMX Exchange, LTSE will operate its System on separate servers, under its control, and there will be no joint or shared connections between LTSE and MEMX Exchange; participants will have to access each market separately.⁴²

³⁸ In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

³⁹ 15 U.S.C. 78f(b)(5).

⁴⁰ 15 U.S.C. 78f(b)(1).

⁴¹ See *supra* note 9.

⁴² Furthermore, MEMX Technologies will be required, as part of the DLSA, to keep confidential all Confidential Information (as defined in the DLSA) of LTSE and, except as expressly authorized, not use such Confidential Information or make any such Confidential Information available to any third party, including MEMX Exchange. In other words, the conditions are reasonably designed to not allow either LTSE or MEMX Exchange to gain any special advantage, insight, or connection as a result of the technology services being provided by MEMX

Technologies, as a third-party service provider. See Notice, *supra* note 3, at 46227.

LTSE will retain responsibility for overseeing the daily market operations of its trading system and will maintain operational control over the features of such system and any changes thereto; MEMX Technologies will not be allowed to change LTSE's System without LTSE's direct instruction and will also be obligated to modify the platform in response to changes LTSE wishes to make.

LTSE will retain regulatory responsibility for its System and it will maintain its independent function to oversee its RSA with FINRA. LTSE also acknowledges that it will remain fully responsible for discharging its obligations as a registered national securities exchange. Thus, the Commission believes that LTSE will not be altering any of its self-regulatory responsibilities as a result of the provision of technology services by MEMX Technologies and will continue to be so organized and have the capacity to carry out the purposes of the Exchange Act and to comply and enforce compliance by its members and persons associated with its members with the Exchange Act and the rules thereunder.

Based on the acknowledgements LTSE has made with respect to its obligations under Regulation SCI, as well as the legal agreements and contractual arrangements underlying the relationship between LTSE and MEMX Technologies as described above, the Commission believes that LTSE's proposal regarding the engagement of a third party to develop, license, and operate the System is designed to support the Exchange's ability to comply with its regulatory obligations under Regulation SCI.

For the reasons discussed above, the Commission believes that the aspect of LTSE's proposal to move to a new trading platform with technology provided by MEMX Technologies is designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system, protect investors and the public interest, and thus, is consistent with the Exchange Act. In addition, for the reasons discussed above, the Commission finds that LTSE will be capable of exercising sufficient control over the operation of its System, and will be sufficiently independent from MEMX Technologies, to enable LTSE to

Technologies, as a third-party service provider. See Notice, *supra* note 3, at 46227.

comply with the requirements under the Exchange Act and applicable rules.

Finally, LTSE proposes numerous changes to conform, as applicable, its trading rules to the trading rules on MEMX Exchange to effect the transition to the new trading platform. The Commission notes that the proposed changes to LTSE's rules to effect the transition of LTSE's trading platform are based on rules already approved by, or filed for immediate effectiveness with, the Commission by MEMX Exchange. Therefore, since this aspect of the proposal raises no new or novel legal or regulatory issues, the Commission believes it is reasonably designed to protect investors and the public interest and is consistent with the Exchange Act.

Accordingly, for the foregoing reasons, the Commission finds that this proposed rule change is consistent with the Exchange Act.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act,⁴³ that the proposed rule change (SR–LTSE–2024–03) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁴

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2024–19013 Filed 8–23–24; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–100785; File No. SR–SAPPHIRE–2024–17]

Self-Regulatory Organizations; MIA X Sapphire, LLC, Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Rules Relating to the Continuing Education for Registered Persons as Provided Under Exchange Rule 1903

August 20, 2024.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b–4 thereunder,² notice is hereby given that on August 9, 2024, MIA X Sapphire, LLC (“MIA X Sapphire” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange.

The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Interpretation and Policy .01 to Exchange Rule 1903, Continuing Education.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings>, at the Exchange's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and the 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Interpretation and Policy .01 to Exchange Rule 1903, Continuing Education, to clarify participation requirements and deadline dates of the continuing education program.

Background

The Form 1 Application of MIA X Sapphire was approved by the Securities Exchange Commission to register as a national securities exchange on July 15, 2024.³ MIA X Sapphire intends to begin trading operations on August 12, 2024. In anticipation of the launch of the Exchange MIA X Sapphire is in the process of updating rules so that they are current.

Policy .01 of Exchange Rule 1903 describes the conditions and timeframes for certain individuals registered with

the Exchange to participate in the continuing education program under paragraph (c) of Rule 1903. FINRA amended their Continuing Education (“CE”) Program requirements in FINRA Rule 1240 in 2021 to establish a Maintaining Qualifications Program (MQP).⁴ Under FINRA Rule 1240.01, FINRA designated a look-back provision for the two years immediately prior to March 15, 2022 for meeting the requirements of the MQP.

In 2023, FINRA again amended FINRA Rule 1240.01, to provide eligible individuals a second opportunity to elect to participate in the MQP.⁵ This change required eligible individuals who elected to participate in the MQP during the second look-back period to complete any prescribed continuing education content by March 31, 2024. For technical reasons related to the mechanics of registering in the MQP via FINRA's Financial Professional Gateway (“FinPro”) account some eligible individuals may have been precluded from properly registering for the MQP, therefore, FINRA again amended its rule to extend the requirements completion period to July 1, 2024.⁶

Proposal

The Exchange proposes to amend its Rule to provide that individuals enrolled in the continuing education program under Interpretation and Policy .01 of Rule 1903 who have completed their prescribed 2022 and 2023 continuing education content by July 1, 2024 shall be eligible to continue their

⁴ See Securities Exchange Act Release No. 93097 (September 21, 2021), 86 FR 53358 (September 27, 2021) (Order Approving File No. SR–FINRA–2021–015). Other exchanges, including the Exchange's affiliate, MIA X, subsequently filed copycat rule filings to align their continuing education rules with those of FINRA. See Securities Exchange Act Release No. 95140 (June 22, 2022), 87 FR 38438 (June 28, 2022) (SR–MIA X–2022–23) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 1900, Registration Requirements, Exchange Rule 1903, Continuing Education Requirements, and Exchange Rule 1904, Electronic Filing Requirements for Uniform Forms).

⁵ See Securities Exchange Act Release No. 97184 (Mar. 22, 2023), 88 FR 18359 (Mar. 28, 2023) (SR–FINRA–2023–005) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend FINRA Rule 1240.01 To Provide Eligible Individuals Another Opportunity to Elect to Participate in the Maintaining Qualifications Program). The Exchange notes that the second look-back period does not appear in Sapphire Rule 1903 as it concluded prior to the Exchange's Form 1 Application being approved.

⁶ See Securities Exchange Act Release No. 100067 (May 6, 2024), 89 FR 40520 (May 10, 2024) (SR–FINRA–2024–006) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend FINRA Rule 1240.01 To Reopen the Period by Which Certain Participants in the Maintaining Qualifications Program May Complete Their Prescribed Continuing Education Content).

⁴³ 15 U.S.C. 78s(b)(2).

⁴⁴ 17 CFR 200.30–3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 100539 (July 15, 2024), 89 FR 58848 (July 19, 2024) (File No. 10–240) (order approving application of MIA X Sapphire, LLC for registration as a national securities exchange).

participation in the continuing education program. The time period extensions provided by FINRA beginning in 2021 for maintaining registrations have all concluded, therefore the Exchange believes that this change will provide clarity in regards to the eligibility requirements for participation in the continuing education program.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁷ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)⁸ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)⁹ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange's rule proposal is intended to harmonize the Exchange's supervision rules, specifically with respect to the continuing education requirements with those of FINRA, on which they are based. Consequently, the proposed change will conform the Exchange's rules to recent changes made to corresponding FINRA rules, thus promoting application of consistent regulatory standards with respect to rules that FINRA enforces pursuant to its regulatory services agreement with the Exchange.

The Exchange believes that the proposed rule change will bring consistency and uniformity with FINRA's recently amended CE Program, which will, in turn, assist members and their associated persons in complying with these rules and improve regulatory efficiency. The proposed rule change makes ministerial changes to the Exchange's CE rules to align them with the CE rules of FINRA, in order to

prevent unnecessary regulatory burdens and to promote efficient administration of the rules.

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 believes that the proposed rule change, which harmonizes its rules with the recent rule change adopted by FINRA, will reduce the regulatory burden placed on market participants engaged in trading activities across different markets. The Exchange believes that the harmonization of the CE program requirements across the various markets will reduce burdens on competition by removing impediments to participation in the national market system and promoting competition among participants across the multiple national securities exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Pursuant to Section 19(b)(3)(A) of the Act¹⁰ and Rule 19b-4(f)(6)¹¹ thereunder, the Exchange has designated this proposal as one that effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.¹²

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-SAPPHIRE-2024-17 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-SAPPHIRE-2024-17. 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. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-SAPPHIRE-2024-17 and should be submitted on or before September 16, 2024.

¹⁰ 15 U.S.C. 78s(b)(3)(A).

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 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, 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.

¹³ 17 CFR 200.30-3(a)(12).

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(5).

⁹ *Id.*

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹³

Sherry R. Haywood,
Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–100779; File No. SR–SAPPHIRE–2024–12]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule for a Sales Value Fee and Web CRD Fees

August 20, 2024.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”),² and Rule 19b–4 thereunder,³ notice is hereby given that on August 6, 2024, MIAX Sapphire, LLC (“MIAX Sapphire” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Sapphire Options Fee Schedule (the “Fee Schedule”) to establish Section 2, Regulatory Fees. Specifically, Section 2 of the Fee Schedule will contain: a Sales Value Fee for MIAX Sapphire Members in Section 2) a);⁴ Section 2) b) which the Exchange is proposing to reserve to be amended by a later proposal; and Web Central Registration Depository (“Web CRD”) Fees in Section 2) c). MIAX Sapphire will commence operations as a national securities exchange registered under Section 6 of the Act⁵ on August 12, 2024.⁶

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

⁴ The term “Member” means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed “members” under the Exchange Act. See Exchange Rule 100 and the Definitions section of the Fee Schedule.

⁵ 15 U.S.C. 78f.

⁶ See Securities Exchange Act Release No. 100539 (July 15, 2024), 89 FR 58848 (July 19, 2024) (File No. 10–240) (order approving application of MIAX

While changes to the Fee Schedule pursuant to this proposal are effective upon filing, the Exchange has designated these changes to be operative on August 12, 2024.

The text of the proposed rule change is available on the Exchange’s website at <https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings>, at the Exchange’s principal office, 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule to establish Section 2, Regulatory Fees. Specifically, Section 2 of the Fee Schedule will contain: Sales Value Fee for MIAX Sapphire Members in Section 2) a); Section 2) b) which the Exchange is proposing to reserve to be amended by a later proposal; and Web CRD Fees in Section 2) c).

MIAX Sapphire will commence operations as a national securities exchange registered under Section 6 of the Act⁷ on August 12, 2024.⁸

Sales Value Fee

The Exchange proposes to amend the Fee Schedule to adopt Section 2) a) Sales Value Fee.⁹ The Sales Value Fee is proposed to be assessed by the Exchange to each Member for sales on the Exchange with respect to which the Exchange is obligated to pay a fee to the Commission pursuant to Section 31 of the Exchange Act. The Sales Value Fee is equal to the Section 31 fee rate

Sapphire, LLC for registration as a national securities exchange).

⁷ 15 U.S.C. 78f.

⁸ See Securities Exchange Act Release No. 100539 (July 15, 2024), 89 FR 58848 (July 19, 2024) (File No. 10–240) (order approving application of MIAX Sapphire, LLC for registration as a national securities exchange).

⁹ See Exchange Rule 1207.

multiplied by the Member’s aggregate dollar amount of covered sales resulting from options transactions occurring on the Exchange during any computational period. The Section 31 fee rate is set annually by the United States Securities and Exchange Commission (“Commission”). To the extent that there may be any excess monies collected under this rule, the Exchange may retain those monies to help fund general operating expenses. The sales transactions to which the fee applies are sales of options (other than options on a security index) and the sales of securities resulting from the exercise of physical-delivery options. The fee is collected indirectly from Members through their clearing firms by the Options Clearing Corporation (“OCC”) on behalf of MIAX Sapphire with respect to option sales and options exercises. The Sales Value Fee proposed by the Exchange is identical to the fee assessed by other exchanges, including the Exchange’s affiliates, Miami International Securities Exchange, LLC (“MIAX Options”),¹⁰ MIAX PEARL, LLC (“MIAX Pearl Options”),¹¹ and MIAX Emerald, LLC (“MIAX Emerald”).¹²

Web CRD Fees

The Exchange also proposes to establish Section 2) c), Web CRD Fees, in the Exchange’s Fee Schedule. The Financial Industry Regulatory Authority (“FINRA”), through the Web CRD registration system for the registration of associated persons of Electronic Exchange Member¹³ and Market Maker¹⁴ organizations that are not also FINRA members, collects from those MIAX Sapphire Members, general registration fees and fingerprint processing fees. The Exchange proposes to list these fees in its Fee Schedule for convenience. The Exchange does not

¹⁰ See MIAX Options Exchange Fee Schedule at <https://www.miaxglobal.com/markets/us-options/miax-options/fees>.

¹¹ See MIAX Pearl Options Exchange Fee Schedule at <https://www.miaxglobal.com/markets/us-options/pearl-options/fees>.

¹² See MIAX Emerald Exchange Fee Schedule at <https://www.miaxglobal.com/markets/us-options/emerald-options/fees>.

¹³ The term “Electronic Exchange Member” or “EEM” means the holder of a Trading Permit who is a Member representing as agent Public Customer Orders or Non-Customer Orders on the Exchange and those non-Market Maker Members conducting proprietary trading. Electronic Exchange Members are deemed “members” under the Exchange Act. See Exchange Rule 100.

¹⁴ The term “Market Maker” or “MM” means a Member registered with the Exchange for the purpose of making markets in options contracts traded on the Exchange and that is vested with the rights and responsibilities specified in Chapter VI of the MIAX Sapphire Rulebook. See Exchange Rule 100.

collect or retain these fees. The Web CRD Fees that are proposed by the Exchange are identical to the fees posted by the Exchange's affiliates, MIAX Options,¹⁵ MIAX Pearl Options,¹⁶ and MIAX Emerald.¹⁷

2. Statutory Basis

The Exchange believes that its proposal to amend its Fee Schedule is consistent with Section 6(b) of the Act¹⁸ in general, and furthers the objectives of Section 6(b)(4) of the Act¹⁹ in particular, in that it is an equitable allocation of reasonable dues, fees and other charges among its members and issuers and other persons using its facilities. The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest and is not designed to permit unfair discrimination between customers, issuers, brokers and dealers.

Sales Value Fee

The assessment by the Exchange of the proposed Sales Value Fee is reasonable, equitable and not unfairly discriminatory since it allows the Exchange to offset the cost it incurs in payment to the Commission of a transaction fee that is designed to recover the costs related to the government's supervision and regulation of the securities markets and securities professionals. The amount of the fee is the same amount assessed to the Exchange pursuant to Section 31 of the Exchange Act. The Exchange believes it is reasonable to recover the actual costs associated with the payment of Section 31 fees and other exchanges, including MIAX Options, MIAX Pearl Options, and MIAX Emerald, charge the same fee to their market participants.

Web CRD Fees

The Exchange believes it is reasonable, equitable and not unfairly discriminatory for the proposed FINRA fees to be included on the Fee Schedule because these fees are not being assessed or set by MIAX Sapphire but rather by FINRA, and these fees will be assessed to broker-dealers that register associated persons through FINRA's

Web CRD system, and other exchanges, including MIAX Options, MIAX Pearl Options, and MIAX Emerald, charge the same fees to their market participants. Moreover, the Exchange believes including these fees in the Fee Schedule is equitable and not unfairly discriminatory because the Exchange will not be collecting or retaining the fees, and therefore, the Exchange will not be in a position to apply them in an inequitable or unfairly discriminatory manner.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the Sales Value Fee does not impose an undue burden on competition as this fee is set by the Securities and Exchange Commission and is similarly assessed by all options exchanges.²⁰ Additionally, the Web CRD Fees do not impose an undue burden on competition because the Exchange will not be collecting or retaining these fees, and therefore, the Exchange will not be in a position to apply them in an inequitable or unfairly discriminatory manner.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.²¹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) 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-SAPPHIRE-2024-12 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-SAPPHIRE-2024-12. 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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-SAPPHIRE-2024-12 and should be submitted on or before September 16, 2024.

¹⁵ See *supra* note 9.

¹⁶ See *supra* note 10.

¹⁷ See *supra* note 11.

¹⁸ 15 U.S.C. 78f(b).

¹⁹ 15 U.S.C. 78f(b)(4) and (5).

²⁰ See *e.g.*, BOX Exchange Rule 29000(b) and MEMX Exchange Rule 15.1(b).

²¹ 15 U.S.C. 78s(b)(3)(A)(ii).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2024–19012 Filed 8–23–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold an Open Meeting on Wednesday, August 28, 2024 at 10:00 a.m.

PLACE: The meeting will be webcast on the Commission’s website at www.sec.gov.

STATUS: This meeting will begin at 10:00 a.m. (ET) and will be open to the public via webcast on the Commission’s website at www.sec.gov.

MATTERS TO BE CONSIDERED:

1. The Commission will consider whether to adopt amendments to reporting requirements on Forms N-PORT and N-CEN.

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: August 21, 2024.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2024–19183 Filed 8–22–24; 11:15 am]

BILLING CODE 8011–01–P

DEPARTMENT OF STATE

[Public Notice: 12498]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: “The Megiddo Mosaic: Foundations of Faith” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition “The Megiddo Mosaic: Foundations of Faith” at the Museum of the Bible, Washington, District of Columbia, and at possible additional

exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/DP, 2200 C Street NW, (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Nicole L. Elkon,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2024–19048 Filed 8–23–24; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 12505]

Notice of Determinations; Culturally Significant Objects Being Imported for Storage, Conservation, Scientific Research, and Exhibition—Determinations: 17 Objects Being Loaned by the Republic of Yemen

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary storage, conservation, scientific research, and exhibition or display at The Metropolitan Museum of Art, New York, New York, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary storage, conservation, scientific research, and exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public

Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/DP, 2200 C Street NW, (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Nicole L. Elkon,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2024–19047 Filed 8–23–24; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36796]

Nathan Evans—Acquisition of Control Exemption—Columbia & Reading Railway Co. LLC

Nathan Evans (Evans), a noncarrier, filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire control of Columbia & Reading Railway Co. LLC (CORY), a Class III rail carrier that operates a 2.5-mile line in Columbia, Lancaster County, Pa.¹

The verified notice states that, pursuant to an agreement titled “Sale of LLC Membership Interest” (Agreement) dated June 27, 2024,² Evans has agreed to acquire 51% of the membership interests of CORY from Freedom Rail Management, LLC. The verified notice

¹ Evans filed a supplement on August 8, 2024, clarifying, among other things, that the transaction involves an acquisition of control rather than a continuance of control. Evans filed a second supplement on August 20, 2024, clarifying that the transaction does not require a historic report. The filing date of the second supplement will be deemed the filing date of the verified notice.

² A public version of the Agreement was filed with the August 8 supplement. A confidential version was submitted under seal on August 13, 2024, concurrently with a motion for protective order. The motion for protective order was granted in a decision served on August 15, 2024.

²² 17 CFR 200.30–3(a)(12), (59).

further states that Evans currently controls Elizabethtown Industrial Railroad LLC (EZR), a Class III rail carrier that operates in Elizabethtown, Lancaster County, Pa.

Evans states that: (1) the railroads would not connect with each other or any other railroads in the EZR corporate family, (2) the proposed transaction is not part of a series of anticipated transactions that would connect the lines with each other or any other railroad in the EZR 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).

The earliest this transaction may be consummated is September 19, 2024, the effective date of the exemption (30 days after the verified notice was filed).

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.

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 to stay must be filed no later than September 12, 2024 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36796, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Evans' representative, John K. Fiorilla, Dyer & Peterson, PC, 605 Main Street, Suite 104, Riverton, NJ 08077-1440.

According to Evans, 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: August 20, 2024.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2024-19114 Filed 8-23-24; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2024-0217]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Air Taxi and Commercial Operator Airport Activity Survey

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on January 26, 2024. The collection involves requesting that small on-demand operators voluntarily provide the number of revenue passengers that boarded their aircraft at each airport annually. This information is used in determining an airport's category and eligibility for federal funding on an annual basis. It is not available through any other federal data source.

DATES: Written comments should be submitted by September 25, 2024.

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: Luis Loarte by email at Luis.Loarte@faa.gov; phone: 202-267-9622.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to

enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120-0067.

Title: Air Taxi and Commercial

Operator Airport Activity Survey.

Form Numbers: FAA Form 1800-31.

Type of Review: Clearance of a renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on January 31, 2024, under FRN document citation number 2024-0217. The data collected through this survey is the only source of data for charter and nonscheduled passenger data by Part 135 operator (air taxis). The data received on the form (either paper or signed electronic copy) is then incorporated into the Air Carrier Activity Information System which is used to determine whether an airport is eligible for Airport Improvement Program funds and for calculating primary airport sponsor apportionment as specified by title 49 United States Code (U.S.C.), section 47114. The data collected on the form includes passenger enplanements by carrier and by airport. Passengers traveling on air taxis would be overlooked entirely if this passenger survey were not conducted. As a result, many airports would not receive their fair share of funds since there is currently no other source for this type of charter activity. On average, approximately 70 operators respond each year, reporting a total 1 million passengers. This data is important to those airports that struggle to meet the 2,500 and 10,000 passenger levels and could not do so without the reporting of the charter passengers.

Respondents: A cover letter and instructions are sent through the United Parcel Service. The cover letter and instructions provide the carriers with the Airports External Portal (faa.gov) (AEP) site and the password for the voluntary Airport Activity Survey form. The cover letter and password for the Airport Activity Survey form is sent to approximately 100 small on-demand operators (certificated under Federal Aviation Regulation Part 135) that have reported activity in the last three years. The form is also available on the FAA website. We allowed electronic submittals of the voluntary survey beginning with calendar year 2020 data. Operators can electronically access the form, sign, and submit to the FAA. The Airports External Portal is used by airports in the National Plan of Integrated Airport Systems (NPIAS).

They can also view their final data through AEP once the process is complete.

Frequency: Annually.

Estimated Average Burden per

Response: 1.0 hours per respondent.

Estimated Total Annual Burden: On average, approximately 70 respondents submit an annual response. The cumulative total annual burden is estimated to be 70 hours.

Issued in Washington, DC, on August 20, 2024.

Luis Loarte,

Senior Airport Planner, Office of Airports/
Airport Planning and Environmental
Division.

[FR Doc. 2024–19015 Filed 8–23–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2024–0060]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway
Administration (FHWA), DOT.

ACTION: Notice and request for
comments.

SUMMARY: The FHWA has forwarded the information collection request described in this notice to the Office of Management and Budget (OMB) to approve a new information collection. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by September 25, 2024.

ADDRESSES: You may submit comments identified by DOT Docket ID Number 0060 by any of the following methods:

Website: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1–202–493–2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:
Patricia Sergeson, (202) 493–3166,

Office Corporate Research, Technology and Innovation Management, Federal Highway Administration, Department of Transportation, 6300 Georgetown Pike, McLean, VA 22101, Office hours are from 7 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: We published a **Federal Register** Notice with a 60-day public comment period on this information collection on June 21, 2024, at [89 FR 52202]. The comments and FHWA’s responses are below.

FHWA received a comment from WSDOT providing feedback on the timeline for nominations to be sent as well as the eligibility criteria. WSDOT requested that the award section criteria be changed requiring that a final report be posted by June 30th of the year submitted. We have changed these criteria to require a TPF study be in the objectives fulfilled status (as defined in the TPF Procedures Manual published on pooledfund.org) by July 30th of the year submitted.

WSDOT also noted a difference in language between the notice and FAQ. FHWA will ensure all materials are consistent in what areas will be recognized. The nomination period has been updated and will be open August through end of September each nomination year.

Title: Transportation Pool Fund (TPF) Excellence Award.

Background: FHWA is partnering with the American Association of State Highway and Transportation Officials (AASHTO) Research Advisory Committee (RAC) to further promote research, innovation, and excellence through a new TPF Program Excellence Award.

For more than 45 years, the FHWA’s TPF Program has enabled public and private entities to collaboratively conduct cutting-edge transportation research. Through the TPF Program, participants can pool funds and expertise to develop innovative solutions at a lower cost while extending the reach and impact of their research.

The TPF Excellence Award will recognize outstanding TPF studies that have made significant advancements in national research efforts in the areas of safety, economic strength, equity, climate and sustainability, transformation, and organizational excellence. The future award will highlight the importance of meaningful collaboration and partnership in transportation research. Administered through a partnership between FHWA and the AASHTO RAC, the biennial

TPF Excellence Award will recognize two TPF studies. Nominations would be received between August and end of September of the nomination year. Nomination forms would be sent to FHWA Division Offices and State DOTs to solicit nominees.

Award: Any participant in the TPF program can nominate a TPF study that is in the objectives fulfilled status (defined in the TPF Procedures Manual on pooledfund.org) by July 30th of the year submitted. The nominator is responsible for completing the nomination form that summarizes the outstanding accomplishments of the entry. FHWA will use the collected information to evaluate, showcase, and enhance the public’s knowledge of research and innovation conducted through these TPF projects. Nominations will be reviewed by an independent panel of judges from various backgrounds. The awards will be given every 2 yr. The winners will be presented awards at the completion of the process.

Respondents: Any participant in the Transportation Pooled Fund (TPF) program can submit a nomination of a TPF study for the TPF Excellence Award, including staff from the 50 States, the District of Columbia, Puerto Rico, and other global partners.

Frequency: The information will be collected biennially.

Estimated Average Burden per Response: The nomination email takes 2 minutes per respondent and the nomination form takes 5 hours per respondent per application to complete.

Estimated Total Annual Burden Hours: It is expected that the 550 respondents will complete an application for an estimated total of 267 annual burden hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA’s performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB’s clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: August 21, 2024.

Jazmyne Lewis,

Information Collection Officer.

[FR Doc. 2024–19123 Filed 8–23–24; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2023–0054; Notice 1]

Volkswagen Group of America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Volkswagen Group of America, Inc. (Volkswagen) has determined that certain model year (MY) 2014–2024 Volkswagen and Audi motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 118, *Power-Operated Window, Partition, and Roof Panel Systems*. Volkswagen filed a noncompliance report dated August 2, 2023, and subsequently petitioned NHTSA (the “Agency”) on August 24, 2023, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Volkswagen’s petition.

DATES: Send comments on or before September 25, 2024.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.

- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT’s complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Frederick Smith, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366–7487.

SUPPLEMENTARY INFORMATION:

I. Overview: Volkswagen determined that certain MY 2014–2024 Volkswagen and Audi motor vehicles do not fully comply with paragraphs S4(d) and S4(g) of FMVSS No. 118, *Power-Operated Window, Partition, and Roof Panel Systems* (49 CFR 571.118).

Volkswagen filed a noncompliance report dated August 2, 2023, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Volkswagen petitioned NHTSA on August 24, 2023, 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*.

This notice of receipt of Volkswagen’s petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 290,671 of the following Volkswagen and Audi motor vehicles, manufactured between June 10, 2014, and July 27, 2023, were reported by the manufacturer:

- MY 2022–2023 Volkswagen Golf R A8
- MY 2022–2023 Volkswagen Golf GTI
- 2015–2024 Audi S3 Sedan
- 2017–2024 Audi RS3 Sedan
- MY 2022–2023 Audi Q4 E-Tron SUV
- MY 2022–2023 Audi Q4 E-Tron Sportback
- MY 2019–2023 Audi Q3
- MY 2014 Audi A3 Sedan
- MY 2016–2018 Audi A3 E-Tron

III. Noncompliance: Volkswagen explains that the subject vehicles are equipped with a “convenience opening function,” allowing drivers to lower the windows and move the roof panel system (“sunroof”) to a tilted, or vented, position while the vehicle and engine are off by continuously pressing the unlock button on the remote actuation device (“key fob”). The primary use of this feature is to replenish the in-cabin air with fresh, cooler outside air on hot summer days. If the sunroof were open (in a non-tilted open position) prior to activation of the convenience opening function via the key fob, the sunroof would close before going into the vented position. The convenience opening function, which can cause the sunroof to close as described above, can be activated from distances that exceed those provided in paragraphs S4(d) and S4(g) of FMVSS No. 118. Further, Volkswagen states that the affected vehicles have a UNECE-compliant automatic reversal system (ARS) that does not meet the requirements for such systems set forth in S5 of the Standard.

IV. Rule Requirements: Paragraphs S4(d) and S4(g) of FMVSS No. 118 include requirements for remote operation of power operated windows, partitions, or roof panels except for those which comply with the requirements in paragraph S5 of the Standard. Paragraph S4(d) of FMVSS No. 118 specifies that power operated window, partition, or roof panel systems may be closed by continuously activating a remote actuation device, provided that the device cannot close

them from a distance greater than 6 meters from the vehicle. Paragraph S4(g) states that these systems can be closed by continuous activation of a remote actuation device, provided that the device cannot close them if the vehicle and the device are separated by an opaque surface and the device cannot close them from a distance greater than 11 meters from the vehicle. Paragraph S5 of FMVSS No. 118 provides that any window, partition or roof panel system that can be closed in any manner not specified in S4 must have an ARS meeting all the requirements of S5.

V. Summary of Volkswagen's Petition: The following views and arguments presented in this section, "V. Summary of Volkswagen's Petition," are the views and arguments provided by Volkswagen. They have not been evaluated by the Agency and do not reflect the views of the Agency. Volkswagen describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Volkswagen explains that paragraph S4 of FMVSS No. 118 specifies conditions under which the sunroof can close under supervision. Paragraphs S4(d) and S4(g) provide the requirements relevant to the subject noncompliance. These paragraphs allow the closure of the sunroof by continuous activation of the key fob either within 6 meters of the vehicle or within 11 meters if the key fob and vehicle are separated by an opaque surface.

However, Volkswagen says that its closure mechanism does not fit within the parameters specified in paragraph S4 of FMVSS No. 118 or paragraph S5 which allows unsupervised closures of sunroofs equipped with an Automatic Reversal System (ARS) complying with the specific requirements of that section. Paragraph S5 of FMVSS No. 118 provides that the ARS must stop and reverse the sunroof's direction (1) before contacting a test rod or, (2) before exerting a squeezing force of 100 Newtons on a semi-rigid test rod. The cylindrical test rods range in size from 4 mm to 200 mm and have deflection ratios of not less than 65 N/mm for rods less than 25 mm and not less than 20 N/mm for rods larger than 25 mm in diameter.

Volkswagen explains that the convenience opening feature leading to the subject noncompliance in the affected vehicles requires the driver to continuously and deliberately press the unlock button on the key fob to move the sunroof to a vented position. Volkswagen notes that if the operator releases the unlock button, the windows and sunroof stop moving. Volkswagen

further explains that due to the absence of active feedback to the driver, such as on the key fob, regarding the sunroof's operation status, Volkswagen expects that drivers will only use this feature while the vehicle is in sight to confirm the completion of the desired action. Therefore, Volkswagen believes that there is little to no risk of accidental operation of the convenience opening feature. According to Volkswagen, if the driver left the vehicle with an occupant inside and then attempted to use the convenience opening feature, they could release the unlock button if they noticed any risk of injury to the occupants. If the driver did not release the unlock button, and the sunroof continued closing, the subject vehicle's ECE R21 compliant ARS is designed to mitigate the risk of injury to vehicle occupants.

Volkswagen states that, in addition to the continuous activation required by the driver, the sunroof must be in the "slid open" position for the subject noncompliance to occur. However, in this scenario, Volkswagen believes that the driver would not use the convenience feature to refresh the in-cabin air, as this would have already been achieved if the driver left the vehicle with the sunroof open. If the driver closed the sunroof before turning off and exiting the vehicle, then the subject noncompliance would not occur because this feature would only move the sunroof to the vented position. Volkswagen believes that the driver would only be motivated to use this feature to refresh the in-cabin air on hot days. Further, Volkswagen notes that the opposite feature does not exist, meaning that the driver cannot close the sunroof by continuously pressing the lock button on the key fob. According to Volkswagen, this design prevents the driver from mistakenly using the sunroof opening feature to close the sunroof to protect the interior of the vehicle. Attempting to do so would also open the windows, while moving the sunroof to a vented position, which contradicts the intended purpose of refreshing the in-cabin air on hot days. Therefore, Volkswagen asserts that the driver is incentivized to use this feature only when the sunroof is already closed. Therefore, Volkswagen maintains that, when the sunroof is closed prior to activation of the convenience opening function, this feature fully complies with FMVSS No. 118, as it only allows the sunroof to open to the vented position.

Volkswagen says that the affected vehicles are equipped with an ECE R21 compliant ARS, a safety system that has been effective in millions of vehicles worldwide. Additionally, Volkswagen

cites NHTSA's acknowledgment of the safety effectiveness of all ARS, including those that do not explicitly comply with safety regulations. (74 FR 45143).

Volkswagen further explains that the subject noncompliance only affects the sunroof and not the power operated windows, thereby reducing the risk of entrapment and injury. Volkswagen asserts that NHTSA, in granting a petition for a decision of inconsequential noncompliance, clarified that the greater risk of injury lies with the power windows, not the sunroof. (73 FR 22549).

Volkswagen notes that NHTSA has granted prior petitions for inconsequential noncompliance involving FMVSS No. 118 noncompliances. Volkswagen cites NHTSA's granting of a petition by General Motors (73 FR 22549) as an example. In that case, the sunroof was operational after the vehicle was turned off. Volkswagen says NHTSA concluded that the noncompliance was inconsequential to motor vehicle safety because the sequence was unlikely to occur, the condition did not affect the power windows, releasing the button stopped the sunroof closure, and General Motors reported no injuries. Volkswagen argues that the same conditions apply in this case.

Volkswagen concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that Volkswagen no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Volkswagen notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2024–19017 Filed 8–23–24; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2021–0090; Notice 1]

Polaris Industries Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Polaris Industries Inc. (Polaris) and Indian Motorcycle Company have determined that windscreens installed on certain model year (MY) 2015–2021 Slingshot three-wheeled motorcycles and MY 2019–2022 Indian motorcycles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials* and ANSI/SAE Z26.1–1996. On September 29, 2021, Polaris and Indian Motorcycle Company each filed a noncompliance report. Polaris subsequently amended its noncompliance report on October 27, 2021, and on August 23, 2022. On October 29, 2021, Polaris (the parent company of Indian Motorcycle) petitioned NHTSA, on behalf of both companies, regarding the two noncompliance reports for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Polaris' two petitions.

DATES: Send comments on or before September 25, 2024.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- **Mail:** Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- **Hand Delivery:** Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M–

30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.

- **Electronically:** Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov/> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Jack Chern, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366–0661.

SUPPLEMENTARY INFORMATION:

I. Overview: Polaris and Indian Motorcycle Company determined that certain MY 2015–2021 Slingshot three-wheeled motorcycles and MY 2019–

2022 Indian Motorcycles do not fully comply with paragraph S6 of FMVSS No. 205, *Glazing Materials* (49 CFR 571.205).

Polaris and Indian Motorcycle Company filed original noncompliance reports dated September 29, 2021, and Polaris amended its report on October 27, 2021, and August 23, 2022, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Polaris petitioned NHTSA on October 29, 2021, 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*.

This notice of receipt of Polaris' petitions is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 5,377 windscreens of the following Polaris Slingshot three-wheeled motorcycles manufactured between December 15, 2014, and September 25, 2021, and approximately 9,057 after-market/accessory windscreens are potentially involved:

- MY 2015 Slingshot SL
- MY 2019 SLG SLR Icon
- MY 2020 Slingshot GT
- MY 2020 Slingshot R
- MY 2020 Slingshot SL
- MY 2021 Slingshot

Approximately 14,189 windscreens of the following Indian Motorcycles manufactured between April 2, 2018, and September 28, 2021, and approximately 5,223 after-market/accessory windscreens are potentially involved:

- MY 2019–2022 Indian
- MY 2019 Chieftain Limited
- MY 2019 Chieftain Ltd Icon
- MY 2019 Chieftain
- MY 2019 Chieftain Dark Horse
- MY 2019 Chieftain Classic Icon
- MY 2019 Chieftain Classic
- MY 2020 Chieftain Elite
- MY 2020 Jack Daniel's Springfield
- MY 2020 Chieftain Limited
- MY 2020 Challenger Dark Horse
- MY 2019–2022 Chieftain
- MY 2020 Springfield
- MY 2020–2021 Roadmaster
- MY 2020–2022 Challenger

III. Noncompliance: Polaris explains that the windscreens installed on the subject motorcycles do not fully comply with certain marking requirements specified by FMVSS No. 205.

Specifically, the Polaris Slingshot windscreens were mismarked as follows:

- Windscreens having part number 5452393 were missing the “A” in the “AS6” marking.
- Windscreens having part numbers 5452394, 5452871, 5452870, 5452881 omitted all of the markings required by FMVSS No. 205.
- Windscreens having part number 5453490 were incorrectly marked AS6 when the correct marking is AS7.
- Windscreens having part number 5455970 were incorrectly marked AS6 when the correct marking is AS7; in addition, the glazing was incorrectly marked with a manufacturer model number “TUFFAK FC” when the correct marking is “TUFFAK AR2 135.”

The Indian Motorcycle windscreens were mismarked as follows:

- Windscreens having part numbers 2883069, 5452252, 5451353–02, 5455335, 5455336, and 5455337 were incorrectly marked AS7 when the correct marking is AS6.

IV. Rule Requirements: Section 6 of FMVSS No. 205 includes the requirements relevant to this petition. In addition, each prime glazing material manufacturer must mark the glazing materials it manufactures in accordance with Section 7 of ANSI Z26.1–1996, which requires, among other things, windscreens to meet light transmissibility requirements and have AS markings with the American National Standard.

V. Summary of Polaris’ Petitions: The following views and arguments presented in this section, “V. Summary of Polaris’ Petitions,” are the views and arguments provided by Polaris. They have not been evaluated by the Agency and do not reflect the views of the Agency. Polaris describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Polaris says that although the subject windscreens do not fully comply with the marking requirements of FMVSS No. 205, they meet the performance requirements specified in FMVSS No. 205 and ANSI Z26.1–1996, and there is no safety performance implication associated with this technical noncompliance.

Polaris explains that the primary causes of the noncompliance were errors made by Polaris’ windscreen suppliers combined with insufficient oversight by Polaris. Polaris’ supplier quality team is actively working with its windscreen suppliers to incorporate corrective actions in their control plan going forward to prevent reoccurrence. In addition, new processes are being

implemented at Polaris to more clearly define the windscreen markings during the design phase and the pre-production validation phase.

Polaris says that the subject windscreens fulfill the purpose of the requirement as stated in FMVSS No. 205 because the incorrect markings do not prevent the windscreen from meeting “all of the applicable performance requirements set forth in FMVSS No. 205.” Furthermore, Polaris says that the markings affected by the subject noncompliance “are not referred to by dealers or consumers and have no impact on where each windscreen can be installed.”

With one exception noted below, Polaris states that the subject windscreens “are classified as wind deflectors and are at heights not requisite for driver visibility. These windscreens meet the applicable test requirements for AS7 windscreens according to ANSI Z26.1–1996. Only part number 5452871 is at a height requisite for driver visibility, and it is a clear windscreen that meets all AS6 test requirements.”

Polaris states that it “is not aware of any crashes, injuries, or consumer complaints associated with the incorrect markings.”

Polaris cited the following decisions for inconsequentiality that NHTSA has previously granted that Polaris believes are similar to the subject noncompliance:

- FCA US, LLC and AGC Glass Company North America, 85 FR 39673, (July 1, 2020);
- Supreme Corporation, 81 FR 72850, (October 21, 2016);
- Mitsubishi Motors North America, Inc., 80 FR 72482 (November 19, 2015);
- Ford Motor Company, 80 FR 11259 (March 2, 2015);
- Custom Glass Solutions Upper Sandusky Corp., 80 FR 3737 (January 23, 2015);
- General Motors, LLC, 79 FR 23402 (April 28, 2014);
- Fiji Heavy Industries U.S.A. Inc., 78 FR 59088 (September 25, 2013);
- Ford Motor Company, 78 FR 32531 (May 30, 2013);
- Pilkington North America, Inc., 78 FR 22942 (April 17, 2013);
- Pilkington Glass of Canada LTD., 71 FR 39141 (July 11, 2006);
- General Motors, 70 FR 49973 (August 25, 2005);
- Freightliner LLC, 68 FR 65991 (November 24, 2003);
- Toyota Motors North America Inc., 68 FR 10307 (March 4, 2003);
- Guardian Ind. Corp., 67 FR 65185 (October 23, 2002);
- Ford Motor Company, 64 FR 70115 (December 15, 1999);

- Western Star Trucks Inc., 63 FR 66232 (December 1, 1998).

Polaris concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that Polaris no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Polaris notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2024–19018 Filed 8–23–24; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–2020; Notice 1]

Goodyear Tire & Rubber Company, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Goodyear Tire & Rubber Company (Goodyear) has determined that certain Goodyear 265/70R17 116T XL Wrangler Duratrak RT passenger tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. Goodyear filed a noncompliance report dated April 2,

2024, and subsequently petitioned NHTSA (the “Agency”) on April 2, 2024, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Goodyear’s petition.

DATES: Send comments on or before September 25, 2024.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.

- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to https://www.regulations.gov, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register**

pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT’s complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Jayton Lindley, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (325) 655–0547.

SUPPLEMENTARY INFORMATION:

I. Overview: Goodyear determined that certain Goodyear Wrangler Duratrac RT tires do not fully comply with paragraph S5.5 of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139).

Goodyear filed a noncompliance report dated April 2, 2024, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Goodyear petitioned NHTSA on April 2, 2024, 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*.

This notice of receipt of Goodyear’s petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Tires Involved: Approximately 3,758 Goodyear Wrangler Duratrac RT passenger tires, manufactured between July 16, 2023, and September 23, 2023, were reported by the manufacturer.

III. Rule Requirements: Paragraph S5.5(f) of FMVSS No. 139 includes the requirements relevant to this petition. Each tire must have one sidewall marked with the generic name of each cord material used in the plies (both sidewall and tread area) and indicate the actual number of plies in the sidewall, as well as the actual number of plies in the tread area.

IV. Noncompliance: Goodyear explains that the noncompliance is due to a mold error and that as a result, the number of tread plies indicated on the sidewall of the subject tires does not

match the actual number of plies in the tire construction as required by paragraph S5.5(f) of FMVSS No. 139. Specifically, the subject tires were manufactured with 2-ply polyamide cords in the tread area but were incorrectly marked to indicate a 1-ply polyamide cord in the tread area.

V. Summary of Goodyear’s Petition: The following views and arguments presented in this section, “V. Summary of Goodyear’s Petition,” are the views and arguments provided by Goodyear; they have not been evaluated by the Agency and do not reflect the views of the Agency. Goodyear describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Goodyear contends that the subject noncompliance is inconsequential to motor vehicle safety because the tires were manufactured according to design and meet or exceed all applicable FMVSS performance standards. The sidewall markings for tire service, including load capacity and inflation pressure are accurate. Goodyear maintains that the labeling error does not impact safety, tire usage, or the repair and recycling industries. Further, Goodyear states that the affected tire mold has been corrected in production and future tires will correctly indicate the number of plies shown on the sidewalls.

Goodyear argues that NHTSA has previously granted petitions for similar noncompliances concerning tire construction information, based on surveys indicating that most consumers do not use tire construction information from the sidewall when making purchasing tires.

Goodyear concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that Goodyear no longer controlled at the time it determined that the noncompliance existed. However,

any decision on this petition does not relieve tire distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Goodyear notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2024–19019 Filed 8–23–24; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.
ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the name of one person that has been placed on OFAC's Non-SDN Menu-Based Sanctions List (NS–MBS List) based on OFAC's determination that one or more applicable legal criteria were satisfied.

DATES: This action takes effect on the date listed in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

OFAC: Associate Director for Global Targeting, tel: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or Assistant Director for Compliance, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The NS–MBS List and additional information concerning OFAC sanctions programs are available on OFAC's website (<https://ofac.treasury.gov>).

Notice of OFAC Actions

On August 20, 2024, OFAC determined that the individual identified below meets one or more of the criteria for the imposition of sanctions set forth in section 1(a)–(c) of Executive Order 14059 of December 15, 2021, “Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,” 86 FR 71549 (December 17, 2021) (E.O. 14059). Therefore, OFAC selected one or more of the sanctions set forth in section 2(a)(i)–(vi) of E.O. 14059

to impose on the individual identified below.

Individual

1. MARTELLY, Michel Joseph (a.k.a. MARTELLY, Michael; a.k.a. “Sweet Micky”), Miami, FL, United States; Petionville, Ouest, Haiti; Port-au-Prince, Ouest, Haiti; Dominican Republic; DOB 12 Feb 1961; POB Port-au-Prince, Haiti; nationality Haiti; Gender Male; Executive Order 14059 information: Prohibition on any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which this target has any interest; alt. Executive Order 14059 information: Prohibition on any United States financial institution from making loans or providing credit to this target; alt. Executive Order 14059 information: Prohibition on any United States person from investing in or purchasing significant amounts of equity or debt instruments of this target; Driver's License No. M634550610520 (United States); National ID No. 0032768386 (Haiti) (individual) [ILLICIT–DRUGS–EO14059].

Determined to meet the criteria for imposition of sanctions pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

The following sanctions were imposed pursuant to section 2(a)(i)–(vi) of E.O. 14059: (iii) prohibition on any United States financial institution from making loans or providing credit to the sanctioned person; (iv) prohibition on any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest; and (v) prohibition on any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person.

Dated: August 20, 2024.

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2024–19065 Filed 8–23–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Extension of Information Collection Request Submitted for Public Comment; Comment Request for Third-Party Disclosure Requirements

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 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 the burden related to third-party disclosure requirements.

DATES: Written comments should be received on or before October 25, 2024 to be assured of consideration.

ADDRESSES: Direct all written comments to Andrés Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to pra.comments@irs.gov. Please include, “OMB Number: 1545–1466—Public Comment Request Notice” in the Subject line.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the form and instructions should be directed to Ronald J. Durbala, at (202) 317–5746, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at RJoseph.Durbala@irs.gov.

SUPPLEMENTARY INFORMATION: Title: Third-Party Disclosure Requirements.

OMB Number: 1545–1466.

Abstract: Taxpayers must obtain third-party certification or documentation to avail themselves of certain credits, deductions or other benefits permitted by the Internal Revenue Code. Taxpayers will use these documents or information to support claims for certain credits, deductions, or tax benefits on their returns. The Internal Revenue Service may review these documents or information during any examination of taxpayers' returns to verify the taxpayers' entitlement to the claimed credits, deductions, or tax benefits. This submission contains third-party disclosure regulations subject to the Paperwork Reduction Act of 1995.

Current Actions: There are no changes being made to this collection at this time. However, updates in the burden estimates will result in a burden increase of 297,453 hours.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations, and not-for-profit institutions.

Estimated Number of Responses: 130,723,849.

Estimated Average Time per Respondent: 16 min.

Estimated Total Annual Burden Hours: 34,228,870.

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.

Desired Focus of Comments: The Internal Revenue Service (IRS) is

particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including using

appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, by permitting electronic submissions of responses.

Comments submitted in response to this notice will be summarized and/or included in the ICR for OMB approval of the extension of the information collection; they will also become a matter of public record.

Approved: August 21, 2024.

Ronald J. Durbala,

IRS Tax Analyst.

[FR Doc. 2024-19112 Filed 8-23-24; 8:45 am]

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Part II

Department of the Interior

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Final 2024–25 Frameworks for Migratory Bird
Hunting Regulations; Final Rule

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 20**

[Docket No. FWS-HQ-MB-2023-0113;
FXMB1231099BPP0-245-FF09M32000

RIN 1018-BG63

**Migratory Bird Hunting; Final 2024–25
Frameworks for Migratory Bird Hunting
Regulations**

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service or we) is establishing the final frameworks from which States may select season dates, limits, and other options for the 2024–25 migratory game bird hunting season. We annually prescribe outside limits (which we call frameworks) within which States may select hunting seasons. Frameworks specify the outside dates, season lengths, shooting hours, bag and possession limits, and areas where migratory game bird hunting may occur. These frameworks are necessary to allow State selections of seasons and limits and to allow harvest at levels compatible with migratory game bird population status and habitat conditions. Migratory game bird hunting seasons provide opportunities for recreation and sustenance, and aid Federal, State, and Tribal governments in the management of migratory game birds.

DATES: This rule takes effect on August 26, 2024.

ADDRESSES: States should send their season selections to: Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, MS: MB, 5275 Leesburg Pike, Falls Church, VA 22041–3803. You may inspect comments received on the migratory bird hunting regulations at <https://www.regulations.gov> at Docket No. FWS-HQ-MB-2023-0113. You may obtain copies of referenced reports from the street address above, or from the Division of Migratory Bird Management's website at <http://www.fws.gov/migratorybirds/>, or at <https://www.regulations.gov> at Docket No. FWS-HQ-MB-2023-0113.

FOR FURTHER INFORMATION CONTACT: Jerome Ford, U.S. Fish and Wildlife Service, Department of the Interior, (703) 358–2606. 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. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

**Process for Establishing Annual
Migratory Game Bird Hunting
Regulations**

The process for promulgating annual regulations for the hunting of migratory game birds involves the publication of a series of proposed and final rulemaking documents. We provided a detailed overview of the current process in the August 3, 2017, **Federal Register** (82 FR 36308). This final rule is the third in a series of proposed and final rules that establish regulations for the 2024–25 migratory game bird hunting season in title 50 of the Code of Federal Regulations (CFR).

On February 8, 2024, we published in the **Federal Register** (89 FR 8631) a proposal to amend 50 CFR part 20. The proposal provided a background and overview of the migratory bird hunting regulations process, and addressed the establishment of seasons, limits, and other regulations for hunting migratory game birds under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K. Major steps in the regulations development process for the 2024–25 hunting season relating to open public meetings and **Federal Register** notifications were illustrated in the diagram at the end of the February 8, 2024, proposed rule.

Further, in the February 8, 2024, proposed rule we explained that sections of subsequent documents outlining hunting frameworks and guidelines would be organized under numbered headings, which were set forth in that proposed rule (see 89 FR 8631). This document refers only to numbered items requiring attention and omits those items not requiring attention. Therefore, the numbered items are discontinuous, and the list appears incomplete.

We provided the meeting dates and locations for the Service Regulations Committee (SRC) on our website at <https://www.fws.gov/event/us-fish-and-wildlife-service-migratory-bird-regulations-committee-meeting> and Flyway Council meetings on Flyway calendars posted on our website at <https://www.fws.gov/partner/migratory-bird-program-administrative-flyways>. The February 8, 2024, proposed rule provided detailed information on the proposed 2024–25 regulatory schedule. The SRC conducted an open meeting with the Flyway Council Consultants on

May 31, 2023, to discuss preliminary issues for the 2024–25 regulations, and on October 10, 2023, to review information on the current status of migratory game birds and develop recommendations for the 2024–25 regulations for these species.

On May 13, 2024, we published in the **Federal Register** (89 FR 41522) the proposed regulatory frameworks for the 2024–25 migratory game bird hunting season. We have considered all pertinent comments received, which includes comments submitted in response to our February 8 and May 13 proposed rulemaking documents and comments from the May and October SRC meetings. This document establishes final regulatory frameworks for the 2024–25 migratory game bird hunting season and includes no substantive changes from the May 13, 2024, proposed rule. In this final rule, as a reader aid, we present a table of contents and apply outline formatting to the final frameworks; this was our approach in last year's 2023–24 final frameworks rule (88 FR 54830; August 11, 2023) and is a nonsubstantive change. We will publish State season selections in the **Federal Register** as amendments to §§ 20.101 through 20.107 and 20.109 of title 50 CFR part 20.

Population Status and Harvest

Each year, we publish reports that provide detailed information on the status and harvest of certain migratory game bird species. These reports are available at the address indicated under **FOR FURTHER INFORMATION CONTACT** or from our website at <https://www.fws.gov/library/collections/population-status>, <https://www.fws.gov/library/collections/migratory-bird-hunting-activity-and-harvest-reports>, and <https://www.fws.gov/project/adaptive-harvest-management>.

We used the following annual reports published in August 2023 in the development of these regulatory frameworks for the migratory bird hunting season:

- Adaptive Harvest Management, 2024 Hunting Season;
- American Woodcock Population Status, 2023;
- Band-tailed Pigeon Population Status, 2023;
- Migratory Bird Hunting Activity and Harvest During the 2020–21, 2021–22 and 2022–23 Hunting Seasons;
- Mourning Dove Population Status, 2023;
- Status and Harvests of Sandhill Cranes, Mid-continent, Rocky Mountain, Lower Colorado River Valley and Eastern Populations, 2023; and

- Waterfowl Population Status, 2023.

Our long-term objectives continue to include providing opportunities to harvest portions of certain migratory game bird populations and to limit harvests to levels compatible with each population's ability to maintain healthy, viable numbers. Migratory game bird hunting seasons provide opportunities for recreation and sustenance, and aid Federal, State, and Tribal governments in the management of migratory game birds. Having taken into account the zones of temperature and the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory birds, we conclude that the final hunting seasons provided for herein are compatible with the current status of migratory bird populations and long-term population goals. Additionally, we are obligated to, and do, give serious consideration to all information received during the public comment period.

Review of Public Comments and Flyway Council Recommendations

The preliminary proposed rulemaking, which appeared in the February 8, 2024, **Federal Register**, opened the public comment period for migratory game bird hunting regulations and described the proposed regulatory alternatives for the 2024–25 duck hunting season. Comments and recommendations were summarized and numbered in the order set forth in the February 8, 2024, preliminary proposed rule (see 89 FR 8631) and published in the May 13, 2024, proposed rule (see 89 FR 41522). The public comments received from the May 13, 2024, proposed rule are summarized with Service responses below.

We received recommendations from all four Flyway Councils at the May and October SRC meetings; all recommendations are from the October meeting unless otherwise noted. Some recommendations supported continuation of last year's frameworks. Due to the comprehensive nature of the annual review of the frameworks performed by the Councils, support for continuation of last year's frameworks is assumed for items for which no recommendations were received. Council recommendations for changes in the frameworks are summarized below. As explained earlier in this document, we have included only the numbered items pertaining to issues for which we received recommendations. Consequently, the issues do not follow in successive numerical order.

General

Written Comment: Several commenters protested the entire migratory bird hunting regulations process and the killing of all migratory birds and questioned the status and habitat data on which the migratory bird hunting regulations are based.

Service Response: As we indicated above under Population Status and Harvest, our long-term objectives continue to include providing opportunities to harvest portions of certain migratory game bird populations and to limit harvests to levels compatible with each population's ability to maintain healthy, viable numbers. Sustaining migratory bird populations and ensuring a variety of sustainable uses, including harvest, is consistent with the guiding principles by which migratory birds are to be managed under the conventions between the United States and several foreign nations for the protection and management of these birds. We have taken into account available information and considered public comments and continue to conclude that the hunting seasons provided for herein are compatible with the current status of migratory bird populations and long-term population goals. In regard to the regulations process, the Flyway Council system of migratory bird management has been a longstanding example of State–Federal cooperative management since its establishment in 1952 in the regulation development process and bird population and habitat monitoring. However, as always, we continue to seek new ways to streamline and improve the process and ensure adequate conservation of the resource.

Written Comment: One commenter expressed their support for adaptive harvest management (AHM) and the collaborative Flyway Council system process and stated that after reviewing the proposed rules and the supporting documents, they believe that the Service has conducted a thorough analysis of the current status of migratory bird populations and has recommended suitable hunting regulations for the 2024–25 hunting season.

Service Response: We appreciate this commenter's support.

Written Comment: One commenter expressed that they do not agree with the Service's proposals because giving any State the power to select the season dates, limits, etc., as well as when people can hunt birds or wildlife in general, will give States too much power and make it harder to get accurate information. This raises, for example, questions about who will conduct the

basic checks and balances needed to ensure the State is not providing the wrong statistics or making an animal go extinct or become rare.

Service Response: As indicated in earlier proposed rules for the 2024–25 hunting season, we establish the Federal limits from which States may select season dates, limits, and other options for the 2024–25 migratory game bird hunting season. These limits are determined annually based on numerous dedicated monitoring programs on migratory game bird population status and habitat conditions. The limits are determined to be appropriate based on our legal mandates and objectives for migratory bird population sustainability and providing hunting opportunities. Our long-term objectives continue to include providing opportunities to harvest portions of certain migratory game bird populations and to limit harvests to levels compatible with each population's ability to maintain healthy, viable numbers. We have taken into account available information and considered public comments, and we continue to conclude that the maximum limits for hunting seasons provided for herein are compatible with the current status of migratory bird populations and long-term population goals, and in agreement with our long-standing cooperative and productive relationships with the flyways and the States. Federal limits, regardless of State season selection within these limits, are necessary to allow hunting opportunities and harvest at levels compatible with migratory game bird population status and habitat conditions.

Written Comment: One commenter questioned why the Service concurred with the Mississippi and Central Flyway Council recommendation for the liberal regulatory alternative for the 2024–25 duck hunting season in the Mississippi and Central Flyways given the commenter's concerns about declining mallard populations and duck harvest estimates.

Service Response: The optimal regulatory alternative for the Mississippi and Central Flyway duck hunting season is based on the status and demographics of mid-continent mallards and habitat conditions (pond numbers in Prairie Canada and the United States).

We detailed an AHM protocol for mid-continent mallards in the July 24, 2008, **Federal Register** (73 FR 43290), which was developed cooperatively with the Mississippi and Central Flyway Councils. The objectives of the protocol are to ensure the long-term health and

sustainability of the mid-continent mallard population as required by the Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703–712) and to provide hunting opportunities for the American public. The protocol accounts for variable habitat conditions (*i.e.*, precipitation, pond abundance) and population dynamics over the long term and uses the most current monitoring data to update our understanding of mallard demographics and the effects of harvest on the population.

We learn and apply any new information annually by comparing model predictions with observations obtained through long-term monitoring programs (*e.g.*, Waterfowl Breeding Population and Habitat Survey) and by using the resulting information to update model parameters. The updated model parameters are then used to determine optimal harvest levels and inform subsequent regulatory decisions.

Through this process, managers have gained increased understanding of the effects of harvest on the mid-continent mallard population and sustainable levels of harvest. Implementation of AHM since 1995 indicates mallard populations can support harvest levels not anticipated prior to the implementation of AHM. The optimal choice for the 2024 duck hunting season in the Mississippi and Central Flyways is the liberal regulatory alternative based on a liberal regulatory alternative selected for the 2023 hunting season, an observed breeding population size of 6.22 million mid-continent mallards, and 4.98 million total ponds observed in Prairie Canada and the United States.

The Service continues to work with the four Flyway Councils to cooperatively develop harvest strategies that provide harvest opportunity while ensuring sustainable populations of hunted migratory birds.

Written Comment: We received a comment from the Leech Lake Band of Ojibwe, Division of Resource Management (Band), in Minnesota regarding wild rice harvesting and early teal hunting that expressed similar concerns to their earlier comment we addressed in the May 13, 2024, proposed rule (see 89 FR 41522 at 41524).

Service Response: In our response to this comment in our May 13, 2024, proposed rule (see 89 FR 41522 at 41524), we state explicitly how we are supportive of the development of an agreement to address many of the issues pointed out by the Band, but that it falls outside the scope of this rulemaking. It is more appropriate for us to address the Band's request of no hunting within one-half mile of an active wild rice bed

identified by the Band in the season selections final rule of this rulemaking series; we will address this concern therein as warranted. As they did last year, the Minnesota DNR has agreed to adopt this buffer rule. The exact language in our upcoming season selections final rule will reflect Minnesota DNR's agreed-upon buffer rule at the time of publication. We believe that no teal hunting within the one-half mile buffer of designated active wild rice beds will prevent possible damage to wild rice beds identified by the Band as well as address safety concerns with rice harvest during the 5-day early teal hunting season on the Leech Lake Reservation.

1. Ducks

A. General Harvest Strategy

Council Recommendations: The Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended adoption of the liberal regulatory alternative for their respective flyways.

Service Response: As we stated in the February 8, 2024, proposed rule, we intend to continue use of AHM to help determine appropriate duck-hunting regulations for the 2024–25 season. AHM is a tool that permits sound resource decisions in the face of uncertain regulatory impacts and provides a mechanism for reducing that uncertainty over time. We use an AHM protocol (decision framework) to evaluate four regulatory alternatives, each with a different expected harvest level, and choose the optimal regulation for duck hunting for the Mississippi, Central, and Pacific Flyways based on the status and demographics of mallards and in the Atlantic Flyway based on the status and demographics of a suite of four species (eastern waterfowl) (see below, and the earlier referenced report “Adaptive Harvest Management, 2024 Hunting Season” for more details). We have specific AHM protocols that guide appropriate bag limits and season lengths for species of special concern, including black ducks, scaup, pintails, and eastern mallards. These protocols have species-specific regulatory alternatives.

For the 2024–25 hunting season, we will continue to use independent optimizations to determine the appropriate regulatory alternative for mallard stocks in the Mississippi, Central, and Pacific Flyways and for eastern waterfowl in the Atlantic Flyway. This means that we will develop regulations for mid-continent mallards, western mallards, and eastern waterfowl independently based on the breeding stock(s) that contribute

primarily to each Flyway. We detailed implementation of AHM protocols for mid-continent and western mallards in the July 24, 2008, **Federal Register** (73 FR 43290), and for eastern waterfowl in the September 21, 2018, **Federal Register** (83 FR 47868).

Atlantic Flyway

For the Atlantic Flyway, we set duck-hunting regulations based on the status and demographics of a suite of four duck species (eastern waterfowl) in eastern Canada and the Atlantic Flyway States: green-winged teal, common goldeneye, ring-necked duck, and wood duck. For purposes of the assessment, eastern waterfowl stocks are those breeding in eastern Canada and Maine (Federal Waterfowl Breeding Population and Habitat Survey (WBPHS) fixed-wing surveys in strata 51–53, 56, and 62–70, and helicopter plot surveys in strata 51–52, 63–64, 66–68, and 70–72) and in Atlantic Flyway States from New Hampshire south to Virginia (Atlantic Flyway Breeding Waterfowl Survey, AFBWS). Abundance estimates for green-winged teal, ring-necked ducks, and goldeneyes are derived annually by integrating fixed-wing and helicopter survey data from eastern Canada and Maine (WBPHS strata 51–53, 56, and 62–72). Counts of green-winged teal, ring-necked ducks, and goldeneyes in the AFBWS are negligible and therefore excluded from population estimates for those species. Abundance estimates for wood ducks in the Atlantic Flyway (Maine south to Florida) are estimated by integrating data from the AFBWS and the North American Breeding Bird Survey. Counts of wood ducks from the WBPHS are negligible and therefore excluded from population estimates.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for eastern waterfowl using: (1) A management objective of 98 percent of maximum long-term sustainable harvest for eastern waterfowl; (2) the 2024–25 regulatory alternatives; and (3) current stock-specific population models and associated weights. Based on the liberal regulatory alternative selected for the 2023–24 duck hunting season and the 2023 survey estimates of 0.97 million wood ducks, 0.39 million American green-winged teal, 0.66 million ring-necked ducks, and 0.85 million goldeneyes in the eastern survey area and Atlantic Flyway, the optimal regulation for the Atlantic Flyway is the liberal alternative. Therefore, we concur with the recommendation of the Atlantic Flyway Council regarding selection of the liberal regulatory alternative as described in the February

8, 2024, proposed rule for the 2024–25 season (89 FR 8631).

Mississippi and Central Flyways

For the Mississippi and Central Flyways, we set duck-hunting regulations based on the status and demographics of mid-continent mallards and habitat conditions (pond numbers in Prairie Canada and the United States). For purposes of the assessment, mid-continent mallards are those breeding in central North America (Federal WBPBS strata 13–18, 20–50, and 75–77) and in Michigan, Minnesota, and Wisconsin (State surveys).

For the 2024–25 hunting season, we evaluated alternative harvest regulations for mid-continent mallards using: (1) A management objective of maximum long-term sustainable harvest; (2) the 2024–25 regulatory alternatives; and (3) the current population model. Based on a liberal regulatory alternative selected for the 2023–24 hunting season and the 2023 survey estimates of 6.22 million mid-continent mallards and 4.98 million total ponds observed in Prairie Canada and the United States, the optimal choice for the 2024–25 hunting season in the Mississippi and Central Flyways is the liberal regulatory alternative. Therefore, we concur with the recommendations of the Mississippi and Central Flyway Councils regarding selection of the liberal regulatory alternative as described in the February 8, 2024, proposed rule for the 2024–25 season (89 FR 8631).

Pacific Flyway

For the Pacific Flyway, we set duck-hunting regulations based on the status and demographics of western mallards. For purposes of the assessment, western mallards consist of two substocks and are those breeding in Alaska and Yukon Territory (Federal WBPBS strata 1–12) and those breeding in the southern Pacific Flyway including California, Oregon, Washington, and British Columbia (State and Provincial surveys) combined.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for western mallards using: (1) A management objective of maximum long-term sustainable harvest; (2) the 2024–25 regulatory alternatives; and (3) the current population model. Based on a liberal regulatory alternative selected for the 2023–24 hunting season and 2023 survey estimates of 0.82 million western mallards observed in Alaska (0.38 million) and the southern Pacific Flyway (0.44 million), the optimal regulation for the Pacific Flyway is the liberal regulatory alternative. Therefore, we concur with the recommendation of

the Pacific Flyway Council regarding selection of the liberal regulatory alternative as described in the February 8, 2024, proposed rule for the 2024–25 season (89 FR 8631).

B. Regulatory Alternatives

Council Recommendations: At the May 2023 SRC meeting, the Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended that AHM regulatory alternatives for duck hunting during the 2024–25 season remain the same as those used in the previous season.

Service Response: Consistent with Flyway Council recommendations, the AHM regulatory alternatives proposed for the Atlantic, Mississippi, Central, and Pacific Flyways in the February 8, 2024, proposed rule (89 FR 8631) will be used for the 2024–25 duck hunting season (see accompanying table at the end of that document for specific information). The AHM regulatory alternatives consist only of the maximum season lengths, framework dates, and bag limits for total ducks and mallards. For those species with specific harvest strategies (pintails, black ducks, scaup, and eastern mallards), each with their own set of regulatory alternatives, the species-specific strategies and regulatory alternatives will be used for the 2024–25 hunting season.

D. Special Seasons/Species Management

i. Early Teal Seasons

The special early teal season guidelines (see 79 FR 51402 at 51403, August 28, 2014) indicate that a 16-day special early (September) teal season with a 6-teal daily bag limit is appropriate for States in the Atlantic, Mississippi, and Central flyways if the Federal WBPBS (traditional survey area; strata 1–18, 20–50, and 75–77) estimate is greater than 4.7 million blue-winged teal. The 2023 survey estimate is 5.3 million blue-winged teal, indicating a 16-day special early teal season with a 6-teal daily bag limit is appropriate.

Council Recommendations: The Mississippi Flyway Council recommended that the experimental teal season in Minnesota be extended for a fourth year with no data collection required.

Service Response: The Service concurs with the Mississippi Flyway Council's recommendation. In the July 16, 2021, **Federal Register** (86 FR 37854), we authorized a 3-year experimental special early teal season in Minnesota beginning in 2021 or 2022. Previously, we described in the August 28, 2014, **Federal Register** (79 FR

51402) that the Flyway Councils and Service completed a thorough assessment of the harvest potential for teal (blue-winged, green-winged, and cinnamon), and an assessment of the impacts of current special early seasons on these three species. In 2014, we established criteria for an experimental season and transition to operational status. We worked with the State of Minnesota to develop an evaluation plan and associated memorandum of agreement (MOA) for this experimental season detailing the required sample sizes, decision criteria for the experimental season to become operational, and roles and responsibilities. The plan consists of a 3-year evaluation of hunter performance (via spy blind studies) with regard to attempt and kill rates on nontarget species during the experimental early teal season. The 1-year extension of the experimental teal season, without a requirement to collect data, will allow the current harvest opportunity to continue during the 2024 early teal season until an evaluation of the first 3 years of data is completed. Any future request for operational status will be based on that evaluation and relevant data collected during the experimental season. We note that preliminary results indicate Minnesota has met all criteria for operational status based on currently available data through the second year of the experimental season.

ii. Early Teal–Wood Duck Seasons

In Florida, Kentucky, and Tennessee, in lieu of a special early teal season, a 5-consecutive-day teal–wood duck season may be selected in September. The daily bag limit may not exceed six teal and wood ducks in the aggregate, of which no more than two may be wood ducks. In addition, a 4-consecutive-day special early teal-only season may be selected in September either immediately before or immediately after the 5-consecutive-day teal–wood duck season. The daily bag limit is six teal.

iii. Black Ducks

Council Recommendations: The Atlantic and Mississippi Flyway Councils recommended adoption of the moderate regulatory alternative for their respective flyways. The flyway-specific regulations consist of a daily bag limit of two black ducks and a season length of 60 days.

Service Response: The Service, Atlantic and Mississippi Flyway Councils, and Canada adopted an international AHM protocol for black ducks in 2012 (77 FR 49868, August 17, 2012) whereby we set black duck hunting regulations for the Atlantic and

Mississippi Flyways (and Canada) based on the status and demographics of these birds.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for black ducks using: (1) A management objective of 98 percent of maximum long-term sustainable harvest; (2) the black duck regulatory alternatives; and (3) current population model. Based on the moderate regulatory alternative selected for the 2023–24 hunting season and the 2023 survey estimate of 0.73 million black ducks, the optimal regulation for the Atlantic and Mississippi Flyways is the moderate alternative. Therefore, we concur with the recommendations of the Atlantic and Mississippi Flyway Councils.

iv. Canvasbacks

Council Recommendations: The Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended adoption of the liberal regulatory alternative for their respective flyways. The flyway-specific regulations consist of a daily bag limit of two canvasbacks and a season length of 60 days in the Atlantic and Mississippi Flyways, 74 days in the Central Flyway, and 107 days in the Pacific Flyway.

Service Response: As we discussed in the March 28, 2016, **Federal Register** (81 FR 17302), the canvasback harvest strategy that we relied on until 2015 was not viable under our new regulatory process because it required biological information that was not yet available at the time a decision on season structure needed to be made. We do not yet have a new harvest strategy to propose for use in guiding canvasback harvest management in the future. However, we have worked with technical staff of the four Flyway Councils to develop a decision framework (hereafter, decision support tool) that relies on the best biological information available to develop recommendations for annual canvasback harvest regulations. The decision support tool uses available information (1994–2014) on canvasback breeding population size in Alaska and north-central North America (Federal WBPBS traditional survey area; strata 1–18, 20–50, and 75–77), growth rate, survival, and harvest, and a population model to evaluate alternative harvest regulations based on a management objective of maximum long-term sustainable harvest. The decision support tool calls for a closed season when the population is below 460,000, a 1-bird daily bag limit when the population is between 460,000 and 480,000, and a 2-bird daily bag limit when the population is greater than

480,000. Based on the 2023 survey estimate of 619,000 canvasbacks, we concur with the recommendations of the four Flyway Councils regarding selection of the liberal regulatory alternative for the 2024–25 season.

v. Pintails

Council Recommendations: The Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended adoption of the liberal regulatory alternative with a 1-pintail daily bag limit for their respective flyways. The flyway-specific regulations consist of a season length of 60 days in the Atlantic and Mississippi Flyways, 74 days in the Central Flyway, and 107 days in the Pacific Flyway.

Service Response: The Service and the four Flyway Councils adopted an AHM protocol for pintails in 2010 (75 FR 44856, July 29, 2010) whereby we set pintail hunting regulations in all four flyways based on the status and demographics of these birds.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for pintails using: (1) A management objective of maximum long-term sustainable harvest, including a closed-season constraint of 1.75 million birds; (2) the pintail regulatory alternatives; and (3) current population models and associated weights. Based on a liberal regulatory alternative with a 1-bird daily bag limit for the 2023–24 season, and the 2023 survey estimates of 2.22 million pintails at a mean latitude of 54.78 degrees (Federal WBPBS traditional survey area, strata 1–18, 20–50, and 75–77), the optimal regulation for all four flyways is the liberal alternative with a 1-pintail daily bag limit. Therefore, we concur with the recommendations of the four Flyway Councils for the 2024–25 season.

vi. Scaup

Council Recommendations: The Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended adoption of the restrictive regulatory alternative for their respective flyways. The flyway-specific regulations consist of a 60-day season with a 1-bird daily bag limit during 40 consecutive days and a 2-bird daily bag limit during 20 consecutive days in the Atlantic Flyway; a 60-day season with a 2-bird daily bag limit during 45 consecutive days and a 1-bird daily bag limit during 15 consecutive days in the Mississippi Flyway; a 1-bird daily bag limit for 74 days in the Central Flyway (which may have separate segments of 39 days and 35 days); and an 86-day season with a 2-bird daily bag limit in the Pacific Flyway.

Service Response: The Service and four Flyway Councils adopted an AHM protocol for scaup in 2008 (73 FR 43290, July 24, 2008, and 73 FR 51124, August 29, 2008) whereby we set scaup hunting regulations in all four flyways based on the status and demographics of these birds.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for scaup using: (1) A management objective of 95 percent of maximum sustainable harvest; (2) the scaup regulatory alternatives; and (3) current population model. Based on a restrictive regulatory alternative for the 2023–24 season, and the 2023 survey estimate of 3.52 million scaup (Federal WBPBS traditional survey area; strata 1–18, 20–50, and 75–77), the optimal regulation for all four flyways is the restrictive alternative. Therefore, we concur with the recommendations of the four Flyway Councils regarding selection of the restrictive alternative for the 2024–25 season.

ix. Eastern Mallards

Council Recommendations: The Atlantic Flyway Council recommended adoption of the liberal regulatory alternative for their flyway. The Atlantic Flyway regulation consists of a daily bag limit of four mallards, no more than two of which may be hens, and a season length of 60 days.

Service Response: The Service and Atlantic Flyway Council adopted an AHM protocol for eastern mallards in 2023 (88 FR 6054, January 30, 2023) whereby we set mallard hunting regulations in the Atlantic Flyway based on the status and demographics of these birds.

For the 2024–25 hunting season, we evaluated alternative harvest regulations for eastern mallards using: (1) A management objective of 98 percent of maximum sustainable harvest; (2) the eastern mallard regulatory alternatives; and (3) current population model. Based on a liberal regulatory alternative for the 2023–24 season, and the 2023 survey estimate of 1.20 million eastern mallards (Federal WBPBS eastern survey area and AFBWS), the optimal regulation for the Atlantic Flyway is the liberal alternative. Therefore, we concur with the recommendation of the Atlantic Flyway Council regarding selection of the liberal alternative for the 2024–25 season.

4. Canada and Cackling Geese

B. Regular Seasons

Council Recommendations: The Atlantic Flyway Council recommended the moderate regulatory option as

defined in the Council's harvest strategy for Atlantic Population (AP) Canada geese (30-day season with a daily bag limit of: 3 geese in the Mid-Atlantic and New England Regions; 2 geese in the Chesapeake Region; 1 goose in North Carolina) in the AP Zones of the Atlantic Flyway. In addition, in Vermont, the Lake Champlain Zone of New York, and the AP Zones in Connecticut and Massachusetts, a special late season may be held in addition to the regular AP Canada goose season with a maximum daily bag limit of 5 geese. The Pacific Flyway Council recommended changing the season closing date for Canada and cackling geese (including brant except in California, Oregon, and Washington) in the Pacific Flyway from January 31 to February 15.

Service Response: We agree with the Atlantic Flyway Council's recommendation to implement the moderate regulatory option as described in the Council's harvest strategy for AP Canada geese for the 2024–25 hunting season. The AP Canada goose is one of three populations of Canada geese managed in the Atlantic Flyway and has a long history of intensive management due to its importance to subsistence and sport hunters in Canada and the United States. In 2021, the Council adopted a harvest strategy to prescribe appropriate hunting regulations for AP Canada geese commensurate with the status of this population. The 2023 breeding population estimate for AP Canada geese is 115,000 pairs. Breeding habitat conditions appeared to be slightly improved in 2023 compared to 2022. Using the most current breeding population and habitat data, the model predicted the 2024 median number of breeding pairs is 147,500. The predicted August 2023 juvenile-to-adult age ratio is 1.43, which is greater than the long-term (1997–2022) average of 1.28. The Council's AP Canada goose harvest strategy prescribes the moderate regulatory alternative when the model-predicted abundance for the out-year is between 125,000 and 160,000 pairs. The moderate regulatory option in the Council's harvest strategy for AP Canada geese is appropriate considering the current status of this population and habitat conditions.

We also agree with the Pacific Flyway Council's recommendation to change the season closing date for Canada and cackling geese (including brant except in California, Oregon, and Washington) in the Pacific Flyway from January 31 to February 15. The Pacific Flyway Council adopted a management plan for the Pacific Flyway Population (PFP) of western Canada geese in 2023. The

management plan includes a harvest strategy that prescribes season outside dates of Saturday nearest September 24 and February 15 when the 3-year average population index for PFP western Canada geese exceeds 200,000 birds. The most recent 3-year (2020, 2022, and 2023) average population estimate for PFP western Canada geese is 419,906, and is well (110 percent) above the Council's population objective. The extension of the closing date by about 2 weeks from the end of January to mid-February is expected to provide additional hunting opportunities, increase harvest, and help limit the continued growth of PFP western Canada geese. The basic season frameworks for Canada and cackling geese in the Pacific Flyway are generally based on the status of PFP western Canada geese. There are special restrictions geographically in the season frameworks to address concern for any of the other six subspecies of white-cheeked geese wintering in the Pacific Flyway, which are managed as separate populations. Brant are included in the season limits for Canada and cackling geese in interior States because brant generally do not occur in these areas.

5. White-Fronted Geese

Council Recommendations: The Central Flyway Council recommended the following season frameworks of dark geese (Canada geese, white-fronted geese, and all other geese except light geese) in west-tier States (Montana, Wyoming, Colorado, New Mexico, and the Western Goose Zone of Texas) of the Central Flyway: outside dates Saturday nearest September 24 and Sunday nearest February 15; the season may be divided into two segments, except in Wyoming where the season may be divided into three segments; season length 95 days in the Western Goose Zone of Texas and 107 days in the remainder of the west-tier States; the daily bag limit is five dark geese in the aggregate; and the possession limit is three times the daily bag limit.

Service Response: We agree with the Central Flyway Council's recommendation. The Council's recommendation is consistent with the management plan for the Midcontinent Population of greater white-fronted geese approved by the Pacific, Central, and Mississippi Flyway Councils. The only change to the frameworks is that the white-fronted goose daily bag limit in the Western Goose Zone of Texas is now in the aggregate with dark geese rather than a separate limit, and the daily bag limit is increased from two to five geese. This change is expected to simplify regulations in that the dark

goose bag and possession limits are now the same for all west-tier States. Any possible additional harvest of greater white-fronted geese from this regulatory change will be negligible for the Central Flyway.

6. Brant

Council Recommendations: The Pacific Flyway Council recommended that the 2024–25 brant season frameworks be determined based on the harvest strategy in the Council's management plan for the Pacific population of brant pending results of the 2024 Winter Brant Survey (WBS). If results of the 2024 WBS are not available, results of the most recent WBS should be used.

Service Response: We agree with the Pacific Flyway Council's recommendation that the 2024–25 Pacific brant season framework be determined by the harvest strategy in the Council's management plan for the Pacific population of brant pending results of the 2024 WBS. As we discussed in the August 21, 2020, **Federal Register** (85 FR 51854), the harvest strategy used to determine the Pacific brant season frameworks does not fit well within the current regulatory process. In developing the annual proposed frameworks for Pacific brant, the Pacific Flyway Council and the Service use the 3-year average number of brant counted during the WBS in the Pacific Flyway to determine annual allowable season length and daily bag limits. The WBS is conducted each January, which is after the date that proposed frameworks are formulated in the regulatory process. However, the data are typically available by the expected publication of these final frameworks. When we acquire the survey data, we determine the appropriate allowable harvest for the Pacific brant season according to the harvest strategy in the Pacific Flyway Council's management plan for the Pacific population of brant published in the August 21, 2020, **Federal Register** (85 FR 51854).

The recent 3-year average (2022–2024) WBS count of Pacific brant was 128,780. Based on the harvest strategy, the appropriate season length and daily bag limit framework for Pacific brant in the 2024–25 season is a 107-day season with a 4-bird daily bag limit in Alaska, and a 37-day season with a 2-bird daily bag limit in California, Oregon, and Washington.

8. Swans

Council Recommendations: The Pacific Flyway Council recommended increasing the number of swan hunting

permits in Nevada from 650 to 750 and that the experimental swan hunting season in northern Idaho be granted operational status.

Service Response: We agree with the Pacific Flyway Council's recommendation to increase the number of swan hunting permits in Nevada from 650 to 750. The most recent 3-year (2021–2023) average population estimate for the Western Population of tundra swans is 97,709 and is 63 percent above the Council's population objective of 60,000 swans. The demand for swan hunting permits has exceeded the limit of 650 available in Nevada during the last 5 years. In 2022, swan permit sales transitioned from a first-come first-served process to an application-limited drawing process in which there were 817 applicants for 650 available permits. The mean annual participation rate over the past 5 years for Nevada swan permit holders was 63 percent, with a mean annual harvest of 200 swans; mean annual incidental trumpeter swan harvest was 1.7 trumpeter swans. The estimated annual increase in swan harvest in Nevada with 100 additional hunting permits is 30 swans. The estimated additional harvest of trumpeter swans will be negligible. The swan season in Nevada continues (28 years) to be compliant with environmental impact statements for the general swan season in the Pacific Flyway and the Service's outside limits for the general swan season in the Pacific Flyway, including monitoring and mandatory hunter reporting of swan harvest for species identification. Increasing the number of swan hunting permits in Nevada will provide biologically appropriate additional hunting opportunity where there is apparent demand.

We also agree with the Pacific Flyway Council's recommendation to grant operational status to the swan hunting season in northern Idaho. Idaho completed a 3-year (2020–2022 hunting seasons) evaluation of the experimental swan hunting season. Fifty swan hunting permits were issued each year. Any hunter who harvested a swan was required, within 3 days of the date of kill, to present the swan carcass at a check station for species identification and to complete a harvest report. After the season, any swan tag holder who did not complete a harvest report was sent a survey questionnaire in the mail and asked to report their hunting activity and harvest. The average annual compliance rate for swan permit holders in returning their hunter activity and harvest questionnaire was 90 percent (range = 84–93 percent). The estimated average hunter compliance in providing

species-determinant parts of harvested swans for species identification was also 90 percent (range = 84–93 percent). The estimated average percentage of swan permit holders that actively hunted swans in Idaho was 69 percent (33 hunters). The estimated mean annual harvest was 11 tundra swans and 5 trumpeter swans (but was less than or equal to 2 during 2 of the 3 years). In 2018, the Service and Pacific Flyway Council evaluated the impact swan hunting has had on the Rocky Mountain Population (RMP) of trumpeter swans and demonstrated tundra swan hunting and trumpeter swan population restoration are compatible in the Pacific Flyway. Current swan harvest levels across all Pacific Flyway States are well within conservatively estimated acceptable limits for the Western Population of tundra swans and RMP trumpeter swans. Lastly, the swan season in Idaho is compliant with environmental impact statements for the general swan season in the Pacific Flyway and the Service's outside limits for the general swan season in the Pacific Flyway, including monitoring and mandatory hunter reporting of swan harvest for species identification. No changes to the swan season in northern Idaho are being made at this time except the change in status from experimental to operational.

9. Sandhill Cranes

Council Recommendations: The Central and Pacific Flyway Councils recommended a minor expansion to the hunting areas for the Rocky Mountain Population (RMP) of sandhill cranes in Montana to include that portion of Stillwater County north of I–90. The Central and Pacific Flyway Councils also recommended that allowable harvest of the RMP sandhill cranes be determined based on the formula described in the Pacific and Central Flyway Councils' Management Plan for RMP cranes when the 2023 fall abundance and recruitment data become available.

Service Response: We agree with the Central and Pacific Flyway Councils' recommendation to expand the RMP sandhill crane hunting areas in Montana to include that portion of Stillwater County north of I–90. This will be more restrictive in crane hunting opportunity overall in that it changes the applicable season frameworks for northern Stillwater County from those for the Midcontinent Population (MCP) of sandhill cranes (not limited by special hunting permit requirement) to those for RMP sandhill cranes (limited by special hunting permit requirement). The expanded RMP crane hunting areas are

consistent with the Pacific and Central Flyway Council's RMP sandhill crane management plan hunting area requirements.

We also agree with the Central and Pacific Flyway Councils' recommendations to determine allowable harvest of RMP cranes using the formula in the Pacific and Central Flyway Councils' management plan for RMP cranes pending results of the fall 2023 abundance and recruitment surveys. As we discussed in the March 28, 2016, **Federal Register** (81 FR 17302), the harvest strategy used to calculate the allowable harvest of RMP cranes does not fit well within the current regulatory process. In developing the annual proposed frameworks for RMP cranes, the Flyway Councils and the Service use the fall abundance and recruitment surveys of RMP cranes to determine annual allowable harvest. Results of the fall abundance and recruitment surveys of RMP cranes are released between December 1 and January 31 each year, which is after the date proposed frameworks are developed. However, the data are typically available by the expected publication of these final frameworks. When we acquire the survey data, we determine the appropriate allowable harvest for the RMP crane season according to the harvest strategy in the Central and Pacific Flyway Councils' management plan for RMP cranes published in the March 28, 2016, **Federal Register** (81 FR 17302).

The 2023 fall RMP crane abundance estimate was 27,267 cranes, resulting in a 3-year (2021–2023) average of 23,287 cranes, which is higher than the previous 3-year average of 22,744 cranes. The RMP crane recruitment estimate was 11.87 percent young in the fall population, resulting in a 3-year (2021–2023) average of 10.47 percent, which is higher than the previous 3-year average of 9.74 percent. Using the current harvest strategy and the most recent 3-year average abundance and recruitment estimates, the allowable harvest for the 2024–25 season is 3,006 cranes, which is higher than the previous season allowable harvest of 2,546 cranes.

16. Doves

Council Recommendations: The Atlantic, Mississippi, Central, and Pacific Flyway Councils recommended adoption of the standard regulatory alternative as prescribed in the national mourning dove harvest strategy for their respective Mourning Dove Management Units. The standard regulatory alternative consists of a 90-day season

and 15-bird daily bag limit for States within the Eastern and Central Management Units, and a 60-day season and 15-bird daily bag limit for States in the Western Management Unit (WMU). Also, the Central Flyway Council recommended that the season length of 6 days for the special white-winged dove season in Texas (between September 1 and 19) be allowed to be split into three segments. The Pacific Flyway Council recommended allowing up to 10 white-winged doves in Arizona's daily bag limit during season days from November 1 through January 15.

Service Response: Based on the harvest strategies and current population status, we agree with the recommended selection of the standard season frameworks for doves in the Eastern, Central, and Western Management Units for the 2024–25 season.

We also agree with the Central Flyway Council's recommendation that the season length of 6 days for the special white-winged dove season in Texas be allowed to be split into three segments. As we discussed in the July 16, 2021, **Federal Register** (86 FR 37862), we agreed with the Central Flyway Council's recommendation to add 2 days to the existing 4 hunting days permitted in the special white-winged dove area in Texas, and to codify in Federal regulations that shooting hours for those 6 days will be from noon to sunset. The additional days allowed more opportunity and flexibility to hunters by providing 3 consecutive days of dove hunting (Friday–Sunday) each of the first 2 weekends in September. Anticipating that Texas would split the 6-day season into two 3-day segments, we codified into the season framework that the 6-day season may consist of two 3-consecutive-day periods. However, Texas officials have noted that, in some years, calendar dates do not allow for these 2 full weekends prior to September 14 and that they would prefer to have the hunting days before September 14 around weekends and holidays to maximize hunting opportunity and hunter participation. Thus, specifying that Texas may split the 6-day season into three segments will allow the State more flexibility in aligning the season with weekends and holidays to maximize hunting opportunity and hunter participation.

In the past, the Service stated concerns about the effect of early September hunting on late-nesting mourning doves (see 86 FR 37862, July 16, 2021, and 76 FR 54056, August 30, 2011). We stated that abundances of mourning doves in the Central

Management Unit have declined since 2008, and additional harvest associated with this change could exacerbate that trend. We encourage the State of Texas and the Central Flyway Council to conduct appropriate monitoring of both mourning and white-winged doves that will inform adjustments to the dove harvest management strategy, if necessary, to maintain desired abundances of doves. Such efforts should include contemporary nesting ecology studies to determine the extent of nesting activity in September, various aspects of nesting ecology (e.g., nesting rate, clutch size, nest success), and exposure of nesting adults to harvest. We note that Texas continues to monitor mourning and white-winged dove harvest during the special white-winged dove season. The most recent harvest estimates indicate that mourning dove harvest has not increased with the addition of 2 days to the special white-winged dove season beginning with the 2021 season.

Finally, we also agree with the Pacific Flyway Council's recommendation to allow up to 10 white-winged doves in Arizona's daily bag limit during season days from November 1 through January 15. Within the WMU, most white-winged doves breed in Arizona. The Arizona spring call count survey indicates white-winged doves have increased in abundance considerably during the recent 10 years. Arizona is currently the only State in the WMU where the season frameworks do not allow take of white-winged doves during part of the dove season. Historically, white-winged doves migrated out of Arizona prior to November 1; however, in recent years, small numbers of white-winged doves have been present in the State during the late season. Allowing a limited take of white-winged doves during Arizona's late dove season will provide additional hunting opportunity where it is biologically appropriate, reduce the potential for a hunter to be cited for accidental harvest of white-winged doves during the dove season (i.e., species misidentification), and simplify frameworks for the dove season across the WMU. White-winged dove harvest will be limited to 10 within the 15-dove aggregate bag limit to be consistent with the frameworks for the dove season in California and during the early season in Arizona. The outside limits for the remainder of the WMU States is 15 mourning and white-winged doves in the aggregate. Because most white-winged doves have migrated south of Arizona before the late season, the additional harvest of white-winged

doves is expected to be small. There is no expected significant increase in the harvest of mourning doves, but harvest could be reduced by any buffering effect of white-winged dove harvest during the late season.

Required Determinations

National Environmental Policy Act (NEPA) Consideration

The programmatic document, “Second Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (EIS 20130139),” filed with the Environmental Protection Agency (EPA) on May 24, 2013, addresses NEPA compliance by the Service for issuance of the annual framework regulations for hunting of migratory game bird species. We published a notice of availability in the **Federal Register** on May 31, 2013 (78 FR 32686), and our Record of Decision on July 26, 2013 (78 FR 45376). We also address NEPA compliance for waterfowl hunting frameworks through the annual preparation of separate environmental assessments, the most recent being “Duck Hunting Regulations for 2024–25,” with its corresponding 2024 finding of no significant impact, available at <https://www.regulations.gov> at Docket No. FWS–HQ–MB–2023–0113. In addition, an August 1985 environmental assessment entitled, “Guidelines for Migratory Bird Hunting Regulations on Federal Indian Reservations and Ceded Lands” is available from the person listed above under **FOR FURTHER INFORMATION CONTACT**.

Endangered Species Act Consideration

Before issuance of the 2024–25 migratory game bird hunting regulations, we will comply with provisions of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531–1543), to ensure that hunting is not likely to jeopardize the continued existence of any species designated as endangered or threatened or adversely modify or destroy its critical habitat and is consistent with conservation programs for those species. Consultations under section 7 of the ESA may cause us to change in future supplemental rulemaking documents.

Regulatory Planning and Review—Executive Orders 12866, 13563, and 14094

Executive Order 14094 reaffirms the principles of E.O. 12866 and E.O. 13563. Regulatory analysis should facilitate agency efforts to develop regulations

that serve the public interest, advance statutory objectives, and are consistent with E.O. 12866, E.O. 13563, and the Presidential Memorandum of January 20, 2021 (Modernizing Regulatory Review). Regulatory analysis, as practicable and appropriate, shall recognize distributive impacts and equity, to the extent permitted by law. We have developed this final rule in a manner consistent with these requirements.

E.O. 12866, as reaffirmed by E.O. 13563 and amended by E.O. 14094, provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) will review all significant rules. This action is a “significant regulatory action,” as defined under section 3(f)(1) of E.O. 12866 (58 FR 51735, October 4, 1993), as amended by E.O. 14094 (88 FR 21879, April 11, 2023).

An economic analysis was prepared for the 2024–25 migratory bird hunting season. This analysis was based on data from the 2011 and the 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (National Survey), the most recent years for which data are available. See discussion under Required Determinations, *Regulatory Flexibility Act*, below. This analysis estimated consumer surplus for four alternatives for migratory bird hunting regulations. As defined by OMB in Circular A–4, consumers’ surplus is the difference between what a consumer pays for a unit of a good or service and the maximum amount the consumer would be willing to pay for that unit. The migratory bird hunting regulatory alternatives are (1) not opening a hunting season, (2) issuing restrictive regulations that allow fewer days than the 2023–24 season, (3) issuing moderate regulations that allow more days than in Alternative 2 but fewer days than the 2023–24 season, and (4) issuing liberal regulations that allow days similar to the 2023–24 season. The estimated consumer surplus associated with liberal regulations issued for the 2024–25 season across all flyways was \$606 million to \$797 million (2023\$). We also chose Alternative 4 (liberal regulations) for the 2009–10 through 2023–24 seasons. The 2024–25 analysis is part of the record for this rulemaking action and is available at <https://www.regulations.gov> at Docket No. FWS–HQ–MB–2023–0113.

Regulatory Flexibility Act

The annual migratory bird hunting regulations have a significant economic impact on substantial numbers of small entities, such as restaurants, grocery

stores, lodging, transportation, and sporting goods stores, under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). An initial regulatory flexibility analysis was prepared to analyze the economic impacts of the annual hunting regulations on small business entities. This analysis is updated annually. The primary source of information about hunter expenditures for migratory game bird hunting is the National Survey, which is generally conducted at 5-year intervals. The 2022 National Survey did not collect migratory bird expenditure data, so the 2024–25 migratory bird hunting season analysis is based on the 2011 and 2016 National Surveys and the U.S. Department of Commerce’s County Business Patterns, from which it is estimated that migratory bird hunters will spend approximately \$2.6 billion (2023\$) at small businesses during the 2024–25 migratory bird hunting season. In summary, this rule has a significant beneficial economic impact on small entities. Without these national frameworks, States cannot establish migratory bird hunting seasons. A wide range of businesses and individuals benefit economically from the establishment of the annual migratory bird hunting regulations. The final regulatory flexibility analysis can be found in the economic analysis of the final rulemaking for migratory bird hunting for the 2024–2025 season. Copies of the economic analysis are available upon request from the person listed above under **FOR FURTHER INFORMATION CONTACT** or from <https://www.regulations.gov> at Docket No. FWS–HQ–MB–2023–0113.

Congressional Review Act

Pursuant to subtitle E of the Small Business Regulatory Enforcement Fairness Act (also known as the Congressional Review Act or CRA), 5 U.S.C. 801 *et seq.*, OIRA designated this action as meeting the criteria in 5 U.S.C. 804(2), because it is likely to result in an annual effect on the economy of \$100 million or more. However, because this final rule establishes a regulatory program for activity related to hunting and because hunting seasons are time sensitive, we establish the effective date of this final rule using the exemption in the CRA at 5 U.S.C. 808(1).

Paperwork Reduction Act

This rule does not contain any new collection of information that requires approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). OMB has previously approved the information collection requirements associated with migratory bird surveys

and the procedures for establishing annual migratory bird hunting seasons under the following OMB control numbers:

- 1018–0019, “North American Woodcock Singing Ground Survey” (expires 02/28/2027).
- 1018–0023, “Migratory Bird Surveys, 50 CFR 20.20” (expires 05/31/2026). Includes Migratory Bird Harvest Information Program, Migratory Bird Hunter Surveys, Sandhill Crane Survey, and Parts Collection Survey.
- 1018–0171, “Establishment of Annual Migratory Bird Hunting Seasons, 50 CFR part 20” (expires 10/31/2024).

You may view the information collection request(s) at <http://www.reginfo.gov/public/do/PRAMain>. 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.

Unfunded Mandates Reform Act

We have determined and certify, in compliance with the requirements of the Unfunded Mandates Reform Act, 2 U.S.C. 1501 *et seq.*, that this final rulemaking does not include any Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted for inflation) in any 1 year and does not significantly or uniquely affect small governments.

Civil Justice Reform—Executive Order 12988

The Department, in promulgating this final rule, has determined that this rule will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of E.O. 12988.

Takings Implication Assessment—Executive Order 12630

In accordance with E.O. 12630, this final rule, authorized by the MBTA, does not have significant takings implications and does not affect any constitutionally protected property rights. This final rule will not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, this final rule allows hunters to exercise otherwise unavailable privileges and, therefore, reduces restrictions on the use of private and public property.

Energy Effects—Executive Order 13211

E.O. 13211 requires agencies to prepare statements of energy effects

when undertaking certain actions. While this final rule is a significant regulatory action under E.O. 12866, it is not likely to have a significant adverse effect on the supply, distribution, or use of energy and has not been designated by OIRA as a significant energy action. Therefore, no statement of energy effects is required.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22951), E.O. 13175, and 512 DM 2, we have evaluated possible effects on federally recognized Indian Tribes with respect to impacts to Tribes' treaty rights to hunt waterfowl, and we have determined that there are de minimis effects on Indian Tribes for that aspect of their treaty rights. Through this process to establish annual hunting regulations, we regularly coordinate with Tribes that are affected by this final rulemaking action. Tribes have the opportunity to attend spring and fall flyway meetings, provide comments on **Federal Register** publications concerning migratory bird hunting, and, whenever needed, we hold informal consultations with Tribes regarding trust resources, trust assets, health, and safety. Also, while streamlining the migratory bird hunting regulation process, four informational webinars were held to present the new process to Tribes, giving Tribes the opportunity to provide input and to ask questions about the Tribal migratory bird hunting regulations. This final rule will not have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. This rule is general in nature and does not directly affect any specific Tribal lands, treaty rights, or Tribal trust resources. In addition, this final rule does not interfere with the ability of Tribes to manage themselves or their funds or to regulate migratory bird activities on Tribal lands. Therefore, we conclude that this final rule does not have "Tribal implications" under section 1(a) of E.O. 13175 with respect to waterfowl treaty rights. Thus, formal government-to-government consultation is not required by E.O. 13175 and related policies of the Department of the Interior. We will continue to collaborate with Tribes on concerns related to migratory bird hunting regulations.

Federalism Effects—Executive Order 13132

Due to the migratory nature of certain species of birds, the Federal Government has been given responsibility over these species by the MBTA. We annually prescribe frameworks from which the States make selections regarding the hunting of migratory birds, and we employ guidelines to establish special regulations on Federal Indian reservations and ceded lands. This process preserves the ability of the States and Tribes to determine which seasons meet their individual needs. We recognize that, in certain cases, conflicts may arise between States and specific Tribes on aspects of other Tribal treaty rights. The Service actively supports the parties reaching a mutually agreeable solution to such conflicts.

Any State or Tribe may be more restrictive in its regulations than the Federal frameworks at any time. The frameworks are developed in a cooperative process with the States and the Flyway Councils. This process allows States to participate in the development of frameworks from which they will make selections, thereby having an influence on their own regulations. This final 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. Therefore, in accordance with E.O. 13132, this final regulation does not have federalism implications and does not warrant the preparation of a federalism summary impact statement.

Signing Authority

Shannon Estenoz, Assistant Secretary for Fish and Wildlife and Parks, approved this action on July 12, 2024, for publication. On August 15, 2024, Shannon Estenoz 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 the Interior.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Authority

The rules that eventually will be promulgated for the 2024–25 hunting season are authorized under 16 U.S.C. 703–712 and 742 a–j.

Final Regulatory Frameworks for 2024–25 Hunting Seasons on Certain Migratory Game Birds

Pursuant to the Migratory Bird Treaty Act and delegated authorities, the Department of the Interior is establishing the following frameworks for outside dates, season lengths, shooting hours, bag and possession limits, and areas within which States may select seasons for hunting migratory game birds between the dates of September 1, 2024, and March 10, 2025. These frameworks are summarized below.

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 - I. All Migratory Game Birds in Alaska
 - J. All Migratory Game Birds in the Virgin Islands
 - K. All Migratory Game Birds in Puerto Rico

I. General

Outside Dates: Outside dates are the earliest and latest dates within which States may establish hunting seasons. All outside dates specified below are inclusive.

Season Lengths: Season lengths are the maximum number of days hunting may occur within the outside dates for hunting seasons. Days are consecutive and concurrent for all species included

in each season framework unless otherwise specified.

Season Segments: Season segments are the maximum number of consecutive-day segments into which the season lengths may be divided. The sum of the hunting days for all season segments may not exceed the season lengths allowed.

Zones: Unless otherwise specified, States may select hunting seasons by zones. Zones for duck seasons (and associated youth and veterans-active military waterfowl hunting days, gallinule seasons, and snipe seasons) and dove seasons may be selected only in years we declare such changes may be made (*i.e.*, open seasons for zones and splits) and according to federally established guidelines for duck and dove zones and split seasons.

Area, Zone, and Unit Descriptions: Areas open to hunting must be described, delineated, and designated as such in each State's hunting regulations, and, except for early teal seasons, these areas must also be published in the **Federal Register** as a Federal migratory bird hunting frameworks final rule. Geographic descriptions related to regulations are contained in a later portion of this document.

Shooting and Hawking (taking by falconry) Hours: Unless otherwise specified, from one-half hour before sunrise to sunset daily.

Possession Limits: Unless otherwise specified, possession limits are three times the daily bag limits.

Permits: For some species of migratory birds, the Service authorizes the use of permits to regulate harvest or monitor their take by hunters, or both. In such cases, the Service determines the amount of harvest that may be taken during hunting seasons during its formal regulations-setting process, and the States then issue permits to hunters at levels predicted to result in the amount of take authorized by the Service. Thus, although issued by States, the permits will not be valid unless the Service approved such take in its regulations.

These federally authorized, State-issued permits are issued to individuals, and only the individual whose name and address appears on the permit at the time of issuance is authorized to take migratory birds at levels specified in the permit, in accordance with provisions of both Federal and State regulations governing the hunting season. The permit must be carried by the permittee when exercising its provisions and must be presented to any law enforcement officer upon request. The permit is not transferrable or assignable to another individual, and may not be sold,

bartered, traded, or otherwise provided to another person. If the permit is altered or defaced in any way, the permit becomes invalid.

A. Flyways and Management Units

We generally set migratory bird hunting frameworks for the conterminous United States by Flyway or Management Unit/Region. Frameworks for Alaska, Hawaii, Puerto Rico, and the Virgin Islands are contained in separate sections near the end of the frameworks portion of this document. The States included in the Flyways and Management Units/Regions are described below.

1. Waterfowl Flyways

Atlantic Flyway: Includes Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Mississippi Flyway: Includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

Central Flyway: Includes Colorado (east of the Continental Divide), Kansas, Montana (Counties of Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except the Jicarilla Apache Indian Reservation), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

Pacific Flyway: Includes Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and those portions of Colorado, Montana, New Mexico, and Wyoming not included in the Central Flyway.

2. Mallard Management Units

High Plains Management Unit: Roughly defined as that portion of the Central Flyway that lies west of the 100th meridian. See III. Area, Unit, and Zone Descriptions, *Ducks (Including Mergansers) and Coots*, below, for specific boundaries in each State.

Columbia Basin Management Unit: In Washington, all areas east of the Pacific Crest Trail and east of the Big White Salmon River in Klickitat County; and in Oregon, the counties of Gilliam, Morrow, and Umatilla.

3. Mourning Dove Management Units

Eastern Management Unit: All States east of the Mississippi River, and Louisiana.

Central Management Unit: Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Western Management Unit: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

4. Woodcock Management Regions

Eastern Management Region: Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Central Management Region: Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

B. Definitions

For the purpose of the hunting season frameworks listed below, the collective terms “dark” and “light” geese include the following species:

Dark geese: Canada geese, cackling geese, white-fronted geese, brant (except in Alaska, California, Oregon, Washington, and the Atlantic Flyway), and all other goose species except light geese.

Light geese: Snow (including blue) geese and Ross’s geese.

C. Migratory Game Bird Seasons in the Atlantic Flyway

In the Atlantic Flyway States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, North Carolina, and Pennsylvania, if Sunday hunting of migratory birds is prohibited statewide by State law or regulation, all Sundays are closed to the take of all migratory game birds. For these States where Sunday hunting is prohibited statewide by State law or regulation, the State may extend their hunting season length beyond the framework season length for any migratory game bird by one day for each Sunday included in the State’s regular hunting season. Total season days must be within the season framework outside dates; season days must be consecutive except as provided in framework split-season provisions; and total season length (including extended falconry and other special seasons) must not exceed 107 days.

II. Season Frameworks

A. Special Youth and Veterans–Active Military Personnel Waterfowl Hunting Days

Outside Dates and Season Lengths: States may select 2 days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” and 2 days per duck-hunting zone, designated as “Veterans and Active Military Personnel Waterfowl Hunting Days,” in addition to their regular duck seasons. The days may be held concurrently or may be nonconsecutive. The Youth Waterfowl Hunting Days must be held outside any regular duck season on weekends, holidays, or other non-school days when youth hunters have the maximum opportunity to participate. Both sets of days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.

Daily Bag Limits: The daily bag limits may include ducks, geese, swans, mergansers, coots, and gallinules. Bag limits are the same as those allowed in the regular season except in States that implement a hybrid season for scaup (*i.e.*, different bag limits during different portions of the season), in which case the bag limit will be 2 scaup per day. Flyway species and area restrictions remain in effect.

Participation Restrictions for Youth Waterfowl Hunting Days: States may use their established definition of age for youth hunters. However, youth hunters must be under the age of 18. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day. Swans may be taken only by participants possessing applicable swan permits.

Participation Restrictions for Veterans and Active Military Personnel Waterfowl Hunting Days: Veterans (as defined in section 101 of title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), may participate. Swans may be taken only by participants possessing applicable swan permits.

B. Special Early Teal Seasons

Areas:

Atlantic Flyway: Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, and Virginia.

Mississippi Flyway: Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio,

Tennessee, and Wisconsin. The season in Minnesota is experimental.

Central Flyway: Colorado (part), Kansas, Nebraska, New Mexico (part), Oklahoma, and Texas.

Outside Dates: September 1–30.

Season Lengths: 16 days.

Daily Bag Limits: 6 teal.

Shooting Hours: One-half hour before sunrise to sunset, except in the States of Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, South Carolina, and Wisconsin, where the hours are from sunrise to sunset.

C. Special Early Teal-Wood Duck Seasons

Areas: Florida, Kentucky, and Tennessee.

Seasons: In lieu of a special early teal season, a 5-consecutive-day teal-wood duck season may be selected in September. The daily bag limit may not exceed 6 teal and wood ducks in the aggregate, of which no more than 2 may be wood ducks. In addition, a 4-consecutive-day teal-only season may be selected in September either immediately before or immediately after the 5-day teal-wood duck season. The daily bag limit is 6 teal.

D. Duck, Merganser, Coot, and Goose Seasons

1. Atlantic Flyway

a. Duck, Merganser, and Coot Seasons

Outside Dates: Saturday nearest September 24 (September 21)–January 31.

Season Lengths and Daily Bag Limits: 60 days. The daily bag limit is 6 ducks, including no more than 4 mallards (no more than 2 of which may be female), 2 black ducks, 1 pintail, 1 mottled duck, 1 fulvous whistling duck, 3 wood ducks, 2 redheads, 2 canvasbacks, and 4 sea ducks (including no more than 3 scoters, 3 long-tailed ducks, or 3 eiders and no more than 1 female eider). The season for scaup may be split into 2 segments, with one segment consisting of 40 consecutive days with a 1-scaup daily bag limit, and the second segment consisting of 20 consecutive days with a 2-scaup daily bag limit. The daily bag limit of mergansers is 5. In States that include mergansers in the duck bag limit, the daily limit is the same as the duck bag limit. The daily bag limit of coots is 15.

Closed Seasons: There is no open season on the harlequin duck.

Zones and Split Seasons: Delaware, Florida, Georgia, Rhode Island, South Carolina, and West Virginia may split their seasons into 3 segments. Maine, Massachusetts, New Hampshire, New Jersey, and Vermont may select seasons

in each of 3 zones; Pennsylvania may select seasons in each of 4 zones; New York may select seasons in each of 5 zones; and all these States may split their season in each zone into 2 segments. Connecticut, Maryland, North Carolina, and Virginia may select seasons in each of 2 zones; and all these States may split their season in each zone into 3 segments. Connecticut, Maryland, North Carolina, and Virginia must conduct an evaluation of the impacts of zones and splits on hunter dynamics (e.g., hunter numbers, satisfaction) and harvest during the 2021–25 seasons.

Other Provisions: The seasons, limits, and shooting hours should be the same between New York’s Lake Champlain Zone and Vermont’s Lake Champlain Zone, and between Vermont’s Connecticut River Zone and New Hampshire’s Inland Zone.

A craft under power may be used to shoot and retrieve dead or crippled birds in the Special Sea Duck Area in the Atlantic Flyway. The Special Sea Duck Area includes all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island,

Connecticut, and New York; in New Jersey, all coastal waters seaward from the International Regulations for Preventing Collisions at Sea (COLREGS) Demarcation Lines shown on National Oceanic and Atmospheric Administration (NOAA) Nautical Charts and further described in 33 CFR 80.165, 80.501, 80.502, and 80.503; in any waters of the Atlantic Ocean and in any tidal waters of any bay that are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in South Carolina and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay that are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware and North Carolina. In Virginia, the Special Sea Duck Area includes all ocean waters of Virginia, the tidal waters of Northampton and Accomack Counties up to the first highway bridge, and the Chesapeake Bay and each of its tributaries up to the first highway bridge; Back Bay and its tributaries are not included. In Maryland, the Special Sea Duck Area includes portions of the waters of the Atlantic Ocean and the Chesapeake Bay

and its tributaries. The Special Sea Duck Area in each State must be described, delineated, and designated as such in each State’s hunting regulations.

b. Special Early Canada and Cackling Goose Seasons

Outside Dates and Season Lengths: 15 days during September 1–15 in the Eastern Unit of Maryland; 30 days during September 1–30 in Connecticut, Florida, Georgia, New Jersey, Long Island Zone of New York, North Carolina, Rhode Island, and South Carolina; and 25 days during September 1–25 in the remainder of the Atlantic Flyway.

Daily Bag Limits: 15 geese in the aggregate.

Shooting Hours: One-half hour before sunrise to sunset, except that during any special early Canada and cackling goose season, shooting hours may extend to one-half hour after sunset if all other waterfowl seasons are closed in the specific applicable area.

c. Dark Goose Seasons

Outside Dates, Season Lengths, and Daily Bag Limits: Regulations are State and zone specific as provided below.

Area	Outside dates	Season length	Daily bag limit	Season segments
<i>Connecticut:</i>				
Atlantic Population (AP) Zone	Oct 10–Feb 5	30	3	2
AP Zone Late Season Area (Special season)	Dec 15–Feb 15	54	5	1
North Atlantic Population (NAP) Zone	Oct 1–Jan 31	60	2	2
NAP Late Season Area (Special season)	Jan 15–Feb 15	28	5	1
Resident Population (RP) Zone	Oct 1–Feb 15	80	5	3
<i>Delaware</i>				
	Nov 15–Feb 5	30	2	2
<i>Florida</i>				
	Oct 1–Mar 10	80	5	3
<i>Georgia</i>				
	Oct 1–Mar 10	80	5	3
<i>Maine:</i>				
North NAP High Harvest Zone	Oct 1–Jan 31	60	2	2
South NAP High Harvest Zone	Oct 1–Jan 31	60	2	2
Coastal NAP Low Harvest Zone	Oct 1–Feb 15	70	3	2
<i>Maryland:</i>				
AP Zone	Nov 15–Feb 5	30	2	2
RP Zone	Nov 15–Mar 10	80	5	3
<i>Massachusetts:</i>				
AP Zone	Oct 10–Feb 5	30	3	2
AP Zone Late Season Area (Special season)	Dec 15–Feb 15	54	5	1
NAP Zone	Oct 1–Jan 31	60	2	2
NAP Late Season Area (Special season)	Jan 15–Feb 15	28	5	1
<i>New Hampshire</i>				
	Oct 1–Jan 31	60	2	2
<i>New Jersey:</i>				
AP Zone	Fourth Saturday in Oct (26)–Feb 5	30	3	2
NAP Zone	Oct 1–Jan 31	60	2	2
Special Late Season Area (Special season)	Jan 15–Feb 15	28	5	1
<i>New York:</i>				
AP Zone	Fourth Saturday in Oct (26)–Feb 5	30	3	2
AP (Lake Champlain) Zone	Oct 10–Feb 5	30	3	2
NAP High Harvest Zone	Oct 1–Jan 31	60	2	2
NAP Low Harvest Zone	Oct 1–Feb 15	70	3	2
Western Long Island RP Zone	Saturday nearest Sep 24 (21)–last day of Feb (28).	107	8	3
Remainder of RP Zone	Fourth Saturday in Oct (26)–last day of Feb (28).	80	5	3
AP (Lake Champlain) Zone Late Season (Special season).	Dec 1–Feb 15	77	5	1

Area	Outside dates	Season length	Daily bag limit	Season segments
<i>North Carolina:</i>				
Northeast Zone	Saturday prior to Dec 25 (21)–Jan 31	30	1	1
RP Zone	Oct 1–Mar 10	80	5	3
<i>Pennsylvania:</i>				
AP Zone	Fourth Saturday in Oct (26)–Feb 5	30	3	2
RP Zone	Fourth Saturday in Oct (26)–Mar 10	80	5	3
<i>Rhode Island:</i>				
Statewide	Oct 1–Jan 31	60	2	2
Late Season Area (Special season)	Jan 15–Feb 15	32	5	2
<i>South Carolina</i>				
	Oct 1–Mar 10	80	5	3
<i>Vermont:</i>				
Connecticut River Zone	Oct 1–Jan 31	60	2	2
Interior Zone	Oct 10–Feb 5	30	3	2
Lake Champlain Zone	Oct 10–Feb 5	30	3	2
Interior, and Lake Champlain Zones Late Season (Special Season)	Dec 1–Feb 15	77	5	1
<i>Virginia:</i>				
AP Zone	Nov 15–Feb 5	30	2	2
RP Zone	Nov 15–Mar 10	80	5	3
<i>West Virginia:</i>				
	Oct 1–Mar 10	80	5	3

d. Light Goose Seasons

Outside Dates: October 1–March 10.
Season Lengths: 107 days. Seasons may be split into 3 segments.
Daily Bag limits: 25 light geese. There is no possession limit.

e. Brant Seasons

Outside Dates: Saturday nearest September 24 (September 21)–January 31.
Season Lengths: 30 days. Seasons may be split into 2 segments.
Daily Bag Limits: 1 brant.

2. Mississippi Flyway

a. Duck, Merganser, and Coot Seasons
Outside Dates: Saturday nearest September 24 (September 21)–January 31.
Season Lengths and Daily Bag Limits: 60 days. The daily bag limit is 6 ducks, including no more than 4 mallards (no more than 2 of which may be females), 1 mottled duck, 2 black ducks, 1 pintail, 3 wood ducks, 2 canvasbacks, and 2 redheads. In Louisiana (the only high-harvest State in the Mississippi Flyway for mottled ducks), the daily bag limit for mottled ducks is zero for the first 15 days. The season for scaup may be split into 2 segments, with one segment consisting of 45 days with a 2-scaup daily bag limit, and the second segment consisting of 15 days with a 1-scaup daily bag limit. The daily bag limit of mergansers is 5, only 2 of which may be hooded mergansers. In States that include mergansers in the duck bag limit, the daily limit is the same as the duck bag limit, only 2 of which may be hooded mergansers. The daily bag limit of coots is 15.

Zones and Split Seasons: Alabama, Arkansas, and Mississippi may split

their seasons into 3 segments. Kentucky and Tennessee may select seasons in each of 2 zones; Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin may select seasons in each of 3 zones; and all these States may split their season in each zone into 2 segments. Illinois may select seasons in each of 4 zones. Louisiana may select seasons in each of 2 zones and may split their season in each zone into 3 segments. Louisiana must conduct an evaluation of the impacts of zones and splits on hunter dynamics (e.g., hunter numbers, satisfaction) and harvest during the 2021–25 seasons.

b. Canada and Cackling Goose Seasons

Outside Dates: September 1–February 15.
Season Lengths: 107 days, which may be split into 4 segments.
Daily Bag Limits: 5 geese in the aggregate.

Shooting Hours: One-half hour before sunrise to sunset, except that during September 1–15 shooting hours may extend to one-half hour after sunset for Canada and cackling geese if all other waterfowl and crane seasons are closed in the specific applicable area.

c. White-Fronted Goose Seasons

Outside Dates: September 1–February 15.
Season Lengths and Daily Bag Limits: 74 days with a daily bag limit of 3 geese, 88 days with a daily bag limit of 2 geese, or 107 days with a daily bag limit of 1 goose. Seasons may be split into 4 segments.

d. Brant Seasons

Outside Dates: September 1–February 15.

Season Lengths and Daily Bag Limits: 70 days with a daily bag limit of 2 brant or 107 days with a daily bag limit of 1 brant. Seasons may be split into 4 segments.

Other Provisions: In lieu of a separate brant season, brant may be included in the season for Canada and cackling geese with a daily bag limit of 5 geese in the aggregate.

e. Dark Goose Seasons

Areas: Alabama, Iowa, Indiana, Michigan, Minnesota, Ohio, and Wisconsin in lieu of separate seasons for Canada and cackling geese, white-fronted geese, and brant.

Outside Dates: September 1–February 15.

Season Lengths: 107 days, which may be split into 4 segments.
Daily Bag Limits: 5 geese in the aggregate.

f. Light Goose Seasons

Outside Dates: September 1–February 15.

Season Lengths: 107 days, which may be split into 4 segments.
Daily Bag and Possession Limits: The daily bag limit is 20 geese. There is no possession limit for light geese.

3. Central Flyway

a. Ducks, Merganser, and Coot Seasons

Outside Dates: Saturday nearest September 24 (September 21)–January 31.

Season Lengths and Duck Daily Bag Limits: 74 days, except in the High Plains Mallard Management Unit where the season length is 97 days and the last 23 days must be consecutive and may start no earlier than the Saturday nearest December 10 (December 7). The daily

bag limit is 6 ducks and mergansers in the aggregate, including no more than 5 mallards (no more than 2 of which may be females), 2 redheads, 3 wood ducks, 1 pintail, 1 scaup, and 2 canvasbacks. In Texas, the daily bag limit on mottled ducks is 1, except that no mottled ducks may be taken during the first 5 days of the season. In addition to the daily limits listed above, the States of Montana, North Dakota, South Dakota, and Wyoming, in lieu of selecting an experimental September teal season, may include an additional daily bag and possession limit of 2 and 6 blue-winged teal, respectively, during the first 16 days of the regular duck season in each respective duck hunting zone. These extra limits are in addition to the regular duck bag and possession limits.

Coot Daily Bag Limits: 15 coots.

Zones and Split Seasons: Colorado, Kansas (Low Plains portion), Montana, Nebraska, New Mexico, Oklahoma (Low Plains portion), South Dakota (Low Plains portion), Texas (Low Plains portion), and Wyoming may select hunting seasons by zones.

North Dakota may split their season into 3 segments. Montana, New Mexico, Oklahoma, and Texas may select seasons in each of 2 zones; Colorado, Kansas, South Dakota, and Wyoming may select seasons in each of 3 zones; and all these States may split their season in each zone into 2 segments. Nebraska may select seasons in each of 4 zones.

b. Special Early Canada and Cackling Goose Seasons

Outside Dates and Seasons Lengths: In Kansas, Nebraska, Oklahoma, South Dakota, and Texas, 30 days between September 1–30; in Colorado, New Mexico, Montana, and Wyoming, Canada and cackling goose seasons of not more than 15 days between September 1–15; and in North Dakota, 22 days between September 1–22.

Daily Bag Limits: 5 geese in the aggregate in Colorado, New Mexico, Montana, Wyoming, and Texas; 8 geese in the aggregate in Kansas, Nebraska, and Oklahoma; and 15 geese in the aggregate in North Dakota and South Dakota.

Shooting Hours: One-half hour before sunrise to sunset, except that during September 1–15 shooting hours may extend to one-half hour after sunset if all other waterfowl and crane seasons are closed in the specific applicable area.

c. Canada Goose, Cackling Goose, and Brant Seasons

Outside Dates: Saturday nearest September 24 (September 21)—the

Sunday nearest February 15 (February 16).

Seasons and Daily Bag Limits: In Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and the Eastern Goose Zone of Texas, 107 days with a daily bag limit of 8 geese; in Colorado, Montana, New Mexico, and Wyoming, 107 days with a daily bag limit of 5 geese; and in Texas (Western Goose Zone), 95 days with a daily bag limit of 5 geese.

Split Seasons: Seasons may be split into 3 segments. Three-segment seasons require Central Flyway Council and U.S. Fish and Wildlife Service approval, and a 3-year evaluation by each participating State.

d. White-Fronted Goose Seasons

Outside Dates: Saturday nearest September 24 (September 21)—the Sunday nearest February 15 (February 16).

Season Length and Daily Bag Limits: *East-tier States (Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas except for the Western Goose Zone):* Either 74 days with a daily bag limit of 3 geese, or 88 days with a daily bag limit of 2 geese, or 107 days with a daily bag limit of 1 goose.

West-tier States (Colorado, Montana, New Mexico, Wyoming, and the Western Goose Zone of Texas): 107 days, except 95 days in the Western Goose Zone of Texas. The daily bag limit is 5 dark geese in the aggregate.

Split Seasons: Seasons may be split into 3 segments. Three-segment seasons require Central Flyway Council and U.S. Fish and Wildlife Service approval, and a 3-year evaluation by each participating State.

e. Light Goose Seasons

Outside Dates: Saturday nearest September 24 (September 21)—March 10.

Season Lengths: 107 days. Seasons may be split into 3 segments.

Daily Bag and Possession Limits: The daily bag limit is 50 with no possession limit.

Other Provisions: In the Rainwater Basin Light Goose Area (East and West) of Nebraska, temporal and spatial restrictions that are consistent with the late-winter snow goose hunting strategy cooperatively developed by the Central Flyway Council and the Service are required.

4. Pacific Flyway

a. Duck, Merganser, Coot, and Gallinule Seasons

Outside Dates: Saturday nearest September 24 (September 21)—January 31.

Season Lengths and Daily Bag Limits: 107 days. The daily bag limit is 7 ducks and mergansers in the aggregate, including no more than 2 female mallards, 1 pintail, 2 canvasbacks, 2 scaup, and 2 redheads. For scaup, the season length is 86 days, which may be split according to applicable zones and split duck hunting configurations approved for each State. The daily bag limit of coots and gallinules is 25 in the aggregate.

Zones and Split Seasons: Montana and New Mexico may split their seasons into 3 segments. Arizona, Colorado, Oregon, Utah, Washington, and Wyoming may select seasons in each of 2 zones; Nevada may select seasons in each of 3 zones; California may select seasons in each of 5 zones; and all these States may split their season in each zone into 2 segments. Idaho may select seasons in each of 4 zones.

Other Provisions: The seasons, limits, and shooting hours should be the same between the Colorado River Zone of California and the South Zone of Arizona.

b. Goose Seasons

i. Special Early Canada and Cackling Goose Seasons

Outside Dates: September 1–20.

Season Lengths: 15 days.

Daily Bag Limits: 5 geese in the aggregate, except in Pacific County, Washington, where the daily bag limit is 15 geese in the aggregate.

ii. Canada Goose, Cackling Goose, and Brant Seasons

Outside Dates: Except as subsequently provided, Saturday nearest September 24 (September 21)—February 15.

Season Lengths: Except as subsequently provided, 107 days.

Daily Bag Limits: Except as subsequently provided, in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming, the daily bag limit is 5 Canada and cackling geese and brant in the aggregate. In Oregon and Washington, the daily bag limit is 4 Canada and cackling geese in the aggregate. In California, the daily bag limit is 10 Canada and cackling geese in the aggregate.

Split Seasons: Seasons may be split into 3 segments. Three-segment seasons require Pacific Flyway Council and U.S. Fish and Wildlife Service approval and a 3-year evaluation by each participating State.

Other Provisions:

California: In the Balance of State Zone, outside dates are Saturday nearest September 24 (September 21) and March 10. The season may be split into

3 segments. In the Balance of State Zone, North Coast Special Management Area, hunting days that occur after January 31 should be concurrent with Oregon's South Coast Zone.

Oregon: In the Northwest Permit Zone, outside dates are the Saturday nearest September 24 (September 21) and March 10. The daily bag limit is 3 geese in the aggregate. The season may be split into 3 segments. In the South Coast Zone, outside dates are the Saturday nearest September 24 (September 21) and March 10. The daily bag limit is 6 geese in the aggregate. The season may be split into 3 segments. Hunting days that occur after January 31 should be concurrent with California's Balance of State Zone, North Coast Special Management Area.

Washington: In Areas 2 Inland and 2 Coastal (Southwest Permit Zone), outside dates are the Saturday nearest September 24 (September 21) and March 10. The daily bag limit is 3 geese in the aggregate. The season may be split into 3 segments. In Area 4, the season may be split into 3 segments.

Permit Zones: In Oregon and Washington permit zones, the hunting season is closed on dusky Canada geese. A dusky Canada goose is any dark-breasted Canada goose (Munsell 10 YR color value 5 or less) with a bill length between 40 and 50 millimeters. Hunting is by State-issued permit only. Shooting hours for geese may begin no earlier than sunrise. Regular Canada and cackling goose seasons in the permit zones of Oregon and Washington remain subject to the Memorandum of Understanding entered into with the Service regarding monitoring the impacts of take during the regular Canada and cackling goose season on the dusky Canada goose population.

iii. Brant Seasons

Areas: California, Oregon, and Washington.

Outside Dates: Saturday nearest September 24 (September 21)–January 31.

Season Lengths and Daily Bag Limits: 37 days and 2 brant.

Zones: Washington and California may select seasons in each of 2 zones.

Other Provisions: In Oregon and California, the brant season must end no later than December 15.

iv. White-Fronted Goose Seasons

Outside Dates: Saturday nearest September 24 (September 21)–March 10.

Season Lengths: 107 days.

Daily Bag Limits: Except as subsequently provided, 10 geese.

Split Seasons: Seasons may be split into 3 segments. Three-segment seasons

require Pacific Flyway Council and U.S. Fish and Wildlife Service approval and a 3-year evaluation by each participating State.

Other Provisions:

California: In the Balance of State Zone, Sacramento Valley Special Management Area, the season must end on or before December 28, and the daily bag limit is 3 white-fronted geese. In the Balance of State Zone, North Coast Special Management Area, hunting days that occur after January 31 should be concurrent with Oregon's South Coast Zone. In the Northeastern Zone, the season may be split into 3 segments.

Oregon: In the Eastern Zone, for Lake County only, the daily bag limit is 1 white-fronted goose. In the Northwest Permit Zone and South Coast Zone, the seasons may be split into 3 segments. Hunting days that occur after January 31 should be concurrent with California's Balance of State Zone, North Coast Special Management Area.

Washington: In Areas 2 Inland and 2 Coastal (Southwest Permit Zone) and Area 4, seasons may be split into 3 segments.

v. Light Goose Seasons

Outside Dates: Saturday nearest September 24 (September 21)–March 10.

Season Lengths: 107 days. Seasons may be split into 3 segments.

Daily Bag Limits: 20 geese, except in Washington where the daily bag limit for light geese is 10 on or before the last Sunday in January (January 26).

E. Swan Seasons

1. Pacific Flyway

Areas: Idaho, Montana, Nevada, and Utah.

Outside Dates: Saturday nearest September 24 (September 21)–January 31.

Season Lengths: 107 days. Seasons may be split into 2 segments.

Permits: Hunting is by State-issued permit only. The total number of permits issued may not exceed 50 in Idaho, 500 in Montana, 750 in Nevada, and 2,750 in Utah. Permits will authorize the take of no more than 1 swan per permit. Only 1 permit may be issued per hunter in Idaho, Montana, and Utah; 2 permits may be issued per hunter in Nevada.

Quotas: The swan season in the respective State must end upon attainment of the following reported harvest of trumpeter swans: 20 in Utah and 10 in Nevada. There is no quota in Idaho and Montana.

Monitoring: Each State must evaluate hunter participation, species-specific swan harvest, and hunter compliance in

providing either species-determinant parts (at least the intact head) or bill measurements (bill length from tip to posterior edge of the nares opening, and presence or absence of yellow lore spots on the bill in front of the eyes) of harvested swans for species identification. Each State should use appropriate measures to maximize hunter compliance with the State's program for swan harvest reporting. Each State must achieve a hunter compliance of at least 80 percent in providing species-determinant parts or bill measurements of harvested swans for species identification, or subsequent permits will be reduced by 10 percent in the respective State. Each State must provide to the Service by June 30 following the swan season a report detailing hunter participation, species-specific swan harvest, and hunter compliance in reporting harvest. In Idaho and Montana, all hunters that harvest a swan must complete and submit a reporting card (bill card) with the bill measurement and color information from the harvested swan within 72 hours of harvest for species determination. In Utah and Nevada, all hunters that harvest a swan must have the swan or species-determinant parts examined by a State or Federal biologist within 72 hours of harvest for species determination.

Other Provisions: In Utah, the season is subject to the terms of the Memorandum of Agreement entered into with the Service in January 2019 regarding harvest monitoring, season closure procedures, and education requirements to minimize take of trumpeter swans during the swan season.

2. Atlantic and Central Flyways

Areas: Delaware, North Carolina, and Virginia in the Atlantic Flyway and North Dakota, South Dakota east of the Missouri River, and part of Montana in the Central Flyway.

Outside Dates: October 1–January 31 in the Atlantic Flyway and the Saturday nearest October 1 (September 28)–January 31 in the Central Flyway.

Season Lengths: 90 days in the Atlantic Flyway and 107 days in the Central Flyway.

Permits: Hunting is by permit only. Permits will be issued by the States. No more than 5,600 permits may be issued in the Atlantic Flyway including 347 in Delaware; 4,721 in North Carolina; and 532 in Virginia. No more than 4,000 permits may be issued in the Central Flyway including 500 in Montana; 2,200 in North Dakota; and 1,300 in South Dakota. Permits will authorize the take of no more than 1 swan per permit. A

second permit may be issued to hunters from unissued permits remaining after the first drawing. Unissued permits may be reallocated to States within a flyway.

Monitoring: Each State must evaluate hunter participation, species-specific swan harvest, and hunter compliance in providing measurements of harvested swans for species identification. Each State should use appropriate measures to maximize hunter compliance with the State's program for swan harvest reporting. Each State must achieve a hunter compliance of at least 80 percent in providing species-determinant measurements of harvested swans for species identification. Each State must provide to the Service by June 30 following the swan season a report detailing hunter participation, species-specific swan harvest, and hunter compliance in reporting harvest.

Other Provisions: In lieu of a general swan hunting season, States may select a season only for tundra swans. States selecting a season only for tundra swans must obtain harvest and hunter participation data.

F. Sandhill Crane Seasons

1. Mississippi Flyway

Areas: Alabama, Kentucky, Minnesota, and Tennessee.

Outside Dates: September 1–February 28 in Minnesota, and September 1–January 31 in Alabama, Kentucky, and Tennessee.

Season Lengths: 37 days in the designated portion of Minnesota's Northwest Goose Zone, and 60 days in Alabama, Kentucky, and Tennessee.

Daily Bag and Possession Limits: The daily bag limit is 2 cranes in Minnesota and Kentucky, and 3 cranes in Alabama and Tennessee. In Alabama, Kentucky, and Tennessee, the seasonal bag limit is 3 cranes.

Permits: Hunting is by State-issued permit only.

Other Provisions: The number of permits, open areas, season dates, protection plans for other species, and other provisions of seasons must be consistent with Council management plans and approved by the Mississippi Flyway Council.

2. Central Flyway

Areas: Colorado, Kansas, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Outside Dates: September 1–February 28.

Season Lengths: 37 days in Texas (Zone C); 58 days in Colorado, Kansas, Montana, North Dakota, South Dakota, and Wyoming; and 93 days in New Mexico, Oklahoma, and Texas.

Daily Bag Limits: 3 cranes, except 2 cranes in North Dakota (Area 2) and Texas (Zone C).

Permits: Hunting is by permit only. Permits will be issued by the States.

3. Central and Pacific Flyways

Areas: Arizona, Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming within the range of the Rocky Mountain Population (RMP) of sandhill cranes.

Outside Dates: September 1–January 31.

Season Lengths: 60 days. The season may be split into 3 segments.

Daily Bag and Possession limits: The daily bag limit is 3 cranes, and the possession limit is 9 cranes per season.

Permits: Hunting is by State-issued permit only.

Other Provisions: Numbers of permits, open areas, season dates, protection plans for other species, and other provisions of seasons must be consistent with Councils' management plan and approved by the Central and Pacific Flyway Councils, with the following exceptions:

1. In Utah, 100 percent of the harvest will be assigned to the RMP crane quota;
2. In Arizona, monitoring the species composition of the harvest must be conducted at 3-year intervals unless 100 percent of the harvest will be assigned to the RMP crane quota;
3. In Idaho, 100 percent of the harvest will be assigned to the RMP crane quota; and
4. In the Estancia Valley hunt area of New Mexico, harvest and species composition must be monitored; greater sandhill cranes in the harvest will be assigned to the RMP crane quota.

G. Gallinule Seasons

1. Atlantic, Mississippi, and Central Flyways

G. Gallinule Seasons

1. Atlantic, Mississippi, and Central Flyways

Outside Dates: September 1–January 31.

Season Lengths: 70 days.

Daily Bag Limits: 15 gallinules.

Zones and Split Seasons: Seasons may be selected by zones established for duck hunting.

The season in each zone may be split into 2 segments.

2. Pacific Flyway

States in the Pacific Flyway may select their hunting seasons between the outside dates for the season on ducks, mergansers, and coots; therefore, Pacific Flyway frameworks for gallinules are included with the duck, merganser, and coot frameworks.

H. Rail Seasons

Areas: Atlantic, Mississippi, and Central Flyways and the Pacific Flyway

portions of Colorado, Montana, New Mexico, and Wyoming.

Outside Dates: September 1–January 31.

Season Lengths: 70 days. Seasons may be split into 2 segments.

Daily Bag Limits

Clapper and King Rails: In Connecticut, Delaware, Maryland, New Jersey, and Rhode Island, 10 rails in the aggregate. In Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, 15 rails in the aggregate.

Sora and Virginia Rails: 25 rails in the aggregate.

I. Snipe Seasons

Outside Dates: September 1–February 28, except in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Virginia, where the season must end no later than January 31.

Season Lengths: 107 days.

Daily Bag limits: 8 snipe.

Zones and Split Seasons: Seasons may be selected by zones established for duck seasons. The season in each zone may be split into 2 segments.

J. American Woodcock Seasons

Areas: Eastern and Central Management Regions

Outside Dates: September 13–January 31.

Season Lengths: Except as subsequently provided, 45 days.

Daily Bag Limits: 3 woodcock.

Zones and Split Seasons: Seasons may be split into 2 segments. New Jersey may select seasons in each of 2 zones. The season in each zone may not exceed 36 days.

K. Band-tailed Pigeon Seasons

1. California, Oregon, Washington, and Nevada

Outside Dates: September 15–January 31.

Season Lengths: 9 days.

Daily Bag Limits: 2 pigeons.

Zones: California may select seasons in each of 2 zones. The season in each zone may not exceed 9 days. The season in the North Zone must close by October 3.

2. Arizona, Colorado, New Mexico, and Utah

Outside Dates: September 1–November 30.

Season Lengths: 14 days.

Daily Bag Limits: 2 pigeons.

Zones: New Mexico may select seasons in each of 2 zones. The season in each zone may not exceed 14 days. The season in the South Zone may not open until October 1.

L. Dove Seasons

1. Eastern Management Unit

Outside Dates: September 1–January 31.

Season Lengths: 90 days.

Daily Bag Limits: 15 mourning and white-winged doves in the aggregate.

Zones and Split Seasons: Seasons may be split into 3 segments; Alabama, Louisiana, and Mississippi may select seasons in each of 2 zones and may split their season in each zone into 3 segments.

2. Central Management Unit

Outside Dates: September 1–January 15.

Season Lengths: 90 days.

a. All States Except Texas

Daily Bag Limits: 15 mourning and white-winged doves in the aggregate.

Zones and Split Seasons: Seasons may be split into 3 segments; New Mexico may select seasons in each of 2 zones and may split their season in each zone into 3 segments.

b. Texas

Daily Bag Limits: 15 mourning, white-winged, and white-tipped doves in the aggregate, of which no more than 2 may be white-tipped doves.

Zones and Split Seasons: Texas may select hunting seasons for each of 3 zones subject to the following conditions:

1. The season may be split into 2 segments, except in that portion of Texas in which the special white-winged dove season is allowed, where a limited take of mourning and white-tipped doves may also occur during that special season (see i. Special White-winged Dove Area in Texas, below).

2. A season may be selected for the North and Central Zones between September 1 and January 25; and for the South Zone between September 14 and January 25.

i. Special White-winged Dove Season in Texas

In addition, Texas may select a hunting season of not more than 6 days, which may be split into 3 segments, for the Special White-winged Dove Area between September 1 and 19. The daily bag limit may not exceed 15 white-winged, mourning, and white-tipped doves in the aggregate, of which no more than 2 may be mourning doves and no more than 2 may be white-tipped doves. Shooting hours are from noon to sunset.

3. Western Management Unit

Outside Dates: September 1–January 15.

a. Idaho, Nevada, Oregon, Utah, and Washington

Season Lengths: 60 days.

Daily Bag Limits: 15 mourning and white-winged doves in the aggregate.

Zones and Split Seasons: Idaho, Nevada, Utah, and Washington may split their seasons into 2 segments. Oregon may select hunting seasons in each of 2 zones and may split their season in each zone into 2 segments.

b. Arizona and California

Season Lengths: 60 days, which may be split between 2 segments, September 1–15 and November 1–January 15.

Daily Bag Limits: The daily bag limit is 15 mourning and white-winged doves in the aggregate, of which no more than 10 may be white-winged doves.

M. Alaska

1. Duck, Goose, Sandhill Crane, and Snipe Seasons

Outside Dates: Except as subsequently provided, September 1–January 26.

Season Lengths: Except as subsequently provided, 107 days for ducks, geese, brant, sandhill cranes, and snipe.

Zones and Split Seasons: A season may be established in each of 5 zones. The season in the Southeast Zone may be split into 2 segments.

Closed Seasons: The hunting season is closed on the spectacled eider and Steller's eider.

Daily Bag and Possession Limits and Special Conditions.

Ducks: The basic daily bag limit is 7 ducks. The basic daily bag limit in the North Zone is 10 ducks, and in the Gulf Coast Zone is 8 ducks. The basic daily bag limits may include 2 canvasbacks and may not include sea ducks.

In addition to the basic daily bag limits, the sea duck daily bag limit is 10, including 6 each of either harlequin or long-tailed ducks. Sea ducks include scoters, common and king eiders, harlequin ducks, long-tailed ducks, and common, hooded, and red-breasted mergansers.

Light Geese: The daily bag limit is 6 geese.

Canada and Cackling Geese: The daily bag limit is 4 Canada and cackling geese in the aggregate with the following exceptions, and subject to the following conditions:

1. In Game Management Units (Units) 5 and 6, in the Gulf Coast Zone, outside dates are September 28–December 16.

2. On Middleton Island in Unit 6, in the Gulf Coast Zone, all hunting is by permit only. Each hunter is required to complete a mandatory Canada and cackling goose identification class prior

to being issued a permit. Hunters must check in and check out when hunting. The daily bag and possession limits are 1 goose. The season will close if incidental harvest includes 5 dusky Canada geese. A dusky Canada goose is any dark-breasted Canada goose (Munsell 10 YR color value 5 or less) with a bill length between 40 and 50 millimeters.

3. In Unit 10, in the Pribilof and Aleutian Islands Zone, the daily bag limit is 6 geese in the aggregate.

White-fronted Geese: The daily bag limit is 4 geese with the following exceptions:

1. In Unit 9, in the Gulf Coast Zone, Unit 10, in the Pribilof and Aleutian Islands Zone, and Unit 17, in the North Zone, the daily bag limit is 6 geese.

2. In Unit 18, in the North Zone, the daily bag limit is 10 geese.

Emperor Geese: The emperor goose season is subject to the following conditions:

1. All hunting is by permit only.

2. One goose may be harvested per hunter per season.

3. Total harvest may not exceed 500 geese.

4. In Unit 8, in the Kodiak Zone, the Kodiak Island Road Area is closed to hunting. The Kodiak Island Road Area consists of all lands and water (including exposed tidelands) east of a line extending from Crag Point in the north to the west end of Sallery Cove in the south and all lands and water south of a line extending from Termination Point along the north side of Cascade Lake extending to Anton Larsen Bay. Marine waters adjacent to the closed area are closed to harvest within 500 feet from the water's edge. The offshore islands are open to harvest, for example: Woody, Long, Gull, and Puffin islands.

Brant: The daily bag limit is 4 brant.

Snipe: The daily bag limit is 8 snipe.

Sandhill Cranes: The daily bag limit is 2 cranes in the Southeast, Gulf Coast, Kodiak, and Pribilof and Aleutian Islands Zones, and Unit 17 in the North Zone. In the remainder of the North Zone (outside Unit 17), the daily bag limit is 3 cranes.

2. Tundra Swan Seasons

Outside Dates: September 1–October 31.

Season Lengths: 61 days.

Daily Bag and Possession Limits and Special Conditions: All hunting is by permit only according to the following conditions.

1. In Unit 17, in the North Zone, 200 permits may be issued; 3 tundra swans may be authorized per permit, and 1 permit may be issued per hunter per season.

2. In Unit 18, in the North Zone, 500 permits may be issued; 3 tundra swans may be authorized per permit, and 1 permit may be issued per hunter per season.

3. In Unit 22, in the North Zone, 300 permits may be issued; 3 tundra swans may be authorized per permit, and 1 permit may be issued per hunter per season.

4. In Unit 23, in the North Zone, 300 permits may be issued; 3 tundra swans may be authorized per permit, and 1 permit may be issued per hunter per season.

N. Hawaii

1. Mourning Dove Seasons

Outside Dates: October 1–January 31.

Season Lengths and Daily Bag Limits: 65 days with a daily bag limit of 15 doves or 75 days with a daily bag of 12 doves.

Note: Mourning doves may be taken in Hawaii in accordance with shooting hours and other regulations set by the State of Hawaii, and subject to the applicable provisions of 50 CFR part 20.

O. Puerto Rico

1. Dove and Pigeon Seasons

Outside Dates: September 1–January 15.

Season Lengths: 60 days.

Daily Bag Limits: 30 Zenaida, mourning, and white-winged doves in the aggregate, of which 10 may be Zenaida doves and 3 may be mourning doves, and 5 scaly-naped pigeons.

Closed Seasons: There is no open season on the white-crowned pigeon and the plain pigeon, which are protected by the Commonwealth of Puerto Rico.

Closed Areas: There is no open season on doves or pigeons in the following areas: Municipality of Culebra, Desecheo Island, Mona Island, El Verde Closure Area, and Cidra Municipality and adjacent areas.

2. Duck, Coot, Gallinule, and Snipe Seasons

Outside Dates: October 1–January 31.

Season Lengths: 55 days. The season may be split into 2 segments.

Daily Bag Limits: 6 ducks, 6 common gallinules, and 8 snipe.

Closed Seasons: There is no open season on the ruddy duck, white-cheeked pintail, West Indian whistling duck, fulvous whistling duck, and masked duck, which are protected by the Commonwealth of Puerto Rico. There is no open season on the purple gallinule, American coot, and Caribbean coot.

Closed Areas: There is no open season on ducks, gallinules, and snipe in the

Municipality of Culebra and on Desecheo Island.

P. Virgin Islands

1. Dove and Pigeon Seasons

Outside Dates: September 1–January 15.

Season Lengths: 60 days.

Daily Bag and Possession Limits: 10 Zenaida doves.

Closed Seasons: There is no open season for ground-doves, quail-doves, and pigeons.

Closed Areas: There is no open season for migratory game birds on Ruth Cay (just south of St. Croix).

Local Names for Certain Birds:

Zenaida dove, also known as mountain dove; bridled quail-dove, also known as Barbary dove or partridge; common ground-dove, also known as stone dove, tobacco dove, rola, or tortolita; scaly-naped pigeon, also known as red-necked or scaled pigeon.

2. Duck Seasons

Outside Dates: December 1–January 31.

Season Lengths: 55 days.

Daily Bag Limits: 6 ducks.

Closed Seasons: There is no open season on the ruddy duck, white-cheeked pintail, West Indian whistling-duck, fulvous whistling-duck, and masked duck.

Q. Special Falconry Regulations

In accordance with 50 CFR 21.82, falconry is a permitted means of taking migratory game birds in any State except for Hawaii. States may select an extended season for taking migratory game birds in accordance with the following:

Outside Dates: September 1–March 10.

Season Lengths: For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area. Each extended season may be split into 3 segments.

Daily Bag Limits: Falconry daily bag limits for all permitted migratory game birds must not exceed 3 birds in the aggregate during extended falconry seasons, any special or experimental seasons, and regular hunting seasons in each State, including those that do not select an extended falconry season.

Note: General hunting regulations, including seasons and hunting hours, apply to falconry. Regular season bag limits do not apply to falconry. The falconry bag limit is not in addition to shooting limits.

III. Area, Unit, and Zone Descriptions

A. Ducks (Including Mergansers) and Coots

1. Atlantic Flyway

Connecticut

North Zone: That portion of the State north of I–95.

South Zone: Remainder of the State.

Maine

North Zone: That portion north of the line extending east along Maine State Highway 110 from the New Hampshire-Maine State line to the intersection of Maine State Highway 11 in Newfield; then north and east along Route 11 to the intersection of U.S. Route 202 in Auburn; then north and east on Route 202 to the intersection of I–95 in Augusta; then north and east along I–95 to Route 15 in Bangor; then east along Route 15 to Route 9; then east along Route 9 to Stony Brook in Baileyville; then east along Stony Brook to the U.S. border.

Coastal Zone: That portion south of a line extending east from the Maine-New Brunswick border in Calais at the Route 1 Bridge; then south along Route 1 to the Maine-New Hampshire border in Kittery.

South Zone: Remainder of the State.

Maryland

Western Zone: Allegany, Carroll, Garrett, Frederick, and Washington Counties; and those portions of Baltimore, Howard, Prince George's, and Montgomery Counties west of a line beginning at I–83 at the Pennsylvania State line, following I–83 south to the intersection of I–83 and I–695 (Outer Loop), south following I–695 (Outer Loop) to its intersection with I–95, south following I–95 to its intersection with I–495 (Outer Loop), and following I–495 (Outer Loop) to the Virginia shore of the Potomac River.

Eastern Zone: That portion of the State not included in the Western Zone.

Special Teal Season Area: Calvert, Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester Counties; that part of Anne Arundel County east of Interstate 895, Interstate 97, and Route 3; that part of Prince George's County east of Route 3 and Route 301; and that part of Charles County east of Route 301 to the Virginia State Line.

Massachusetts

Western Zone: That portion of the State west of a line extending south from the Vermont State line on I–91 to MA 9, west on MA 9 to MA 10, south

on MA 10 to U.S. 202, south on U.S. 202 to the Connecticut State line.

Central Zone: That portion of the State east of the Berkshire Zone and west of a line extending south from the New Hampshire State line on I-95 to U.S. 1, south on U.S. 1 to I-93, south on I-93 to MA 3, south on MA 3 to U.S. 6, west on U.S. 6 to MA 28, west on MA 28 to I-195, west to the Rhode Island State line; except the waters, and the lands 150 yards inland from the high-water mark, of the Assonet River upstream to the MA 24 bridge, and the Taunton River upstream to the Center Street-Elm Street bridge shall be in the Coastal Zone.

Coastal Zone: That portion of Massachusetts east and south of the Central Zone.

New Hampshire

Northern Zone: That portion of the State east and north of the Inland Zone beginning at the junction of Route 10 and Route 25-A in Orford, east on Route 25-A to Route 25 in Wentworth, southeast on Route 25 to Exit 26 of Route I-93 in Plymouth, south on Route I-93 to Route 3 at Exit 24 of Route I-93 in Ashland, northeast on Route 3 to Route 113 in Holderness, north on Route 113 to Route 113-A in Sandwich, north on Route 113-A to Route 113 in Tamworth, east on Route 113 to Route 16 in Chocorua, north on Route 16 to Route 302 in Conway, east on Route 302 to the Maine-New Hampshire border.

Inland Zone: That portion of the State south and west of the Northern Zone, west of the Coastal Zone, and includes the area of Vermont and New Hampshire as described for hunting reciprocity. A person holding a New Hampshire hunting license that allows the taking of migratory waterfowl or a person holding a Vermont resident hunting license that allows the taking of migratory waterfowl may take migratory waterfowl and coots from the following designated area of the Inland Zone: the State of Vermont east of Route I-91 at the Massachusetts border, north on Route I-91 to Route 2, north on Route 2 to Route 102, north on Route 102 to Route 253, and north on Route 253 to the border with Canada and the area of New Hampshire west of Route 63 at the Massachusetts border, north on Route 63 to Route 12, north on Route 12 to Route 12-A, north on Route 12-A to Route 10, north on Route 10 to Route 135, north on Route 135 to Route 3, north on Route 3 to the intersection with the Connecticut River.

Coastal Zone: That portion of the State east of a line beginning at the Maine-New Hampshire border in Rollinsford, then extending to Route 4

west to the city of Dover, south to the intersection of Route 108, south along Route 108 through Madbury, Durham, and Newmarket to the junction of Route 85 in Newfields, south to Route 101 in Exeter, east to Interstate 95 (New Hampshire Turnpike) in Hampton, and south to the Massachusetts border.

New Jersey

Coastal Zone: That portion of the State seaward of a line beginning at the New York State line in Raritan Bay and extending west along the New York State line to NJ 440 at Perth Amboy; west on NJ 440 to the Garden State Parkway; south on the Garden State Parkway to NJ 109; south on NJ 109 to Cape May County Route 633 (Lafayette Street); south on Lafayette Street to Jackson Street; south on Jackson Street to the shoreline at Cape May; west along the shoreline of Cape May beach to COLREGS Demarcation Line 80.503 at Cape May Point; south along COLREGS Demarcation Line 80.503 to the Delaware State line in Delaware Bay.

North Zone: That portion of the State west of the Coastal Zone and north of a line extending west from the Garden State Parkway on NJ 70 to the New Jersey Turnpike, north on the turnpike to U.S. 206, north on U.S. 206 to U.S. 1 at Trenton, west on U.S. 1 to the Pennsylvania State line in the Delaware River.

South Zone: That portion of the State not within the North Zone or the Coastal Zone.

New York

Lake Champlain Zone: That area east and north of a continuous line extending along U.S. 11 from the New York-Canada International boundary south to NY 9B, south along NY 9B to U.S. 9, south along U.S. 9 to NY 22 south of Keesville; south along NY 22 to the west shore of South Bay, along and around the shoreline of South Bay to NY 22 on the east shore of South Bay; southeast along NY 22 to U.S. 4, northeast along U.S. 4 to the Vermont State line.

Long Island Zone: That area consisting of Nassau County, Suffolk County, that area of Westchester County southeast of I-95, and their tidal waters.

Western Zone: That area west of a line extending from Lake Ontario east along the north shore of the Salmon River to I-81, and south along I-81 to the Pennsylvania State line.

Northeastern Zone: That area north of a continuous line extending from Lake Ontario east along the north shore of the Salmon River to I-81, south along I-81 to NY 31, east along NY 31 to NY 13, north along NY 13 to NY 49, east along

NY 49 to NY 365, east along NY 365 to NY 28, east along NY 28 to NY 29, east along NY 29 to NY 22, north along NY 22 to Washington County Route 153, east along CR 153 to the New York-Vermont boundary, exclusive of the Lake Champlain Zone.

Southeastern Zone: The remaining portion of New York.

North Carolina

Coastal Zone: All counties and portions of counties east of I-95.

Inland Zone: All counties and portions of counties west of I-95.

Pennsylvania

Lake Erie Zone: The Lake Erie waters of Pennsylvania and a shoreline margin along Lake Erie from New York on the east to Ohio on the west extending 150 yards inland but including all of Presque Isle Peninsula.

Northwest Zone: The area bounded on the north by the Lake Erie Zone and including all of Erie and Crawford Counties and those portions of Mercer and Venango Counties north of I-80.

North Zone: That portion of the State east of the Northwest Zone and north of a line extending east on I-80 to U.S. 220, Route 220 to I-180, I-180 to I-80, and I-80 to the Delaware River.

South Zone: The remaining portion of Pennsylvania.

Vermont

Lake Champlain Zone: The U.S. portion of Lake Champlain and that area north and west of the line extending from the New York border along U.S. 4 to VT 22A at Fair Haven; VT 22A to U.S. 7 at Vergennes; U.S. 7 to VT 78 at Swanton; VT 78 to VT 36; VT 36 to Maquam Bay on Lake Champlain; along and around the shoreline of Maquam Bay and Hog Island to VT 78 at the West Swanton Bridge; VT 78 to VT 2 in Alburg; VT 2 to the Richelieu River in Alburg; along the east shore of the Richelieu River to the Canadian border.

Interior Zone: That portion of Vermont east of the Lake Champlain Zone and west of a line extending from the Massachusetts border at I-91; north along I-91 to U.S. 2; east along U.S. 2 to VT 102; north along VT 102 to VT 253; north along VT 253 to the Canadian border.

Connecticut River Zone: The remaining portion of Vermont east of the Interior Zone.

Virginia

Western Zone: All counties and portions of counties west of I-95.

Eastern Zone: All counties and portions of counties east of I-95.

2. Mississippi Flyway

Illinois

North Zone: That portion of the State north of a line extending west from the Indiana border along Peotone-Beecher Road to Illinois Route 50, south along Illinois Route 50 to Wilmington-Peotone Road, west along Wilmington-Peotone Road to Illinois Route 53, north along Illinois Route 53 to New River Road, northwest along New River Road to Interstate Highway 55, south along I-55 to Pine Bluff-Lorenzo Road, west along Pine Bluff-Lorenzo Road to Illinois Route 47, north along Illinois Route 47 to I-80, west along I-80 to I-39, south along I-39 to Illinois Route 18, west along Illinois Route 18 to Illinois Route 29, south along Illinois Route 29 to Illinois Route 17, west along Illinois Route 17 to the Mississippi River, and due south across the Mississippi River to the Iowa border.

Central Zone: That portion of the State south of the North Duck Zone line to a line extending west from the Indiana border along I-70 to Illinois Route 4, south along Illinois Route 4 to Illinois Route 161, west along Illinois Route 161 to Illinois Route 158, south and west along Illinois Route 158 to Illinois Route 159, south along Illinois Route 159 to Illinois Route 3, south along Illinois Route 3 to St. Leo's Road, south along St. Leo's Road to Modoc Road, west along Modoc Road to Modoc Ferry Road, southwest along Modoc Ferry Road to Levee Road, southeast along Levee Road to County Route 12 (Modoc Ferry entrance Road), south along County Route 12 to the Modoc Ferry route and southwest on the Modoc Ferry route across the Mississippi River to the Missouri border.

South Zone: That portion of the State south and east of a line extending west from the Indiana border along I-70, south along U.S. Highway 45, to Illinois Route 13, west along Illinois Route 13 to Greenbriar Road, north on Greenbriar Road to Sycamore Road, west on Sycamore Road to N. Reed Station Road, south on N. Reed Station Road to Illinois Route 13, west along Illinois Route 13 to Illinois Route 127, south along Illinois Route 127 to State Forest Road (1025 N), west along State Forest Road to Illinois Route 3, north along Illinois Route 3 to the south bank of the Big Muddy River, west along the south bank of the Big Muddy River to the Mississippi River, west across the Mississippi River to the Missouri border.

South Central Zone: The remainder of the State between the south border of the Central Zone and the north border of the South Zone.

Indiana

North Zone: That part of Indiana north of a line extending east from the Illinois border along State Road 18 to U.S. 31; north along U.S. 31 to U.S. 24; east along U.S. 24 to Huntington; southeast along U.S. 224; south along State Road 5; and east along State Road 124 to the Ohio border.

Central Zone: That part of Indiana south of the North Zone boundary and north of the South Zone boundary.

South Zone: That part of Indiana south of a line extending east from the Illinois border along I-70; east along National Ave.; east along U.S. 150; south along U.S. 41; east along State Road 58; south along State Road 37 to Bedford; and east along U.S. 50 to the Ohio border.

Iowa

North Zone: That portion of Iowa north of a line beginning on the South Dakota-Iowa border at I-29, southeast along I-29 to State Highway 20 to the Iowa-Illinois border. The south duck hunting zone is that part of Iowa west of I-29 and south of State Highway 92 east to the Iowa-Illinois border. The central duck hunting zone is the remainder of the State.

Central Zone: The remainder of Iowa not included in the North and South zones.

South Zone: The south duck hunting zone is that part of Iowa west of I-29 and south of State Highway 92 east to the Iowa-Illinois border.

Kentucky

West Zone: All counties west of and including Butler, Daviess, Ohio, Simpson, and Warren Counties.

East Zone: The remainder of Kentucky.

Louisiana

East Zone: That area of the State beginning at the Arkansas border, then south on U.S. Hwy 79 to State Hwy 9, then south on State Hwy 9 to State Hwy 147, then south on State Hwy 147 to U.S. Hwy 167, then south and east on U.S. Hwy 167 to U.S. Hwy 90, then south on U.S. Hwy 90 to the Mississippi State line.

West Zone: Remainder of the State.

Michigan

North Zone: The Upper Peninsula.

Middle Zone: That portion of the Lower Peninsula north of a line beginning at the Michigan 2012;Wisconsin boundary line in Lake Michigan, directly due west of the mouth of Stoney Creek in section 31, T14N R18W, Oceana County, then proceed easterly and southerly along the

centerline of Stoney Creek to its intersection with Scenic Drive, southerly on Scenic Drive to Stoney Lake Road in section 5, T13N R18W, Oceana County, easterly on Stoney Lake Road then both west and east Garfield Roads (name change only; not an intersection) then crossing highway U.S. 2012;31 to State Highway 012;20 (north of the town of New Era; also locally named Hayes Road) in section 33, T14N R17W, Oceana County, easterly on 2012;20 through Oceana, Newaygo, Mecosta, Isabella, and Midland Counties to highway U.S. 2012;10 business route in the city of Midland, easterly on U.S. 2012;10 Business Route (BR) to highway U.S. 2012;10 at the Bay County line, easterly on U.S. 2012;10 then crossing U.S. 2012;75 to State Highway 2012;25 (west of the town of Bay City), easterly along 2012;25 into Tuscola County then northeasterly and easterly on 2012;25 through Tuscola County into Huron County, turning southeasterly on 2012;25 (near the town of Huron City; also locally named North Shore Road) to the centerline of Willow Creek in section 4, T18N R14E, Huron County, then northerly along the centerline of Willow Creek to the mouth of Willow Creek into Lake Huron, then directly due east along a line from the mouth of Willow Creek heading east into Lake Huron to a point due east and on the Michigan/U.S. 2012;Canadian border.

South Zone: The remainder of Michigan.

Minnesota

North Duck Zone: That portion of the State north of a line extending east from the North Dakota State line along State Highway 210 to State Highway 23 and east to State Highway 39 and east to the Wisconsin State line at the Oliver Bridge.

South Duck Zone: The portion of the State south of a line extending east from the South Dakota State line along U.S. Highway 212 to 2012;494 and east to 2012;94 and east to the Wisconsin State line.

Central Duck Zone: The remainder of the State.

Missouri

North Zone: That portion of Missouri north of a line running west from the Illinois border at 2012;70; west on 2012;70 to Hwy 65; north on Hwy 65 to Hwy 41, north on Hwy 41 to Hwy 24; west on Hwy 24 to MO Hwy 10, west on Hwy 10 to Hwy 69, north on Hwy 69 to MO Hwy 116, west on MO Hwy 116 to Hwy 59, south on Hwy 59 to the Kansas border.

Middle Zone: The remainder of Missouri not included in other zones.

South Zone: That portion of Missouri south of a line running west from the Illinois border on MO Hwy 74 to MO Hwy 25; south on MO Hwy 25 to U.S. Hwy 62; west on U.S. Hwy 62 to MO Hwy 53; north on MO Hwy 53 to MO Hwy 51; north on MO Hwy 51 to U.S. Hwy 60; west on U.S. Hwy 60 to MO Hwy 21; north on MO Hwy 21 to MO Hwy 72; west on MO Hwy 72 to MO Hwy 32; west on MO Hwy 32 to U.S. Hwy 65; north on U.S. Hwy 65 to U.S. Hwy 54; west on U.S. Hwy 54 to the Kansas border.

Ohio

Lake Erie Marsh Zone: Includes all land and water within the boundaries of the area bordered by a line beginning at the intersection of 2012;75 at the Ohio-Michigan State line and continuing south to Interstate 280, then south on I-280 to the Ohio Turnpike (I-80/I-90), then east on the Ohio Turnpike to the Erie-Lorain County line, then north to Lake Erie, then following the Lake Erie shoreline at a distance of 200 yards offshore, then following the shoreline west toward and around the northern tip of Cedar Point Amusement Park, then continuing from the westernmost point of Cedar Point toward the southernmost tip of the sand bar at the mouth of Sandusky Bay and out into Lake Erie at a distance of 200 yards offshore continuing parallel to the Lake Erie shoreline north and west toward the northernmost tip of Cedar Point National Wildlife Refuge, then following a direct line toward the southernmost tip of Wood Tick Peninsula in Michigan to a point that intersects the Ohio-Michigan State line, then following the State line back to the point of the beginning.

North Zone: That portion of the State, excluding the Lake Erie Marsh Zone, north of a line extending east from the Indiana State line along U.S. Highway (U.S.) 33 to State Route (SR) 127, then south along SR 127 to SR 703, then south along SR 703 and including all lands within the Mercer Wildlife Area to SR 219, then east along SR 219 to SR 364, then north along SR 364 and including all lands within the St. Mary's Fish Hatchery to SR 703, then east along SR 703 to SR 66, then north along SR 66 to U.S. 33, then east along U.S. 33 to SR 385, then east along SR 385 to SR 117, then south along SR 117 to SR 273, then east along SR 273 to SR 31, then south along SR 31 to SR 739, then east along SR 739 to SR 4, then north along SR 4 to SR 95, then east along SR 95 to SR 13, then southeast along SR 13 to SR 3, then northeast along SR 3 to SR 60, then north along SR 60 to U.S. 30, then east along U.S. 30 to SR 3, then south

along SR 3 to SR 226, then south along SR 226 to SR 514, then southwest along SR 514 to SR 754, then south along SR 754 to SR 39/60, then east along SR 39/60 to SR 241, then north along SR 241 to U.S. 30, then east along U.S. 30 to SR 39, then east along SR 39 to the Pennsylvania State line.

South Zone: The remainder of Ohio not included in the Lake Erie Marsh Zone or the North Zone.

Tennessee

Reelfoot Zone: All or portions of Lake and Obion Counties.

Remainder of State: That portion of Tennessee outside of the Reelfoot Zone.

Wisconsin

North Zone: That portion of the State north of a line extending east from the Minnesota State line along U.S. Highway 10 to U.S. Highway 41, then north on U.S. Highway 41 to the Michigan State line.

Open Water Zone: That portion of the State extending 500 feet or greater from the Lake Michigan shoreline bounded by the Michigan State line and the Illinois State line.

South Zone: The remainder of the State.

3. Central Flyway

Colorado (Central Flyway Portion)

Special Teal Season Area: Lake and Chaffee Counties and that portion of the State east of Interstate Highway 25.

Northeast Zone: All areas east of Interstate 25 and north of Interstate 70.

Southeast Zone: All areas east of Interstate 25 and south of Interstate 70, and all of El Paso, Pueblo, Huerfano, and Las Animas Counties.

Mountain/Foothills Zone: All areas west of Interstate 25 and east of the Continental Divide, except El Paso, Pueblo, Huerfano, and Las Animas Counties.

Kansas

High Plains: That portion of the State west of U.S. 283.

Low Plains Early Zone: That part of Kansas bounded by a line from the Federal Hwy U.S.-283 and State Hwy 96 junction, then east on State Hwy 96 to its junction with Federal Hwy U.S.-183, then north on Federal Hwy U.S.-183 to its junction with Federal Hwy U.S.-24, then east on Federal Hwy U.S.-24 to its junction with Federal Hwy U.S.-281, then north on Federal Hwy U.S.-281 to its junction with Federal Hwy U.S.-36, then east on Federal Hwy U.S.-36 to its junction with State Hwy K-199, then south on State Hwy K-199 to its junction with Republic County 30th Road, then south on Republic

County 30th Road to its junction with State Hwy K-148, then east on State Hwy K-148 to its junction with Republic County 50th Road, then south on Republic County 50th Road to its junction with Cloud County 40th Road, then south on Cloud County 40th Road to its junction with State Hwy K-9, then west on State Hwy K-9 to its junction with Federal Hwy U.S.-24, then west on Federal Hwy U.S.-24 to its junction with Federal Hwy U.S.-181, then south on Federal Hwy U.S.-181 to its junction with State Hwy K-18, then west on State Hwy K-18 to its junction with Federal Hwy U.S.-281, then south on Federal Hwy U.S.-281 to its junction with State Hwy K-4, then east on State Hwy K-4 to its junction with interstate Hwy I-135, then south on interstate Hwy I-135 to its junction with State Hwy K-61, then southwest on State Hwy K-61 to its junction with McPherson County 14th Avenue, then south on McPherson County 14th Avenue to its junction with McPherson County Arapaho Road, then west on McPherson County Arapaho Road to its junction with State Hwy K-61, then southwest on State Hwy K-61 to its junction with State Hwy K-96, then northwest on State Hwy K-96 to its junction with Federal Hwy U.S.-56, then southwest on Federal Hwy U.S.-56 to its junction with State Hwy K-19, then east on State Hwy K-19 to its junction with Federal Hwy U.S.-281, then south on Federal Hwy U.S.-281 to its junction with Federal Hwy U.S.-54, then west on Federal Hwy U.S.-54 to its junction with Federal Hwy U.S.-183, then north on Federal Hwy U.S.-183 to its junction with Federal Hwy U.S.-56, then southwest on Federal Hwy U.S.-56 to its junction with North Main Street in Spearville, then south on North Main Street to Davis Street, then east on Davis Street to Ford County Road 126 (South Stafford Street), then south on Ford County Road 126 to Garnett Road, then east on Garnett Road to Ford County Road 126, then south on Ford County Road 126 to Ford Spearville Road, then west on Ford Spearville Road to its junction with Federal Hwy U.S.-400, then northwest on Federal Hwy U.S.-400 to its junction with Federal Hwy U.S.-283, and then north on Federal Hwy U.S.-283 to its junction with Federal Hwy U.S.-96.

Low Plains Late Zone: That part of Kansas bounded by a line from the Federal Hwy U.S.-283 and State Hwy 96 junction, then north on Federal Hwy U.S.-283 to the Kansas-Nebraska State line, then east along the Kansas-Nebraska State line to its junction with the Kansas-Missouri State line, then

southeast along the Kansas–Missouri State line to its junction with State Hwy K–68, then west on State Hwy K–68 to its junction with interstate Hwy I–35, then southwest on interstate Hwy I–35 to its junction with Butler County NE 150th Street, then west on Butler County NE 150th Street to its junction with Federal Hwy U.S.–77, then south on Federal Hwy U.S.–77 to its junction with the Kansas–Oklahoma State line, then west along the Kansas–Oklahoma State line to its junction with Federal Hwy U.S.–283, then north on Federal Hwy U.S.–283 to its junction with Federal Hwy U.S.–400, then east on Federal Hwy U.S.–400 to its junction with Ford Spearville Road, then east on Ford Spearville Road to Ford County Road 126 (South Stafford Street), then north on Ford County Road 126 to Garnett Road, then west on Garnett Road to Ford County Road 126, then north on Ford County Road 126 to Davis Street, then west on Davis Street to North Main Street, then north on North Main Street to its junction with Federal Hwy U.S.–56, then east on Federal Hwy U.S.–56 to its junction with Federal Hwy U.S.–183, then south on Federal Hwy U.S.–183 to its junction with Federal Hwy U.S.–54, then east on Federal Hwy U.S.–54 to its junction with Federal Hwy U.S.–281, then north on Federal Hwy U.S.–281 to its junction with State Hwy K–19, then west on State Hwy K–19 to its junction with Federal Hwy U.S.–56, then east on Federal Hwy U.S.–56 to its junction with State Hwy K–96, then southeast on State Hwy K–96 to its junction with State Hwy K–61, then northeast on State Hwy K–61 to its junction with McPherson County Arapaho Road, then east on McPherson County Arapaho Road to its junction with McPherson County 14th Avenue, then north on McPherson County 14th Avenue to its junction with State Hwy K–61, then east on State Hwy K–61 to its junction with interstate Hwy I–135, then north on interstate Hwy I–135 to its junction with State Hwy K–4, then west on State Hwy K–4 to its junction with Federal Hwy U.S.–281, then north on Federal Hwy U.S.–281 to its junction with State Hwy K–18, then east on State Hwy K–18 to its junction with Federal Hwy U.S.–181, then north on Federal Hwy U.S.–181 to its junction with Federal Hwy U.S.–24, then east on Federal Hwy U.S.–24 to its junction with State Hwy K–9, then east on State Hwy K–9 to its junction with Cloud County 40th Road, then north on Cloud County 40th Road to its junction with Republic County 50th Road, then north on Republic County 50th Road to its junction with State Hwy K–148, then

west on State Hwy K–148 to its junction with Republic County 30th Road, then north on Republic County 30th Road to its junction with State Hwy K–199, then north on State Hwy K–199 to its junction with Federal Hwy U.S.–36, then west on Federal Hwy U.S.–36 to its junction with Federal Hwy U.S.–281, then south on Federal Hwy U.S.–281 to its junction with Federal Hwy U.S.–24, then west on Federal Hwy U.S.–24 to its junction with Federal Hwy U.S.–183, then south on Federal Hwy U.S.–183 to its junction with Federal Hwy U.S.–96, and then west on Federal Hwy U.S.–96 to its junction with Federal Hwy U.S.–283.

Low Plains Southeast Zone: That part of Kansas bounded by a line from the Missouri–Kansas State line west on K–68 to its junction with I–35, then southwest on I–35 to its junction with Butler County, NE 150th Street, then west on NE 150th Street to its junction with Federal Hwy U.S.–77, then south on Federal Hwy U.S.–77 to the Oklahoma–Kansas State line, then east along the Kansas–Oklahoma State line to its junction with the Kansas–Missouri State line, then north along the Kansas–Missouri State line to its junction with State Hwy K–68.

Montana (Central Flyway Portion)

Zone 1: The Counties of Blaine, Carter, Daniels, Dawson, Fallon, Fergus, Garfield, Golden Valley, Judith Basin, McCone, Musselshell, Petroleum, Phillips, Powder River, Richland, Roosevelt, Sheridan, Stillwater, Sweet Grass, Valley, Wheatland, and Wibaux.

Zone 2: The Counties of Big Horn, Carbon, Custer, Prairie, Rosebud, Treasure, and Yellowstone.

Nebraska

High Plains: That portion of Nebraska lying west of a line beginning at the South Dakota–Nebraska border on U.S. Hwy 183; south on U.S. Hwy 183 to U.S. Hwy 20; west on U.S. Hwy 20 to NE Hwy 7; south on NE Hwy 7 to NE Hwy 91; southwest on NE Hwy 91 to NE Hwy 2; southeast on NE Hwy 2 to NE Hwy 92; west on NE Hwy 92 to NE Hwy 40; south on NE Hwy 40 to NE Hwy 47; south on NE Hwy 47 to NE Hwy 23; east on NE Hwy 23 to U.S. Hwy 283; and south on U.S. Hwy 283 to the Kansas–Nebraska border.

Zone 1: Area bounded by designated Federal and State highways and political boundaries beginning at the South Dakota–Nebraska border at U.S. Hwy 183; south along Hwy 183 to NE Hwy 12; east to NE Hwy 137; south to U.S. Hwy 20; east to U.S. Hwy 281; north to the Niobrara River; east along the Niobrara River to the Boyd County

Line; north along the Boyd County line to NE Hwy 12; east to NE 26E Spur; north along the NE 26E Spur to the Ponca State Park boat ramp; north and west along the Missouri River to the Nebraska–South Dakota border; west along the Nebraska–South Dakota border to U.S. Hwy 183. Both banks of the Niobrara River in Keya Paha and Boyd Counties east of U.S. Hwy 183 shall be included in Zone 1.

Zone 2: Those areas of the State that are not contained in Zones 1, 3, or 4.

Zone 3: Area bounded by designated Federal and State highways, County roads, and political boundaries beginning at the Wyoming–Nebraska border at its northernmost intersection with the Interstate Canal; southeast along the Interstate Canal to the northern border of Scotts Bluff County; east along northern borders of Scotts Bluff and Morrill Counties to Morrill County Road 125; south to Morrill County Rd 94; east to County Rd 135; south to County Rd 88; east to County Rd 147; south to County Rd 88; southeast to County Rd 86; east to County Rd 151; south to County Rd 80; east to County Rd 161; south to County Rd 76; east to County Rd 165; south to County Rd 167; south to U.S. Hwy 26; east to County Rd 171; north to County Rd 68; east to County Rd 183; south to County Rd 64; east to County Rd 189; north to County Rd 70; east to County Rd 201; south to County Rd 60A; east to County Rd 203; south to County Rd 52; east to Keith County Line; north along the Keith County line to the northern border of Keith County; east along the northern boundaries of Keith and Lincoln Counties to NE Hwy 97; south to U.S. Hwy 83; south to E Hall School Rd; east to North Airport Road; south to U.S. Hwy 30; east to NE Hwy 47; south to NE Hwy 23; east on NE Hwy 23 to U.S. Hwy 283; south on U.S. Hwy 283 to the Kansas–Nebraska border; west along Kansas–Nebraska border to the Nebraska–Colorado border; north and west to the Wyoming–Nebraska border; north along the Wyoming–Nebraska border to its northernmost intersection with the Interstate Canal.

Zone 4: Area encompassed by designated Federal and State highways and County Roads beginning at the intersection of U.S. Hwy 283 at the Kansas–Nebraska border; north to NE Hwy 23; west to NE Hwy 47; north to Dawson County Rd 769; east to County Rd 423; south to County Rd 766; east to County Rd 428; south to County Rd 763; east to NE Hwy 21; south to County Rd 761; east on County Rd 761 to County Road 437; south to the Dawson County Canal; southeast along Dawson County Canal; east to County Rd 444; south to

U.S. Hwy 30; east to U.S. Hwy 183; north to Buffalo County Rd 100; east to 46th Ave.; north to NE Hwy 40; east to NE Hwy 10; north to County Rd 220 and Hall County Husker Highway; east to Hall County S 70th Rd; north to NE Hwy 2; east to U.S. Hwy 281; north to Chapman Rd; east to 7th Rd; south to U.S. Hwy 30; north and east to NE Hwy 14; south to County Rd 22; west to County Rd M; south to County Rd 21; west to County Rd K; south to U.S. Hwy 34; west to NE Hwy 2; south to U.S. Hwy I-80; west to Gunbarrel Rd (Hall/Hamilton County line); south to Giltner Rd; west to U.S. Hwy 281; south to W. 82nd St; west to Holstein Ave.; south to U.S. Hwy 34; west to NE Hwy 10; north to Kearney County Rd R and Phelps County Rd 742; west to Gosper County Rd 433; south to N. Railway Street; west to Commercial Ave.; south to NE Hwy 23; west to Gosper County Rd 427; south to Gosper County Rd 737; west to Gosper County Rd 426; south to Gosper County Rd 735; east to Gosper County Rd 427; south to Furnas County Rd 276; west to Furnas County Rd 425.5/425; south to U.S. Hwy 34; east to NE Hwy 4; east to NE Hwy 10; south to U.S. Hwy 136; east to NE Hwy 14; south to NE Hwy 8; east to U.S. Hwy 81; north to NE Hwy 4; east to NE Hwy 15; north to U.S. Hwy 6; east to NE Hwy 33; east to SW 142 Street; south to W. Hallam Rd; east to SW 100 Rd; south to W. Chestnut Rd; west to NE Hwy 103; south to NE Hwy 4; west to NE Hwy 15; south to U.S. Hwy 136; east to Jefferson County Rd 578 Ave.; south to PWF Rd; east to NE Hwy 103; south to NE Hwy 8; east to U.S. Hwy 75; north to U.S. Hwy 136; east to the intersection of U.S. Hwy 136 and the Steamboat Trace (Trace); north along the Trace to the intersection with Federal Levee R-562; north along Federal Levee R-562 to the intersection with Nemaha County Rd 643A; south to the Trace; north along the Trace/Burlington Northern Railroad right-of-way to NE Hwy 2; west to U.S. Hwy 75; north to NE Hwy 2; west to NE Hwy 50; north to Otoe County Rd D; east to N. 32nd Rd; north to Otoe County Rd B; west to NE Hwy 50; north to U.S. Hwy 34; west to NE Hwy 63; north to NE Hwy 66; north and west to U.S. Hwy 77; north to NE Hwy 109; west along NE Hwy 109 and Saunders County Rd X to Saunders County 19; south to NE Hwy 92; west to NE Hwy Spur 12F; south to Butler County Rd 30; east to County Rd X; south to County Rd 27; west to County Rd W; south to County Rd 26; east to County Rd X; south to County Rd 21 (Seward County Line); west to NE Hwy 15; north to County Rd 34; west to County Rd H; south to NE Hwy 92; west

to U.S. Hwy 81; south to NE Hwy 66; west to Dark Island Trail, north to Merrick County Rd M; east to Merrick County Rd 18; north to NE Hwy 92; west to NE Hwy 14; north to NE Hwy 52; west and north to NE Hwy 91; west to U.S. Hwy 281; south to NE Hwy 58; west to NE Hwy 11; west and south to NE Hwy 2; west to NE Hwy 68; north to NE Hwy L82A; west to NE Hwy 10; north to NE Hwy 92; west to U.S. Hwy 183; north to Round Valley Rd; west to Sargent River Rd; west to Sargent Rd; west to NE Hwy S21A; west to NE Hwy 2; north to NE Hwy 91 to North Loup Spur Rd; north to North Loup River Rd; north and east along to Pleasant Valley/Worth Rd; east to Loup County Line; north along the Loup County Line to Loup/Brown County line; east along northern boundaries of Loup and Garfield Counties to NE Hwy 11; south to Cedar River Road; east and south to NE Hwy 70; east to U.S. Hwy 281; north to NE Hwy 70; east to NE Hwy 14; south to NE Hwy 39; southeast to NE Hwy 22; east to U.S. Hwy 81; southeast to U.S. Hwy 30; east to the Iowa-Nebraska border; south to the Missouri-Nebraska border; south to Kansas-Nebraska border; west along Kansas-Nebraska border to U.S. Hwy 283.

New Mexico (Central Flyway Portion)

North Zone: That portion of the State north of I-40 and U.S. 54.

South Zone: The remainder of New Mexico.

North Dakota

High Plains: That portion of the State south and west of a line beginning at the junction of U.S. Hwy 83 and the South Dakota State line, then north along U.S. Hwy 83 and I-94 to ND Hwy 41, then north on ND Hwy 41 to ND Hwy 53, then west on ND Hwy 53 to U.S. Hwy 83, then north on U.S. Hwy 83 to U.S. Hwy 2, then west on U.S. Hwy 2 to the Williams County line, then north and west along the Williams and Divide County lines to the Canadian border.

Low Plains: The remainder of North Dakota.

Oklahoma

High Plains: The Counties of Beaver, Cimarron, and Texas.

Low Plains Zone 1: That portion of the State east of the High Plains Zone and north of a line extending east from the Texas State line along OK 33 to OK 47, east along OK 47 to U.S. 183, south along U.S. 183 to I-40, east along I-40 to U.S. 177, north along U.S. 177 to OK 33, east along OK 33 to OK 18, north along OK 18 to OK 51, west along OK 51 to I-35, north along I-35 to U.S. 412, west along U.S. 412 to OK 132, then

north along OK 132 to the Kansas State line.

Low Plains Zone 2: The remainder of Oklahoma.

South Dakota

High Plains: That portion of the State west of a line beginning at the North Dakota State line and extending south along U.S. 83 to U.S. 14, east on U.S. 14 to Blunt, south on the Blunt-Canning Road to SD 34, east and south on SD 34 to SD 50 at Lee's Corner, south on SD 50 to I-90, east on I-90 to SD 50, south on SD 50 to SD 44, west on SD 44 across the Platte-Winner bridge to SD 47, south on SD 47 to U.S. 18, east on U.S. 18 to SD 47, south on SD 47 to the Nebraska State line.

Low Plains North Zone: That portion of northeastern South Dakota east of the High Plains Unit and north of a line extending east along U.S. 212 to the Minnesota State line.

Low Plains South Zone: That portion of Gregory County east of SD 47 and south of SD 44; Charles Mix County south of SD 44 to the Douglas County line; south on SD 50 to Geddes; east on the Geddes Highway to U.S. 281; south on U.S. 281 and U.S. 18 to SD 50; south and east on SD 50 to the Bon Homme County line; the Counties of Bon Homme, Yankton, and Clay south of SD 50; and Union County south and west of SD 50 and I-29.

Low Plains Middle Zone: The remainder of South Dakota.

Texas

High Plains: That portion of the State west of a line extending south from the Oklahoma State line along U.S. 183 to Vernon, south along U.S. 283 to Albany, south along TX 6 to TX 351 to Abilene, south along U.S. 277 to Del Rio, then south along the Del Rio International Toll Bridge access road to the Mexico border.

Low Plains North Zone: That portion of northeastern Texas east of the High Plains Zone and north of a line beginning at the International Toll Bridge south of Del Rio, then extending east on U.S. 90 to San Antonio, then continuing east on I-10 to the Louisiana State line at Orange, Texas.

Low Plains South Zone: The remainder of Texas.

Wyoming (Central Flyway portion)

Zone C1: Big Horn, Converse, Goshen, Hot Springs, Natrona, Park, Platte, and Washakie Counties; and Fremont County excluding the portions west or south of the Continental Divide.

Zone C2: Campbell, Crook, Johnson, Niobrara, Sheridan, and Weston Counties.

Zone C3: Albany and Laramie Counties; and that portion of Carbon County east of the Continental Divide.

4. Pacific Flyway

Arizona

North Zone: Game Management Units 1–5, those portions of Game Management Units 6 and 8 within Coconino County, and Game Management Units 7, 9, 11M, and 12A.

South Zone: Those portions of Game Management Units 6 and 8 in Yavapai County, and Game Management Units 10 and 12B–46B.

California

Northeastern Zone: That portion of California lying east and north of a line beginning at the intersection of Interstate 5 with the California-Oregon line; south along Interstate 5 to its junction with Walters Lane south of the town of Yreka; west along Walters Lane to its junction with Easy Street; south along Easy Street to the junction with Old Highway 99; south along Old Highway 99 to the point of intersection with Interstate 5 north of the town of Weed; south along Interstate 5 to its junction with Highway 89; east and south along Highway 89 to Main Street Greenville; north and east to its junction with North Valley Road; south to its junction of Diamond Mountain Road; north and east to its junction with North Arm Road; south and west to the junction of North Valley Road; south to the junction with Arlington Road (A22); west to the junction of Highway 89; south and west to the junction of Highway 70; east on Highway 70 to Highway 395; south and east on Highway 395 to the point of intersection with the California-Nevada State line; north along the California-Nevada State line to the junction of the California-Nevada-Oregon State lines; west along the California-Oregon State line to the point of origin.

Colorado River Zone: Those portions of San Bernardino, Riverside, and Imperial Counties east of a line from the intersection of Highway 95 with the California-Nevada State line; south on Highway 95 through the junction with Highway 40; south on Highway 95 to Vidal Junction; south through the town of Rice to the San Bernardino-Riverside County line on a road known as “Aqueduct Road” also known as Highway 62 in San Bernardino County; southwest on Highway 62 to Desert Center Rice Road; south on Desert Center Rice Road/Highway 177 to the town of Desert Center; east 31 miles on Interstate 10 to its intersection with Wiley Well Road; south on Wiley Well

Road to Wiley Well; southeast on Milpitas Wash Road to the Blythe, Brawley, Davis Lake intersections; south on Blythe Ogilby Road also known as County Highway 34 to its intersection with Ogilby Road; south on Ogilby Road to its intersection with Interstate 8; east 7 miles on Interstate 8 to its intersection with the Andrade-Algodones Road/Highway 186; south on Highway 186 to its intersection with the U.S.-Mexico border at Los Algodones, Mexico.

Southern Zone: That portion of southern California (but excluding the Colorado River Zone) south and east of a line beginning at the mouth of the Santa Maria River at the Pacific Ocean; east along the Santa Maria River to where it crosses Highway 101–166 near the City of Santa Maria; north on Highway 101–166 east on Highway 166 to the junction with Highway 99; south on Highway 99 to the junction of Interstate 5; south on Interstate 5 to the crest of the Tehachapi Mountains at Tejon Pass; east and north along the crest of the Tehachapi Mountains to where it intersects Highway 178 at Walker Pass; east on Highway 178 to the junction of Highway 395 at the town of Inyokern; south on Highway 395 to the junction of Highway 58; east on Highway 58 to the junction of Interstate 15; east on Interstate 15 to the junction with Highway 127; north on Highway 127 to the point of intersection with the California-Nevada State line.

Southern San Joaquin Valley Zone: All of Kings and Tulare Counties and that portion of Kern County north of the Southern Zone.

Balance of State Zone: The remainder of California not included in the Northeastern, Colorado River, Southern, and the Southern San Joaquin Valley Zones.

Colorado (Pacific Flyway Portion)

Eastern Zone: Routt, Grand, Summit, Eagle, and Pitkin Counties, those portions of Saguache, San Juan, Hinsdale, and Mineral Counties west of the Continental Divide, those portions of Gunnison County except the North Fork of the Gunnison River Valley (Game Management Units 521, 53, and 63), and that portion of Moffat County east of the northern intersection of Moffat County Road 29 with the Moffat-Routt County line, south along Moffat County Road 29 to the intersection of Moffat County Road 29 with the Moffat-Routt County line (Elkhead Reservoir State Park).

Western Zone: All areas west of the Continental Divide not included in the Eastern Zone.

Idaho

Zone 1: All lands and waters within the Fort Hall Indian Reservation, including private inholdings; Power County east of State Highway 37 and State Highway 39; and Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Fremont, Jefferson, Madison, and Teton Counties.

Zone 2: Benewah, Bonner, Boundary, Kootenai, and Shoshone Counties.

Zone 3: Power County west of State Highway 37 and State Highway 39, and Ada, Adams, Blaine, Boise, Camas, Canyon, Cassia, Clearwater, Custer, Elmore, Franklin, Gem, Gooding, Idaho, Jerome, Latah, Lemhi, Lewis, Lincoln, Minidoka, Nez Perce, Oneida, Owyhee, Payette, Twin Falls, and Washington Counties.

Zone 4: Valley County.

Nevada

Northeast Zone: Elko, Eureka, Lander, and White Pine Counties.

Northwest Zone: Carson City, Churchill, Douglas, Humboldt, Lyon, Mineral, Pershing, Storey, and Washoe Counties.

South Zone: Clark, Esmeralda, Lincoln, and Nye Counties.

Moapa Valley Special Management Area: That portion of Clark County including the Moapa Valley to the confluence of the Muddy and Virgin Rivers.

Oregon

Zone 1: Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Gilliam, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Wasco, Washington, and Yamhill Counties.

Zone 2: The remainder of Oregon not included in Zone 1.

Utah

Northern Zone: Box Elder, Cache, Daggett, Davis, Duchesne, Morgan, Rich, Salt Lake, Summit, Uintah, Utah, Wasatch, and Weber Counties, and that part of Toole County north of I–80.

Southern Zone: The remainder of Utah not included in the Northern Zone.

Washington

East Zone: All areas east of the Pacific Crest Trail and east of the Big White Salmon River in Klickitat County.

West Zone: The remainder of Washington not included in the East Zone.

Wyoming (Pacific Flyway Portion)

Snake River Zone: Beginning at the south boundary of Yellowstone National Park and the Continental Divide; south

along the Continental Divide to Union Pass and the Union Pass Road (U.S.F.S. Road 600); west and south along the Union Pass Road to U.S.F.S. Road 605; south along U.S.F.S. Road 605 to the Bridger-Teton National Forest boundary; along the national forest boundary to the Idaho State line; north along the Idaho State line to the south boundary of Yellowstone National Park; east along the Yellowstone National Park boundary to the Continental Divide.

Balance of State Zone: The remainder of the Pacific Flyway portion of Wyoming not included in the Snake River Zone.

B. Geese

1. Atlantic Flyway

Connecticut

Early Canada and Cackling Goose Seasons

South Zone: Same as for ducks.

North Zone: Same as for ducks.

Regular Seasons

AP Unit: Litchfield County and the portion of Hartford County west of a line beginning at the Massachusetts border in Suffield and extending south along Route 159 to its intersection with I-91 in Hartford, and then extending south along I-91 to its intersection with the Hartford-Middlesex County line.

NAP-H Unit: That part of the State east of a line beginning at the Massachusetts border in Suffield and extending south along Route 159 to its intersection with I-91 in Hartford and then extending south along I-91 to State Street in New Haven; then south on State Street to Route 34, west on Route 34 to Route 8, south along Route 8 to Route 110, south along Route 110 to Route 15, north along Route 15 to the Milford Parkway, south along the Milford Parkway to I-95, north along I-95 to the intersection with the east shore of the Quinnipiac River, south to the mouth of the Quinnipiac River, and then south along the eastern shore of New Haven Harbor to the Long Island Sound.

Atlantic Flyway Resident Population (AFRP) Unit: Remainder of the State not included in AP and NAP-H Units.

South Zone: Same as for ducks.

Maine

North NAP-H Zone: Same as North Zone for ducks.

Coastal NAP-L Zone: Same as Coastal Zone for ducks.

South NAP-H Zone: Same as South Zone for ducks.

Maryland

Early Canada and Cackling Goose Seasons

Eastern Unit: Calvert, Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester Counties; and that part of Anne Arundel County east of Interstate 895, Interstate 97, and Route 3; that part of Prince George's County east of Route 3 and Route 301; and that part of Charles County east of Route 301 to the Virginia State line.

Western Unit: Allegany, Baltimore, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington Counties and that part of Anne Arundel County west of Interstate 895, Interstate 97, and Route 3; that part of Prince George's County west of Route 3 and Route 301; and that part of Charles County west of Route 301 to the Virginia State line.

Regular Seasons

Resident Population (RP) Zone: Allegany, Frederick, Garrett, Montgomery, and Washington Counties; that portion of Prince George's County west of Route 3 and Route 301; that portion of Charles County west of Route 301 to the Virginia State line; and that portion of Carroll County west of Route 31 to the intersection of Route 97, and west of Route 97 to the Pennsylvania State line.

AP Zone: Remainder of the State.

Massachusetts

NAP Zone: Central and Coastal Zones (see duck zones).

AP Zone: The Western Zone (see duck zones).

Special Late Season Area: The Central Zone and that portion of the Coastal Zone (see duck zones) that lies north of the Cape Cod Canal, north to the New Hampshire State line.

New Hampshire

Same zones as for ducks.

New Jersey

AP Zone: North and South Zones (see duck zones).

NAP Zone: The Coastal Zone (see duck zones).

Special Late Season Area: In northern New Jersey, that portion of the State within a continuous line that runs east along the New York State boundary line to the Hudson River; then south along the New York State boundary to its intersection with Route 440 at Perth Amboy; then west on Route 440 to its intersection with Route 287; then west along Route 287 to its intersection with Route 206 in Bedminster (Exit 18); then north along Route 206 to its intersection

with Route 94; then west along Route 94 to the toll bridge in Columbia; then north along the Pennsylvania State boundary in the Delaware River to the beginning point. In southern New Jersey, that portion of the State within a continuous line that runs west from the Atlantic Ocean at Ship Bottom along Route 72 to Route 70; then west along Route 70 to Route 206; then south along Route 206 to Route 536; then west along Route 536 to Route 322; then west along Route 322 to Route 55; then south along Route 55 to Route 553 (Buck Road); then south along Route 553 to Route 40; then east along Route 40 to route 55; then south along Route 55 to Route 552 (Sherman Avenue); then west along Route 552 to Carmel Road; then south along Carmel Road to Route 49; then east along Route 49 to Route 555; then south along Route 555 to Route 553; then east along Route 553 to Route 649; then north along Route 649 to Route 670; then east along Route 670 to Route 47; then north along Route 47 to Route 548; then east along Route 548 to Route 49; then east along Route 49 to Route 50; then south along Route 50 to Route 9; then south along Route 9 to Route 625 (Sea Isle City Boulevard); then east along Route 625 to the Atlantic Ocean; then north to the beginning point.

New York

Lake Champlain Goose Area: The same as the Lake Champlain Waterfowl Hunting Zone, which is that area of New York State lying east and north of a continuous line extending along Route 11 from the New York-Canada international boundary south to Route 9B, south along Route 9B to Route 9, south along Route 9 to Route 22 south of Keeseville, south along Route 22 to the west shore of South Bay along and around the shoreline of South Bay to Route 22 on the east shore of South Bay, southeast along Route 22 to Route 4, northeast along Route 4 to the New York-Vermont boundary.

Northeast Goose Area: The same as the Northeastern Waterfowl Hunting Zone, which is that area of New York State lying north of a continuous line extending from Lake Ontario east along the north shore of the Salmon River to Interstate 81, south along Interstate 81 to Route 31, east along Route 31 to Route 13, north along Route 13 to Route 49, east along Route 49 to Route 365, east along Route 365 to Route 28, east along Route 28 to Route 29, east along Route 29 to Route 22 at Greenwich Junction, north along Route 22 to Washington County Route 153, east along CR 153 to the New York-Vermont boundary, exclusive of the Lake Champlain Zone.

East Central Goose Area: That area of New York State lying inside of a continuous line extending from Interstate Route 81 in Cicero, east along Route 31 to Route 13, north along Route 13 to Route 49, east along Route 49 to Route 365, east along Route 365 to Route 28, east along Route 28 to Route 29, east along Route 29 to Route 147 at Kimball Corners, south along Route 147 to Schenectady County Route 40 (West Glenville Road), west along Route 40 to Touareuna Road, south along Touareuna Road to Schenectady County Route 59, south along Route 59 to State Route 5, east along Route 5 to the Lock 9 bridge, southwest along the Lock 9 bridge to Route 5S, southeast along Route 5S to Schenectady County Route 58, southwest along Route 58 to the NYS Thruway, south along the Thruway to Route 7, southwest along Route 7 to Schenectady County Route 103, south along Route 103 to Route 406, east along Route 406 to Schenectady County Route 99 (Windy Hill Road), south along Route 99 to Dunnsville Road, south along Dunnsville Road to Route 397, southwest along Route 397 to Route 146 at Altamont, west along Route 146 to Albany County Route 252, northwest along Route 252 to Schenectady County Route 131, north along Route 131 to Route 7, west along Route 7 to Route 10 at Richmondville, south on Route 10 to Route 23 at Stamford, west along Route 23 to Route 7 in Oneonta, southwest along Route 7 to Route 79 to Interstate Route 88 near Harpursville, west along Route 88 to Interstate Route 81, north along Route 81 to the point of beginning.

West Central Goose Area: That area of New York State lying within a continuous line beginning at the point where the northerly extension of Route 269 (County Line Road on the Niagara-Orleans County boundary) meets the international boundary with Canada, south to the shore of Lake Ontario at the eastern boundary of Golden Hill State Park, south along the extension of Route 269 and Route 269 to Route 104 at Jeddo, west along Route 104 to Niagara County Route 271, south along Route 271 to Route 31E at Middleport, south along Route 31E to Route 31, west along Route 31 to Griswold Street, south along Griswold Street to Ditch Road, south along Ditch Road to Foot Road, south along Foot Road to the north bank of Tonawanda Creek, west along the north bank of Tonawanda Creek to Route 93, south along Route 93 to Route 5, east along Route 5 to Crittenden-Murrays Corners Road, south on Crittenden-Murrays Corners Road to the NYS Thruway, east along the Thruway 90 to

Route 98 (at Thruway Exit 48) in Batavia, south along Route 98 to Route 20, east along Route 20 to Route 19 in Pavilion Center, south along Route 19 to Route 63, southeast along Route 63 to Route 246, south along Route 246 to Route 39 in Perry, northeast along Route 39 to Route 20A, northeast along Route 20A to Route 20, east along Route 20 to Route 364 (near Canandaigua), south and east along Route 364 to Yates County Route 18 (Italy Valley Road), southwest along Route 18 to Yates County Route 34, east along Route 34 to Yates County Route 32, south along Route 32 to Steuben County Route 122, south along Route 122 to Route 53, south along Route 53 to Steuben County Route 74, east along Route 74 to Route 54A (near Pulteney), south along Route 54A to Steuben County Route 87, east along Route 87 to Steuben County Route 96, east along Route 96 to Steuben County Route 114, east along Route 114 to Schuyler County Route 23, east and southeast along Route 23 to Schuyler County Route 28, southeast along Route 28 to Route 409 at Watkins Glen, south along Route 409 to Route 14, south along Route 14 to Route 224 at Montour Falls, east along Route 224 to Route 228 in Odessa, north along Route 228 to Route 79 in Mecklenburg, east along Route 79 to Route 366 in Ithaca, northeast along Route 366 to Route 13, northeast along Route 13 to Interstate Route 81 in Cortland, north along Route 81 to the north shore of the Salmon River to shore of Lake Ontario, extending generally northwest in a straight line to the nearest point of the international boundary with Canada, south and west along the international boundary to the point of beginning.

Hudson Valley Goose Area: That area of New York State lying within a continuous line extending from Route 4 at the New York-Vermont boundary, west and south along Route 4 to Route 149 at Fort Ann, west on Route 149 to Route 9, south along Route 9 to Interstate Route 87 (at Exit 20 in Glens Falls), south along Route 87 to Route 29, west along Route 29 to Route 147 at Kimball Corners, south along Route 147 to Schenectady County Route 40 (West Glenville Road), west along Route 40 to Touareuna Road, south along Touareuna Road to Schenectady County Route 59, south along Route 59 to State Route 5, east along Route 5 to the Lock 9 bridge, southwest along the Lock 9 bridge to Route 5S, southeast along Route 5S to Schenectady County Route 58, southwest along Route 58 to the NYS Thruway, south along the Thruway to Route 7, southwest along Route 7 to Schenectady County Route 103, south

along Route 103 to Route 406, east along Route 406 to Schenectady County Route 99 (Windy Hill Road), south along Route 99 to Dunnsville Road, south along Dunnsville Road to Route 397, southwest along Route 397 to Route 146 at Altamont, southeast along Route 146 to Main Street in Altamont, west along Main Street to Route 156, southeast along Route 156 to Albany County Route 307, southeast along Route 307 to Route 85A, southwest along Route 85A to Route 85, south along Route 85 to Route 443, southeast along Route 443 to Albany County Route 301 at Clarksville, southeast along Route 301 to Route 32, south along Route 32 to Route 23 at Cairo, west along Route 23 to Joseph Chadderdon Road, southeast along Joseph Chadderdon Road to Hearts Content Road (Greene County Route 31), southeast along Route 31 to Route 32, south along Route 32 to Greene County Route 23A, east along Route 23A to Interstate Route 87 (the NYS Thruway), south along Route 87 to Route 28 (Exit 19) near Kingston, northwest on Route 28 to Route 209, southwest on Route 209 to the New York-Pennsylvania boundary, southeast along the New York-Pennsylvania boundary to the New York-New Jersey boundary, southeast along the New York-New Jersey boundary to Route 210 near Greenwood Lake, northeast along Route 210 to Orange County Route 5, northeast along Orange County Route 5 to Route 105 in the Village of Monroe, east and north along Route 105 to Route 32, northeast along Route 32 to Orange County Route 107 (Quaker Avenue), east along Route 107 to Route 9W, north along Route 9W to the south bank of Moodna Creek, southeast along the south bank of Moodna Creek to the New Windsor-Cornwall town boundary, northeast along the New Windsor-Cornwall town boundary to the Orange-Dutchess County boundary (middle of the Hudson River), north along the county boundary to Interstate Route 84, east along Route 84 to the Dutchess-Putnam County boundary, east along the county boundary to the New York-Connecticut boundary, north along the New York-Connecticut boundary to the New York-Massachusetts boundary, north along the New York-Massachusetts boundary to the New York-Vermont boundary, north to the point of beginning.

Eastern Long Island Goose Area (NAP High Harvest Area): That area of Suffolk County lying east of a continuous line extending due south from the New York-Connecticut boundary to the northernmost end of Roanoke Avenue in the Town of Riverhead; then south on Roanoke Avenue (which becomes

County Route 73) to State Route 25; then west on Route 25 to Peconic Avenue; then south on Peconic Avenue to County Route (CR) 104 (Riverleigh Avenue); then south on CR 104 to CR 31 (Old Riverhead Road); then south on CR 31 to Oak Street; then south on Oak Street to Potunk Lane; then west on Stevens Lane; then south on Jessup Avenue (in Westhampton Beach) to Dune Road (CR 89); then due south to international waters.

Western Long Island Goose Area (RP Area): That area of Westchester County and its tidal waters southeast of Interstate Route 95 and that area of Nassau and Suffolk Counties lying west of a continuous line extending due south from the New York-Connecticut boundary to the northernmost end of Sound Road (just east of Wading River Marsh); then south on Sound Road to North Country Road; then west on North Country Road to Randall Road; then south on Randall Road to Route 25A; then west on Route 25A to the Sunken Meadow State Parkway; then south on the Sunken Meadow Parkway to the Sagtikos State Parkway; then south on the Sagtikos Parkway to the Robert Moses State Parkway; then south on the Robert Moses Parkway to its southernmost end; then due south to international waters.

Central Long Island Goose Area (NAP Low Harvest Area): That area of Suffolk County lying between the Western and Eastern Long Island Goose Areas, as defined above.

South Goose Area: The remainder of New York State, excluding New York City.

North Carolina

Northeast Zone: Includes the following counties or portions of counties: Bertie (that portion north and east of a line formed by NC 45 at the Washington County line to U.S. 17 in Midway, U.S. 17 in Midway to U.S. 13 in Windsor, U.S. 13 in Windsor to the Hertford County line), Camden, Chowan, Currituck, Dare, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington.

RP Zone: Remainder of the State.

Pennsylvania

Resident Canada and Cackling Goose Zone: All of Pennsylvania area east of route SR 97 from the Maryland State Line to the intersection of SR 194, east of SR 194 to the intersection of U.S. Route 30, south of U.S. Route 30 to SR 441, east of SR 441 to SR 743, east of SR 743 to intersection of I-81, east of I-81 to intersection of I-80, and south of I-80 to the New Jersey State line.

AP Zone: The area east of route SR 97 from Maryland State Line to the intersection of SR 194, east of SR 194 to intersection of U.S. Route 30, south of U.S. Route 30 to SR 441, east of SR 441 to SR 743, east of SR 743 to intersection of I-81, east of I-81 to intersection of I-80, south of I-80 to the New Jersey State line.

Rhode Island

Special Area for Canada and Cackling Geese: Kent and Providence Counties and portions of the towns of Exeter and North Kingston within Washington County (see State regulations for detailed descriptions).

South Carolina

Canada and Cackling Goose Area: Statewide except for the following area:

East of U.S. 301: That portion of Clarendon County bounded to the north by S-14-25, to the east by Hwy 260, and to the south by the markers delineating the channel of the Santee River.

West of U.S. 301: That portion of Clarendon County bounded on the north by S-14-26 extending southward to that portion of Orangeburg County bordered by Hwy 6.

Vermont

Same zones as for ducks.

Virginia

AP Zone: The area to the east of the following line: the "Blue Ridge" (Loudoun-Clarke Counties border) at the West Virginia-Virginia border, south to Interstate 64 (the Blue Ridge line follows county borders along the western edge of Loudoun, Fauquier, Rappahannock, Madison, Greene, Albemarle, and into Nelson Counties), then east along Interstate 64 to Interstate 95 in Richmond, then south along Interstate 95 to Route 460 in Petersburg, then southeast along Route 460 to Route 32 in the City of Suffolk, then south to the North Carolina border.

RP Zone: The remainder of the State west of the AP Zone.

2. Mississippi Flyway

Arkansas

Northwest Zone: Baxter, Benton, Boone, Carroll, Conway, Crawford, Faulkner, Franklin, Johnson, Logan, Madison, Marion, Newton, Perry, Pope, Pulaski, Searcy, Sebastian, Scott, Van Buren, Washington, and Yell Counties.

Remainder of State: That portion of the State outside of the Northwest Zone.

Illinois

North Zone: That portion of the State north of a line extending west from the Indiana border along Interstate 80 to I-

39, south along I-39 to Illinois Route 18, west along Illinois Route 18 to Illinois Route 29, south along Illinois Route 29 to Illinois Route 17, west along Illinois Route 17 to the Mississippi River, and due south across the Mississippi River to the Iowa border.

Central Zone: That portion of the State south of the North Goose Zone line to a line extending west from the Indiana border along I-70 to Illinois Route 4, south along Illinois Route 4 to Illinois Route 161, west along Illinois Route 161 to Illinois Route 158, south and west along Illinois Route 158 to Illinois Route 159, south along Illinois Route 159 to Illinois Route 3, south along Illinois Route 3 to St. Leo's Road, south along St. Leo's Road to Modoc Road, west along Modoc Road to Modoc Ferry Road, southwest along Modoc Ferry Road to Levee Road, southeast along Levee Road to County Route 12 (Modoc Ferry entrance Road), south along County Route 12 to the Modoc Ferry route, and southwest on the Modoc Ferry route across the Mississippi River to the Missouri border.

South Zone: Same zone as for ducks.

South Central Zone: Same zone as for ducks.

Indiana

Same zones as for ducks.

Iowa

Same zones as for ducks.

Kentucky

Western: The area that includes all counties west of and including Hardin, Nelson, Washington, Marion, Taylor, Adair, and Cumberland Counties.

Eastern: The area that includes Bullitt County in its entirety and all other counties not included in the Western goose zone.

Louisiana

Same zones as for ducks.

Michigan

North Zone: Same as North duck zone.

Middle Zone: Same as Middle duck zone.

South Zone: Same as South duck zone.

Allegan County Game Management Unit (GMU): That area encompassed by a line beginning at the junction of 136th Avenue and Interstate Highway 196 in Lake Town Township and extending easterly along 136th Avenue to Michigan Highway 40, southerly along Michigan 40 through the city of Allegan to 108th Avenue in Trowbridge Township, westerly along 108th Avenue

to 46th Street, northerly along 46th Street to 109th Avenue, westerly along 109th Avenue to I-196 in Casco Township, then northerly along I-196 to the point of beginning.

Muskegon Wastewater GMU: That portion of Muskegon County within the boundaries of the Muskegon County wastewater system, east of the Muskegon State Game Area, in sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, and 32, T10N R14W, and sections 1, 2, 10, 11, 12, 13, 14, 24, and 25, T10N R15W, as posted.

Minnesota

Same zones as for ducks.

Missouri

Same zones as for ducks.

Ohio

Same zones as for ducks.

Tennessee

Reelfoot Zone: The lands and waters within the boundaries of Reelfoot Lake WMA only.

Remainder of State: The remainder of the State.

Wisconsin

North and South Zones: Same zones as for ducks.

Mississippi River Zone: That area encompassed by a line beginning at the intersection of the Burlington Northern & Santa Fe Railway and the Illinois State line in Grant County and extending northerly along the Burlington Northern & Santa Fe Railway to the city limit of Prescott in Pierce County, then west along the Prescott city limit to the Minnesota State line.

3. Central Flyway

Colorado (Central Flyway Portion)

North Park Area: Jackson County.

South Park Area: Chaffee, Custer, Fremont, Lake, Park, and Teller Counties.

San Luis Valley Area: All of Alamosa, Conejos, Costilla, and Rio Grande Counties, and those portions of Saguache, Mineral, Hinsdale, Archuleta, and San Juan Counties east of the Continental Divide.

Remainder: Remainder of the Central Flyway portion of Colorado.

Eastern Colorado Late Light Goose Area: That portion of the State east of Interstate Highway 25.

Montana (Central Flyway Portion)

Zone 1: Same as Zone 1 for ducks and coots.

Zone 2: Same as Zone 2 for ducks and coots.

Nebraska

Dark Geese

Niobrara Unit: That area contained within and bounded by the intersection of the Nebraska-South Dakota border and U.S. Hwy 83, south to U.S. Hwy 20, east to NE Hwy 14, north along NE Hwy 14 to NE Hwy 59 and County Road 872, west along County Road 872 to the Knox County line, north along the Knox County line to the Nebraska-South Dakota border, west along the Nebraska-South Dakota border to U.S. Hwy 83. Where the Niobrara River forms the boundary, both banks of the river are included in the Niobrara Unit.

Platte River Unit: The area bounded starting at the northernmost intersection of the Interstate Canal at the Nebraska-Wyoming border, south along the Nebraska-Wyoming border to the Nebraska-Colorado border, east and south along the Nebraska-Colorado border to the Nebraska-Kansas border, east along the Nebraska-Kansas border to the Nebraska-Missouri border, north along the Nebraska-Missouri and Nebraska-Iowa borders to the Burt-Washington Counties line, west along the Burt-Washington Counties line to U.S. Hwy 75, south to Dodge County Road 4/Washington County Road 4, west to U.S. Hwy 77, south to U.S. Hwy 275, northwest to U.S. Hwy 91, west to NE Hwy 45, north to NE Hwy 32, west to NE Hwy 14, north to NE Hwy 70, west to U.S. Hwy 281, south to NE Hwy 70, west along NE Hwy 70/91 to NE Hwy 11, north to the Holt County line, west along the northern border of Garfield, Loup, Blaine, and Thomas Counties to the Hooker County line, south along the Thomas-Hooker Counties lines to the McPherson County line, east along the south border of Thomas County to the Custer County line, south along the Custer-Logan Counties line to NE Hwy 92, west to U.S. Hwy 83, north to NE Hwy 92, west to NE Hwy 61, north to NE Hwy 2, west along NE Hwy 2 to the corner formed by Garden, Grant, and Sheridan Counties, west along the north borders of Garden, Morrill, and Scotts Bluff Counties to the intersection with the Interstate Canal, north and west along the Interstate Canal to the intersection with the Nebraska-Wyoming border.

North-Central Unit: Those portions of the State not in the Niobrara and Platte River zones.

Light Geese

Rainwater Basin Light Goose Area: The area bounded by the junction of NE Hwy 92 and NE Hwy 15, south along NE Hwy 15 to NE Hwy 4, west along NE Hwy 4 to U.S. Hwy 34, west along U.S.

Hwy 34 to U.S. Hwy 283, north along U.S. Hwy 283 to U.S. Hwy 30, east along U.S. Hwy 30 to NE Hwy 92, east along NE Hwy 92 to the beginning.

Remainder of State: The remainder of Nebraska.

New Mexico (Central Flyway Portion)

Dark Geese

Middle Rio Grande Valley Unit: Sierra, Socorro, and Valencia Counties.

Remainder: The remainder of the Central Flyway portion of New Mexico.

North Dakota

Missouri River Canada and Cackling Goose Zone: The area within and bounded by a line starting where ND Hwy 6 crosses the South Dakota border; then north on ND Hwy 6 to I-94; then west on I-94 to ND Hwy 49; then north on ND Hwy 49 to ND Hwy 200; then west on ND Hwy 200; then north on ND Hwy 8 to the Mercer-McLean Counties line; then east following the county line until it turns south toward Garrison Dam; then east along a line (including Mallard Island) of Lake Sakakawea to U.S. Hwy 83; then south on U.S. Hwy 83 to ND Hwy 200; then east on ND Hwy 200 to ND Hwy 41; then south on ND Hwy 41 to U.S. Hwy 83; then south on U.S. Hwy 83 to I-94; then east on I-94 to U.S. Hwy 83; then south on U.S. Hwy 83 to the South Dakota border; then west along the South Dakota border to ND Hwy 6.

Western North Dakota Canada and Cackling Goose Zone: Same as the High Plains Unit for ducks, mergansers, and coots, excluding the Missouri River Canada Goose Zone.

Rest of State: Remainder of North Dakota.

South Dakota

Early Canada and Cackling Goose Seasons

Special Early Canada and Cackling Goose Unit: The Counties of Campbell, Clark, Codington, Day, Deuel, Grant, Hamlin, Marshall, Roberts, and Walworth; that portion of Perkins County west of State Highway 75 and south of State Highway 20; that portion of Dewey County north of Bureau of Indian Affairs Road 8, Bureau of Indian Affairs Road 9, and the section of U.S. Highway 212 east of the Bureau of Indian Affairs Road 8 junction; that portion of Potter County east of U.S. Highway 83; that portion of Sully County east of U.S. Highway 83; portions of Hyde, Buffalo, Brule, and Charles Mix Counties north and east of a line beginning at the Hughes-Hyde County line on State Highway 34, east to Lees Boulevard, southeast to State

Highway 34, east 7 miles to 350th Avenue, south to Interstate 90 on 350th Avenue, south and east on State Highway 50 to Geddes, east on 285th Street to U.S. Highway 281, and north on U.S. Highway 281 to the Charles Mix-Douglas Counties boundary; that portion of Bon Homme County north of State Highway 50; those portions of Yankton and Clay Counties north of a line beginning at the junction of State Highway 50 and 306th Street/County Highway 585 in Bon Homme County, east to U.S. Highway 81, then north on U.S. Highway 81 to 303rd Street, then east on 303rd Street to 444th Avenue, then south on 444th Avenue to 305th Street, then east on 305th Street/Bluff Road to State Highway 19, then south to State Highway 50 and east to the Clay/Union County Line; Aurora, Beadle, Brookings, Brown, Butte, Corson, Davison, Douglas, Edmunds, Faulk, Haakon, Hand, Hanson, Harding, Hutchinson, Jackson, Jerauld, Jones, Kingsbury, Lake, McCook, McPherson, Meade, Mellette, Miner, Moody, Oglala Lakota (formerly Shannon), Sanborn, Spink, Todd, Turner, and Ziebach Counties; and those portions of Minnehaha and Lincoln Counties outside of an area bounded by a line beginning at the junction of the South Dakota-Minnesota State line and Minnehaha County Highway 122 (254th Street) west to its junction with Minnehaha County Highway 149 (464th Avenue), south on Minnehaha County Highway 149 (464th Avenue) to Hartford, then south on Minnehaha County Highway 151 (463rd Avenue) to State Highway 42, east on State Highway 42 to State Highway 17, south on State Highway 17 to its junction with Lincoln County Highway 116 (Klondike Road), and east on Lincoln County Highway 116 (Klondike Road) to the South Dakota-Iowa State line, then north along the South Dakota-Iowa and South Dakota-Minnesota border to the junction of the South Dakota-Minnesota State line and Minnehaha County Highway 122 (254th Street).

Regular Seasons

Unit 1: Same as that for the Special Early Canada and Cackling Goose Unit.

Unit 2: All of South Dakota not included in Unit 1 and Unit 3.

Unit 3: Bennett County.

Texas

Northeast Goose Zone: That portion of Texas lying east and north of a line beginning at the Texas-Oklahoma border at U.S. 81, then continuing south to Bowie and then southeasterly along U.S. 81 and U.S. 287 to I-35W and I-35 to the juncture with I-10 in San Antonio,

then east on I-10 to the Texas-Louisiana border.

Southeast Goose Zone: That portion of Texas lying east and south of a line beginning at the International Toll Bridge at Laredo, then continuing north following I-35 to the juncture with I-10 in San Antonio, then easterly along I-10 to the Texas-Louisiana border.

West Goose Zone: The remainder of the State.

Wyoming (Central Flyway Portion)

Dark Geese

Zone G1: Big Horn, Converse, Hot Springs, Natrona, Park, and Washakie Counties.

Zone G1A: Goshen and Platte Counties.

Zone G2: Campbell, Crook, Johnson, Niobrara, Sheridan, and Weston Counties.

Zone G3: Albany and Laramie Counties; and that portion of Carbon County east of the Continental Divide.

Zone G4: Fremont County excluding those portions south or west of the Continental Divide.

4. Pacific Flyway

Arizona

Same zones as for ducks.

California

Northeastern Zone: That portion of California lying east and north of a line beginning at the intersection of Interstate 5 with the California-Oregon line; south along Interstate 5 to its junction with Walters Lane south of the town of Yreka; west along Walters Lane to its junction with Easy Street; south along Easy Street to the junction with Old Highway 99; south along Old Highway 99 to the point of intersection with Interstate 5 north of the town of Weed; south along Interstate 5 to its junction with Highway 89; east and south along Highway 89 to main street Greenville; north and east to its junction with North Valley Road; south to its junction of Diamond Mountain Road; north and east to its junction with North Arm Road; south and west to the junction of North Valley Road; south to the junction with Arlington Road (A22); west to the junction of Highway 89; south and west to the junction of Highway 70; east on Highway 70 to Highway 395; south and east on Highway 395 to the point of intersection with the California-Nevada State line; north along the California-Nevada State line to the junction of the California-Nevada-Oregon State lines west along the California-Oregon State line to the point of origin.

Klamath Basin Special Management Area: Beginning at the intersection of

Highway 161 and Highway 97; east on Highway 161 to Hill Road; south on Hill Road to N Dike Road West Side; east on N Dike Road West Side until the junction of the Lost River; north on N Dike Road West Side until the Volcanic Legacy Scenic Byway; east on Volcanic Legacy Scenic Byway until N Dike Road East Side; south on the N Dike Road East Side; continue east on N Dike Road East Side to Highway 111; south on Highway 111/Great Northern Road to Highway 120/Highway 124; west on Highway 120/Highway 124 to Hill Road; south on Hill Road until Lairds Camp Road; west on Lairds Camp Road until Willow Creek; west and south on Willow Creek to Red Rock Road; west on Red Rock Road until Meiss Lake Road/Old State Highway; north on Meiss Lake Road/Old State Highway to Highway 97; north on Highway 97 to the point of origin.

Colorado River Zone: Those portions of San Bernardino, Riverside, and Imperial Counties east of a line from the intersection of Highway 95 with the California-Nevada State line; south on Highway 95 through the junction with Highway 40; south on Highway 95 to Vidal Junction; south through the town of Rice to the San Bernardino-Riverside Counties line on a road known as "Aqueduct Road" also known as Highway 62 in San Bernardino County; southwest on Highway 62 to Desert Center Rice Road; south on Desert Center Rice Road/Highway 177 to the town of Desert Center; east 31 miles on Interstate 10 to its intersection with Wiley Well Road; south on Wiley Well Road to Wiley Well; southeast on Milpitas Wash Road to the Blythe, Brawley, Davis Lake intersections; south on Blythe Ogilby Road also known as County Highway 34 to its intersection with Ogilby Road; south on Ogilby Road to its intersection with Interstate 8; east 7 miles on Interstate 8 to its intersection with the Andrade-Algodones Road/Highway 186; south on Highway 186 to its intersection with the U.S.-Mexico border at Los Algodones, Mexico.

Southern Zone: That portion of southern California (but excluding the Colorado River zone) south and east of a line beginning at the mouth of the Santa Maria River at the Pacific Ocean; east along the Santa Maria River to where it crosses Highway 166 near the City of Santa Maria; north on Highway 166; east on Highway 166 to the junction with Highway 99; south on Highway 99 to the junction of Interstate 5; south on Interstate 5 to the crest of the Tehachapi Mountains at Tejon Pass; east and north along the crest of the Tehachapi Mountains to where it intersects Highway 178 at Walker Pass;

east on Highway 178 to the junction of Highway 395 at the town of Inyokern; south on Highway 395 to the junction of Highway 58; east on Highway 58 to the junction of Interstate 15; east on Interstate 15 to the junction with Highway 127; north on Highway 127 to the point of intersection with the California-Nevada State line.

Imperial County Special Management Area: The area bounded by a line beginning at Highway 86 and the Navy Test Base Road; south on Highway 86 to the town of Westmoreland; continue through the town of Westmoreland to Route S26; east on Route S26 to Highway 115; north on Highway 115 to Weist Road; north on Weist Road to Flowing Wells Road; northeast on Flowing Wells Road to the Coachella Canal; northwest on the Coachella Canal to Drop 18; a straight line from Drop 18 to Frink Road; south on Frink Road to Highway 111; north on Highway 111 to Niland Marina Road; southwest on Niland Marina Road to the old Imperial County boat ramp and the water line of the Salton Sea; from the water line of the Salton Sea, a straight line across the Salton Sea to the Salinity Control Research Facility and the Navy Test Base Road; southwest on the Navy Test Base Road to the point of beginning.

Balance of State Zone: The remainder of California not included in the Northeastern, Colorado River, and Southern Zones.

North Coast Special Management Area: Del Norte and Humboldt Counties.

Sacramento Valley Special Management Area: That area bounded by a line beginning at Willows south on I-5 to Hahn Road; easterly on Hahn Road and the Grimes-Arbuckle Road to Grimes; northerly on CA 45 to the junction with CA 162; northerly on CA 45/162 to Glenn; and westerly on CA 162 to the point of beginning in Willows.

Colorado (Pacific Flyway Portion)

Same zones as for ducks.

Idaho

Early Canada and Cackling Goose Seasons

Zone 1: Bannock, Butte, Clark, Fremont, Jefferson, Madison, and Teton Counties; Bingham County, except that portion within the Blackfoot Reservoir drainage; Caribou County within the Fort Hall Indian Reservation; Power County east of State Highway 37 and State Highway 39; and all lands and waters within the Fort Hall Indian Reservation, including private in-holdings.

Zone 2: Bonneville County.

Zone 3: Ada, Adams, Blaine, Boise, Camas, Canyon, Cassia, Clearwater, Custer, Elmore, Franklin, Gem, Gooding, Idaho, Jerome, Latah, Lemhi, Lewis, Lincoln, Minidoka, Nez Perce, Oneida, Owyhee, Payette, Twin Falls, and Washington Counties; and Power County west of State Highway 37 and State Highway 39.

Zone 4: Bear Lake County; Bingham County within the Blackfoot Reservoir drainage; and Caribou County, except that portion within the Fort Hall Indian Reservation.

Zone 5: Valley County.

Zone 6: Benewah, Bonner, Boundary, Kootenai, and Shoshone Counties.

Regular Seasons

Canada and Cackling Geese and Brant

Same as for early Canada and cackling goose seasons.

White-Fronted Geese

Zone 1: Bannock County; Bingham County except that portion within the Blackfoot Reservoir drainage; Caribou County within the Fort Hall Indian Reservation; Power County east of State Highway 37 and State Highway 39; and all lands and waters within the Fort Hall Indian Reservation, including private in-holdings.

Zone 2: Bear Lake, Bonneville, Butte, Clark, Fremont, Jefferson, Madison, and Teton Counties; Bingham County within the Blackfoot Reservoir drainage; and Caribou County except within the Fort Hall Indian Reservation.

Zone 3: Adams, Blaine, Camas, Clearwater, Custer, Franklin, Idaho, Latah, Lemhi, Lewis, Nez Perce, and Oneida Counties; and Power County west of State Highway 37 and State Highway 39.

Zone 4: Ada, Boise, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Lincoln, Minidoka, Owyhee, Payette, Twin Falls, and Washington Counties.

Zone 5: Valley County.

Zone 6: Benewah, Bonner, Boundary, Kootenai, and Shoshone Counties.

Light Geese

Zone 1: All lands and waters within the Fort Hall Indian Reservation, including private in-holdings; Bannock County; Bingham County east of the west bank of the Snake River, west of the McTucker boat ramp access road, and east of the American Falls Reservoir bluff, except that portion within the Blackfoot Reservoir drainage; Caribou County within the Fort Hall Indian Reservation; and Power County below the American Falls Reservoir bluff, and within the Fort Hall Indian Reservation.

Zone 2: Franklin and Oneida Counties; Bingham County west of the west bank of the Snake River, east of the McTucker boat ramp access road, and west of the American Falls Reservoir bluff; Power County, except below the American Falls Reservoir bluff and those lands and waters within the Fort Hall Indian Reservation.

Zone 3: Ada, Boise, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Lincoln, Minidoka, Owyhee, Payette, Twin Falls, and Washington Counties.

Zone 4: Adams, Blaine, Camas, Clearwater, Custer, Idaho, Latah, Lemhi, Lewis, and Nez Perce Counties.

Zone 5: Bear Lake, Bonneville, Butte, Clark, Fremont, Jefferson, Madison, and Teton Counties; Bingham County within the Blackfoot Reservoir drainage; and Caribou County except within the Fort Hall Indian Reservation.

Zone 6: Valley County.

Zone 7: Benewah, Bonner, Boundary, Kootenai, and Shoshone Counties.

Nevada

Same zones as for ducks.

New Mexico (Pacific Flyway Portion)

North Zone: The Pacific Flyway portion of New Mexico located north of I-40.

South Zone: The Pacific Flyway portion of New Mexico located south of I-40.

Oregon

Northwest Permit Zone: Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, and Yamhill Counties.

Tillamook County Management Area: That portion of Tillamook County beginning at the point where Old Woods Road crosses the south shores of Horn Creek, north on Old Woods Road to Sand Lake Road at Woods, north on Sand Lake Road to the intersection with McPhillips Drive, due west (~200 yards) from the intersection to the Pacific coastline, south along the Pacific coastline to a point due west of the western end of Pacific Avenue in Pacific City, east from this point (~250 yards) to Pacific Avenue, east on Pacific Avenue to Brooten Road, south and then east on Brooten Road to Highway 101, north on Highway 101 to Resort Drive, north on Resort Drive to a point due west of the south shores of Horn Creek at its confluence with the Nestucca River, due east (~80 yards) across the Nestucca River to the south shores of Horn Creek, east along the south shores of Horn Creek to the point of beginning.

Southwest Zone: Those portions of Douglas, Coos, and Curry Counties east

of Highway 101, and Josephine and Jackson Counties.

South Coast Zone: Those portions of Douglas, Coos, and Curry Counties west of Highway 101.

Eastern Zone: Baker, Crook, Deschutes, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Union, Wallowa, and Wheeler Counties.

Mid-Columbia Zone: Gilliam, Hood River, Morrow, Sherman, Umatilla, and Wasco Counties.

Utah

East Box Elder County Zone:

Boundary begins at the intersection of the eastern boundary of Public Shooting Grounds Waterfowl Management Area and SR-83 (Promontory Road); east along SR-83 to I-15; south on I-15 to the Perry access road; southwest along this road to the Bear River Bird Refuge boundary; west, north, and then east along the refuge boundary until it intersects the Public Shooting Grounds Waterfowl Management Area boundary; east and north along the Public Shooting Grounds Waterfowl Management Area boundary to SR-83.

Wasatch Front Zone: Boundary begins at the Weber-Box Elder Counties line at I-15; east along Weber County line to U.S.-89; south on U.S.-89 to I-84; east and south on I-84 to I-80; south on I-80 to U.S.-189; south and west on U.S.-189 to the Utah County line; southeast and then west along this line to the Tooele County line; north along the Tooele County line to I-80; east on I-80 to Exit 99; north from Exit 99 along a direct line to the southern tip of Promontory Point and Promontory Road; east and north along this road to the causeway separating Bear River Bay from Ogden Bay; east on this causeway to the southwest corner of Great Salt Lake Mineral Corporation's (GSLMC) west impoundment; north and east along GSLMC's west impoundment to the northwest corner of the impoundment; north from this point along a direct line to the southern boundary of Bear River Migratory Bird Refuge; east along this southern boundary to the Perry access road; northeast along this road to I-15; south along I-15 to the Weber-Box Elder Counties line.

Southern Zone: Boundary includes Beaver, Carbon, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Piute, San Juan, Sanpete, Sevier, Washington, and Wayne Counties, and that part of Tooele County south of I-80.

Northern Zone: The remainder of Utah not included in the East Box Elder County, Wasatch Front, and Southern Zones.

Washington

Area 1: Skagit and Whatcom Counties, and that portion of Snohomish County west of Interstate 5.

Area 2 Inland (Southwest Permit Zone): Clark, Cowlitz, and Wahkiakum Counties, and that portion of Grays Harbor County east of Highway 101.

Area 2 Coastal (Southwest Permit Zone): Pacific County and that portion of Grays Harbor County west of Highway 101.

Area 3: All areas west of the Pacific Crest Trail and west of the Big White Salmon River that are not included in Areas 1, 2 Coastal, and 2 Inland.

Area 4: Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla Counties.

Area 5: All areas east of the Pacific Crest Trail and east of the Big White Salmon River that are not included in Area 4.

Wyoming (Pacific Flyway Portion)

Early Canada and Cackling Goose Seasons

Teton County Zone: Teton County.

Balance of State Zone: Remainder of the State.

C. Brant

Pacific Flyway

California

Northern Zone: Del Norte, Humboldt, and Mendocino Counties.

Balance of State Zone: The remainder of the State not included in the Northern Zone.

Washington

Puget Sound Zone: Clallam, Skagit, and Whatcom Counties.

Coastal Zone: Pacific County.

D. Swans

1. Central Flyway

South Dakota

Open Area: Aurora, Beadle, Brookings, Brown, Brule, Buffalo, Campbell, Clark, Codington, Davison, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Hand, Hanson, Hughes, Hyde, Jerauld, Kingsbury, Lake, Marshall, McCook, McPherson, Miner, Minnehaha, Moody, Potter, Roberts, Sanborn, Spink, Sully, and Walworth Counties.

2. Pacific Flyway

Idaho

Open Area: Benewah, Bonner, Boundary, and Kootenai Counties.

Montana (Pacific Flyway Portion)

Open Area: Cascade, Chouteau, Hill, Liberty, and Toole Counties and those portions of Pondera and Teton Counties lying east of U.S. 287-89.

Nevada

Open Area: Churchill, Lyon, and Pershing Counties.

Utah

Open Area: Begins at I-15 and Exit 365 (SR 13/83); west and north on SR-83 to I-84; west on I-84 to SR-30; southwest on SR-30 to the Nevada-Utah State line; south on this State line to I-80; east on I-80 to I-15; north on I-15 to Exit 365 (SR 13/83).

E. Doves

Alabama

South Zone: Baldwin, Coffee, Covington, Dale, Escambia, Geneva, Henry, Houston, and Mobile Counties.

North Zone: Remainder of the State.

Florida

Northwest Zone: The Counties of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Okaloosa, Santa Rosa, Walton, Washington, Leon (except that portion north of U.S. 27 and east of State Road 155), Jefferson (south of U.S. 27, west of State Road 59 and north of U.S. 98), and Wakulla (except that portion south of U.S. 98 and east of the St. Marks River).

South Zone: The remainder of the State.

Louisiana

North Zone: That portion of the State north of a line extending east from the Texas border along State Highway 12 to U.S. Highway 190, east along U.S. Highway 190 to Interstate Highway 12, east along Interstate Highway 12 to Interstate Highway 10, then east along Interstate Highway 10 to the Mississippi border.

South Zone: The remainder of the State.

Mississippi

North Zone: That portion of the State north and west of a line extending west from the Alabama State line along U.S. Highway 84 to its junction with State Highway 35, then south along State Highway 35 to the Louisiana State line.

South Zone: The remainder of Mississippi.

New Mexico

North Zone: North of I-40 from the New Mexico-Arizona border to U.S. Hwy. 54 at Tucumcari; U.S. Hwy. 54 from Tucumcari to the New Mexico-Texas border.

South Zone: South of I-40 from the New Mexico-Arizona border to U.S. Hwy. 54 at Tucumcari; U.S. Hwy. 54 from Tucumcari to the New Mexico-Texas border.

Oregon

Zone 1: Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Gilliam, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Wasco, Washington, and Yamhill Counties.

Zone 2: The remainder of Oregon not included in Zone 1.

Texas

North Zone: That portion of the State north of a line beginning at the International Bridge south of Fort Hancock; north along FM 1088 to TX 20; west along TX 20 to TX 148; north along TX 148 to I-10 at Fort Hancock; east along I-10 to I-20; northeast along I-20 to I-30 at Fort Worth; northeast along I-30 to the Texas-Arkansas State line.

Central Zone: That portion of the State lying between the North and South Zones.

South Zone: That portion of the State south and west of a line beginning at the International Bridge south of Del Rio, proceeding east on U.S. 90 to State Loop 1604 west of San Antonio; then south, east, and north along Loop 1604 to I-10 east of San Antonio; then east on I-10 to Orange, Texas.

Special White-winged Dove Area: Same as the South Zone.

New Mexico

North Zone: That portion of the State north of a line following I-40 from the Arizona border east to U.S. Hwy 54 at Tucumcari and U.S. Hwy 54 at Tucumcari east to the Texas border.

South Zone: The remainder of the State not included in the North Zone.

F. Band-Tailed Pigeons

California

North Zone: Alpine, Butte, Del Norte, Glenn, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity Counties.

South Zone: The remainder of the State not included in the North Zone.

New Mexico

North Zone: North of a line following U.S. 60 from the Arizona State line east to I-25 at Socorro and then south along I-25 from Socorro to the Texas State line.

South Zone: The remainder of the State not included in the North Zone.

Washington

Western Washington: The State of Washington excluding those portions lying east of the Pacific Crest Trail and east of the Big White Salmon River in Klickitat County.

G. American Woodcock

New Jersey

North Zone: That portion of the State north of NJ 70.

South Zone: The remainder of the State.

H. Sandhill Cranes

1. Mississippi Flyway

Alabama

Open Area: That area north of Interstate 20 from the Georgia State line to the interchange with Interstate 65, then east of Interstate 65 to the interchange with Interstate 22, then north of Interstate 22 to the Mississippi State line.

Minnesota

Northwest Zone: That portion of the State encompassed by a line extending east from the North Dakota border along U.S. Highway 2 to State Trunk Highway (STH) 32, north along STH 32 to STH 92, east along STH 92 to County State Aid Highway (CSAH) 2 in Polk County, north along CSAH 2 to CSAH 27 in Pennington County, north along CSAH 27 to STH 1, east along STH 1 to CSAH 28 in Pennington County, north along CSAH 28 to CSAH 54 in Marshall County, north along CSAH 54 to CSAH 9 in Roseau County, north along CSAH 9 to STH 11, west along STH 11 to STH 310, and north along STH 310 to the Manitoba border.

Tennessee

Southeast Crane Zone: That portion of the State south of Interstate 40 and east of State Highway 56.

Remainder of State: That portion of Tennessee outside of the Southeast Crane Zone.

2. Central Flyway

Colorado (Central Flyway Portion)

Open Area: The Central Flyway portion of the State except the San Luis Valley (Alamosa, Conejos, Costilla, Hinsdale, Mineral, Rio Grande, and Saguache Counties east of the Continental Divide) and North Park (Jackson County).

Kansas

Central Zone: That portion of the State within an area bounded by a line beginning where I-35 crosses the Kansas-Oklahoma border, then north on

I-35 to Wichita, then north on I-135 to Salina, then north on U.S. 81 to the Nebraska border, then west along the Kansas-Nebraska border to its intersection with Hwy 283, then south on Hwy 283 to the intersection with Hwy 18/24, then east along Hwy 18 to Hwy 183, then south on Hwy 183 to Route 1, then south on Route 1 to the Oklahoma border, then east along the Kansas-Oklahoma border to where it crosses I-35.

West Zone: That portion of the State west of the western boundary of the Central Zone.

Montana (Central Flyway Portion)

Regular Season Open Area: The Central Flyway portion of the State except for that area south and west of Interstate 90.

Special Season Open Areas

Zone 7: Golden Valley and Wheatland Counties and those portions of Stillwater and Sweetgrass Counties north of I-90.

Zone 8: Carbon County.

New Mexico (Central Flyway Portion)

Regular-Season Open Area: Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt Counties.

Special Season Open Areas

Middle Rio Grande Valley Area: The Central Flyway portion of New Mexico in Socorro and Valencia Counties.

Estancia Valley Area: Those portions of Santa Fe, Torrance, and Bernallillo Counties within an area bounded on the west by New Mexico Highway 55 beginning at Mountainair north to NM 337, north to NM 14, north to I-25; on the north by I-25 east to U.S. 285; on the east by U.S. 285 south to U.S. 60; and on the south by U.S. 60 from U.S. 285 west to NM 55 in Mountainair.

Southwest Zone: Area bounded on the south by the New Mexico-Mexico border; on the west by the New Mexico-Arizona border north to Interstate 10; on the north by Interstate 10 east to U.S. 180, north to NM 26, east to NM 27, north to NM 152, and east to Interstate 25; on the east by Interstate 25 south to Interstate 10, west to the Luna County line, and south to the New Mexico-Mexico border.

North Dakota

Area 1: That portion of the State west of U.S. 281.

Area 2: That portion of the State east of U.S. 281.

Oklahoma

Open Area: That portion of the State west of I-35.

South Dakota

Open Area: That portion of the State lying west of a line beginning at the South Dakota-North Dakota border and State Highway 25, south on State Highway 25 to its junction with State Highway 34, east on State Highway 34 to its junction with U.S. Highway 81, then south on U.S. Highway 81 to the South Dakota-Nebraska border.

Texas

Zone A: That portion of Texas lying west of a line beginning at the international toll bridge at Laredo; then northeast along U.S. Highway 81 to its junction with Interstate Highway 35 in Laredo; then north along Interstate Highway 35 to its junction with Interstate Highway 10 in San Antonio; then northwest along Interstate Highway 10 to its junction with U.S. Highway 83 at Junction; then north along U.S. Highway 83 to its junction with U.S. Highway 62, 16 miles north of Childress; then east along U.S. Highway 62 to the Texas-Oklahoma State line.

Zone B: That portion of Texas lying within boundaries beginning at the junction of U.S. Highway 81 and the Texas-Oklahoma State line; then southeast along U.S. Highway 81 to its junction with U.S. Highway 287 in Montague County; then southeast along U.S. Highway 287 to its junction with Interstate Highway 35W in Fort Worth; then southwest along Interstate Highway 35 to its junction with Interstate Highway 10 in San Antonio; then northwest along Interstate Highway 10 to its junction with U.S. Highway 83 in the town of Junction; then north along U.S. Highway 83 to its junction with U.S. Highway 62, 16 miles north of Childress; then east along U.S. Highway 62 to the Texas-Oklahoma State line; then south along the Texas-Oklahoma State line to the south bank of the Red River; then eastward along the vegetation line on the south bank of the Red River to U.S. Highway 81.

Zone C: The remainder of the State, except for the closed areas.

Closed areas:

a. That portion of the State lying east and north of a line beginning at the junction of U.S. Highway 81 and the Texas-Oklahoma State line, then southeast along U.S. Highway 81 to its junction with U.S. Highway 287 in Montague County, then southeast along U.S. Highway 287 to its junction with I-35W in Fort Worth, then southwest along I-35 to its junction with U.S. Highway 290 East in Austin, then east along U.S. Highway 290 to its junction with Interstate Loop 610 in Harris County, then south and east along

Interstate Loop 610 to its junction with Interstate Highway 45 in Houston, then south on Interstate Highway 45 to State Highway 342, then to the shore of the Gulf of Mexico, and then north and east along the shore of the Gulf of Mexico to the Texas-Louisiana State line.

b. That portion of the State lying within the boundaries of a line beginning at the Kleberg-Nueces County line and the shore of the Gulf of Mexico, then west along the County line to Park Road 22 in Nueces County, then north and west along Park Road 22 to its junction with State Highway 358 in Corpus Christi, then west and north along State Highway 358 to its junction with State Highway 286, then north along State Highway 286 to its junction with Interstate Highway 37, then east along Interstate Highway 37 to its junction with U.S. Highway 181, then north and west along U.S. Highway 181 to its junction with U.S. Highway 77 in Sinton, then north and east along U.S. Highway 77 to its junction with U.S. Highway 87 in Victoria, then south and east along U.S. Highway 87 to its junction with State Highway 35 at Port Lavaca, then north and east along State Highway 35 to the south end of the Lavaca Bay Causeway, then south and east along the shore of Lavaca Bay to its junction with the Port Lavaca Ship Channel, then south and east along the Lavaca Bay Ship Channel to the Gulf of Mexico, and then south and west along the shore of the Gulf of Mexico to the Kleberg-Nueces Counties line.

Wyoming (Central Flyway Portion)

Area 4: All lands within the Bureau of Reclamation's Riverton and Boysen Unit boundaries; those lands within Boysen State Park south of Cottonwood Creek, west of Boysen Reservoir, and south of U.S. Highway 20-26; and all non-Indian owned fee title lands within the exterior boundaries of the Wind River Reservation, excluding those lands within Hot Springs County.

Area 6: Big Horn, Hot Springs, Park, and Washakie Counties.

Area 7: Campbell, Converse, Crook, Goshen, Laramie, Niobrara, Platte, and Weston Counties.

Area 8: Johnson, Natrona, and Sheridan Counties.

3. Pacific Flyway

Arizona

Zone 1: Beginning at the junction of the New Mexico State line and U.S. Hwy 80; south along the State line to the U.S.-Mexico border; west along the border to the San Pedro River; north along the San Pedro River to the junction with Arizona Hwy 77;

northerly along Arizona Hwy 77 to the Gila River; northeast along the Gila River to the San Carlos Indian Reservation boundary; south then east and north along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to the 352 exit on I-10; east on I-10 to Bowie-Apache Pass Road; southerly on the Bowie-Apache Pass Road to Arizona Hwy 186; southeasterly on Arizona Hwy 186 to Arizona Hwy 181; south on Arizona Hwy 181 to the West Turkey Creek-Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Road; easterly on Rucker Canyon Road to the Tex Canyon Road; southerly on Tex Canyon Road to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico State line.

Zone 2: Beginning at I-10 and the New Mexico State line; north along the State line to Arizona Hwy 78; southwest on Arizona Hwy 78 to U.S. Hwy 191; northwest on U.S. Hwy 191 to Clifton; westerly on the Lower Eagle Creek Road (Pump Station Road) to Eagle Creek; northerly along Eagle Creek to the San Carlos Indian Reservation boundary; southerly and west along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to I-10; easterly on I-10 to the New Mexico State line.

Zone 3: Beginning on I-10 at the New Mexico State line; westerly on I-10 to the Bowie-Apache Pass Road; southerly on the Bowie-Apache Pass Road to AZ Hwy 186; southeast on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the West Turkey Creek-Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Road; easterly on the Rucker Canyon Road to Tex Canyon Road; southerly on Tex Canyon Road to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico State line; north along the State line to I-10.

Idaho

Area 1: All of Bear Lake County and all of Caribou County except that portion lying within the Grays Lake Basin.

Area 2: All of Teton County except that portion lying west of State Highway 33 and south of Packsaddle Road (West 400 North) and north of the North Cedron Road (West 600 South) and east of the west bank of the Teton River.

Area 3: All of Fremont County except the Chester Wetlands Wildlife Management Area.

Area 4: All of Jefferson County.

Area 5: All of Bannock County east of Interstate 15 and south of U.S. Highway 30; and all of Franklin County.

Area 6: That portion of Oneida County within the boundary beginning at the intersection of the Idaho-Utah border and Old Highway 191, then north on Old Highway 191 to 1500 S, then west on 1500 S to Highway 38, then west on Highway 38 to 5400 W, then south on 5400 W to Pocatello Valley Road, then west and south on Pocatello Valley Road to 10000 W, then south on 10000 W to the Idaho-Utah border, then east along the Idaho-Utah border to the beginning point.

Montana (Pacific Flyway Portion)

Zone 1: Those portions of Deer Lodge County lying within the following described boundary: beginning at the intersection of I-90 and Highway 273, then westerly along Highway 273 to the junction of Highway 1, then southeast along said highway to Highway 275 at Opportunity, then east along said highway to East Side County road, then north along said road to Perkins Lane, then west on said lane to I-90, then north on said interstate to the junction of Highway 273, the point of beginning. Except for sections 13 and 24, T5N, R10W; and Warm Springs Pond number 3.

Zone 2: That portion of the Pacific Flyway, located in Powell County lying within the following described boundary: beginning at the junction of State Routes 141 and 200, then west along Route 200 to its intersection with the Blackfoot River at Russell Gates Fishing Access Site (Powell-Missoula County line), then southeast along said river to its intersection with the Ovando-Helmville Road (County Road 104) at Cedar Meadows Fishing Access Site, then south and east along said road to its junction with State Route 141, then north along said route to its junction with State Route 200, the point of beginning.

Zone 3: Beaverhead, Gallatin, Jefferson, and Madison Counties.

Zone 4: Broadwater County.

Zone 5: Cascade and Teton Counties.

Zone 6: Meagher County.

Utah

Cache County: Cache County.

East Box Elder County: That portion of Box Elder County beginning on the Utah-Idaho State line at the Box Elder-Cache County line; west on the State line to the Pocatello Valley County Road; south on the Pocatello Valley County Road to I-15; southeast on I-15 to SR-83; south on SR-83 to Lamp Junction; west and south on the Promontory Point County Road to the tip of Promontory Point; south from Promontory Point to the Box Elder-Weber Counties line; east on the Box Elder-Weber Counties line to the Box Elder-Cache Counties line; north on the Box Elder-Cache Counties line to the Utah-Idaho State line.

Rich County: Rich County.

Uintah County: Uintah and Duchesne Counties.

Wyoming (Pacific Flyway Portion)

Area 1: All of the Bear River and Ham's Fork River drainages in Lincoln County.

Area 2: All of the Salt River drainage in Lincoln County south of the McCoy Creek Road.

Area 3: All lands within the Bureau of Reclamation's Eden Project in Sweetwater County.

Area 5: Uinta County.

I. All Migratory Game Birds in Alaska

North Zone: State Game Management Units 11-13 and 17-26.

Gulf Coast Zone: State Game Management Units 5-7, 9, 14-16, and 10 (Unimak Island only).

Southeast Zone: State Game Management Units 1-4.

Pribilof and Aleutian Islands Zone: State Game Management Unit 10 (except Unimak Island).

Kodiak Zone: State Game Management Unit 8.

J. All Migratory Game Birds in the Virgin Islands

Ruth Cay Closure Area: The island of Ruth Cay, just south of St. Croix.

K. All Migratory Game Birds in Puerto Rico

Municipality of Culebra Closure Area: All of the municipality of Culebra.

Desecheo Island Closure Area: All of Desecheo Island.

Mona Island Closure Area: All of Mona Island.

El Verde Closure Area: Those areas of the municipalities of Rio Grande and Loiza delineated as follows: (1) All lands between Routes 956 on the west and 186 on the east, from Route 3 on the north to the juncture of Routes 956 and 186 (Km 13.2) in the south; (2) all lands between Routes 186 and 966 from the juncture of 186 and 966 on the north, to the Caribbean National Forest Boundary on the south; (3) all lands lying west of Route 186 for 1 kilometer from the juncture of Routes 186 and 956 south to Km 6 on Route 186; (4) all lands within Km 14 and Km 6 on the west and the Caribbean National Forest Boundary on the east; and (5) all lands within the Caribbean National Forest Boundary whether private or public.

Cidra Municipality and adjacent areas: All of Cidra Municipality and portions of Aguas Buenas, Caguas, Cayey, and Comerio Municipalities as encompassed within the following boundary: beginning on Highway 172 as it leaves the municipality of Cidra on the west edge, north to Highway 156, east on Highway 156 to Highway 1, south on Highway 1 to Highway 765, south on Highway 765 to Highway 763, south on Highway 763 to the Rio Guavate, west along Rio Guavate to Highway 1, southwest on Highway 1 to Highway 14, west on Highway 14 to Highway 729, north on Highway 729 to Cidra Municipality boundary to the point of the beginning.

Maureen D. Foster,

Chief of Staff, Office of the Assistant Secretary for Fish and Wildlife and Parks.

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